STEP 2 Nomination Study

AUBURN

EXECUTIVE SUMMARY

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

Project Overview

The Auburn Sparks BOA Step 2 Nomination Study is a market-driven, economically feasible plan for revitalizing brownfields, catalyzing strategic sites, and redeveloping the riverfront and downtown. Grounded in a comprehensive analysis of existing conditions and informed by community feedback, the Nomination Study makes tailored recommendations for the City of Auburn's future. The Study also includes a Master Plan and Implementation Strategy, which details project phasing and costs, and possible funding sources. The Implementation Strategy provides a viable path to redevelopment, demonstrating when and how certain actions should be undertaken to realize the vision set forth in the Master Plan. The ultimate intent of the Step 2 Nomination Study is for the Auburn Sparks BOA to receive an official designation, thereby enabling the City to better execute on its Master Plan through increased grant preference and attractiveness to private investors, and access to other resources.

What is a Brownfield?

New York State law defines a brownfield as a property whose redevelopment or reuse may be complicated by the presence of contamination. Brownfield sites are typically former industrial or commercial properties whose operations may have resulted in environmental impairment. Remediation of existing brownfields can remove barriers to redevelopment, and can encourage investment at these sites.



Goals of the BOA

Synergy

Develop a safe, accessible, and interconnected transportation network that serves as both a regional hub and a destination.

lay

Ensure future access to green space, the Owasco River, and recreation opportunities is maintained and enhanced.

Arts & Culture

Facilitate city-wide engagement in the creative economy.

Reinvention

Establish Auburn as an employment hub that offers a diverse, innovative, and sustainable spectrum of job opportunities.

inship

Continue to develop a vibrant, safe, and culturally diverse downtown.

D implicity

Create a sustainable community that allows all residents to access housing, nature, and positive quality of life.

Community Overview

The City of Auburn is the main transportation, business, and entertainment center for the Cayuga County and the regional area. The City's downtown business district provides opportunities for visitors and residents to enjoy local shopping, dining, and entertainment, and has welcomed over 15 new restaurants, retail, and mixed-use establishments in recent years. The City also has thriving creative and tourism economies, bolstered by many cultural and historic attractions including the Seward House Museum and the Harriet Tubman Home. The Owasco River also acts as a significant asset for the City, providing opportunities for water-based recreation, development, and energy production.

Despite its many assets, the City is also challenged by vacancy, underutilization, and the existence of brownfields. The City hopes to address these issues by capitalizing on recent momentum and building off its strong central business district, stable residential neighborhoods, multiple natural resources, diverse recreational opportunities, and year-round attractions.





Public Participation

The Auburn Sparks BOA Step 2 Nomination Study was developed through and informed by a comprehensive public participation process, which gathered input from residents, business owners, community organizations, and other interested parties to ensure that the resulting Master Plan is representative of the people and community that it is intended to serve. Engagement activities are as follows.

Project Advisory Committee | 7 meetings

Comprised of City staff and representatives from various organizations including the Zoning and Planning Boards, the Auburn Business Improvement District and Farmers' Market, and the Cayuga County Tourism Office and Economic Development Agency, the Project Advisory Committee regularly met with the project team to discuss project updates, engage in design workshops, and guide the development of the Step 2 Nomination Study.

Zoning Subcommittee | 15 meetings

In order to update the City's existing Zoning Ordinance to support the projects recommended in the Master Plan, a Zoning Subcommittee was formed of City planning staff and Zoning and Planning Board members.

Public Arts Steering Committee | 5 meetings

The Public Arts Steering Committee, which included City staff and representatives from the local art community, was formed to provide guidance for the development of a Public Art Ordinance

Public Outreach Events | 3 workshops + 1 website

Two public workshops, one focused on visioning and one focused on design, were held to gather feedback related to the community's ideas for Auburn's future.

Another workshop was held with members of IGNITE, a young professional group. This workshop helped develop objectives and goals for the BOA.

In addition, a website (**auburnsparks.com**) was created to publicize and promote the BOA.

Student Education Program

Members of the project team held information sessions with over 200 students at Auburn High School, which focused on identifying and remediating brownfields. Students also brainstormed different development opportunities for sites within the BOA.



Auburn Sparks Vision Statement

"A community built on the interconnected relationships between its many natural, cultural, and historic assets, and an unparalleled quality of life supported by a strong local economy and restored vibrancy in the downtown. With safe, friendly, and active neighborhoods, residents are proud to call Auburn home."

Study Area Boundary

The Study Area boundary was informed by stakeholder feedback, and is intended to encompass parcels with the highest potential for redevelopment. Centrally located in the City of Auburn, the boundary spans from the southeast corner at Silver Avenue to the western City line just beyond Bradley Street. A mixture of commercial, industrial, and residential uses are included within the boundary, as well as most of the downtown business district and a portion of the historic district.

The boundary includes approximately 573 acres of land, as well as key buildings and sites such as the Auburn Correctional Facility and the Bombardier site. As the planning process progressed, the boundary was expanded to include additional properties that would benefit from BOA designation, such as those fronting Seminary Street.





Existing Conditions

Demographics

Population growth in the Study Area is slow, but continues to increase at a faster rate than the City of Auburn and Cayuga County.

The median age in the Study Area is younger than the surrounding region, but the 65+ age cohort is projected to increase.

While the total number of housing units in the Study Area is expected to increase by 2020, homeownership rates are expected to decline.

Land Use and Zoning

In the Study Area, residential and commercial land uses collectively account for over 60% of all land uses, while 12.5% of land uses are vacant.

60% of the BOA is zoned residential, while 35% of the BOA is zoned commercial.

Brownfields and Underutilized Sites

In 2010, funding was secured to perform Phase I Environmental Site Assessments (ESA) for 13 sites within the Study Area; 8 of which received additional funding for Phase II ESAs.

4 brownfields and 2 underutilized sites were chosen as strategic sites, or sites with significant potential to catalyze redevelopment and investment throughout the community. 5 of these strategic sites are publicly owned, either in whole or in part, better enabling the City to achieve the vision set forth in the BOA Step 2 Nomination Study.

Strategic Sites

Wadsworth Site Former Wadsworth & Son Scythe Factory



Public Ownership Brownfield Status Vacant Property Potential for open space,

waterfront access, trail node

151 Orchard Street | Former Bombardier Transportation



Private Ownership Brownfield Status

Potential for commercial and recreational uses, infill redevelopment, accessory trail uses

41-55 Washington St. Dunn & McCarthy Shoe Factory



Public Ownership Brownfield Status Vacant Property Potential for residential and commercial uses, open space



Parks and Open Space

Over 85% of residents in the Study Area are within walking distance of parks or open space.

When the Owasco River Greenway Trail is completed, half its length and thirteen major nodes will fall within the Study Area.

Transportation Systems

The Study Area is traversed by NYS Routes 5 & 20, the Finger Lakes Railroad, multiple Centro bus routes, and various pedestrian trails.

Major cities like Syracuse and Rochester are quickly and easily accessible via the NYS Thruway.



Infrastructure and Utilities

New development in the Study Area would have adequate access to public water and sewer, and would benefit from the City's various parking options including the Downtown Parking Garage.

Natural Resources

The Owasco River is a significant natural resource for the Study Area, and provides opportunities for both recreation and

hydropower production.

The River is important to the Study Area's economy, driving tourism and creating opportunities for an engaging waterfront experience.

Although the Study Area does not contain any federally designated wetlands and is not located above an aquifer, future developments should be cognizant of their potential impact upon areas of significance and upon threatened or endangered species.

Strategic Sites

1-7 State Street Former Kalet Department Store



Public Ownership Vacant Property Potential for green space

9 Owasco Street | Mill Street Dam



Public Ownership Brownfield Status Vacant Property Potential for open space, connection to Owasco River Greenway Trail

41 Genesee Street Nolan Property



Private/public Ownership Potential for mixed-use or commercial uses, public market, pedestrian-friendly promenade, waterfront access

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Market Analysis

A comprehensive economic and market trends analysis was conducted to identify residential, retail, industrial, and mixed-use opportunities appropriate for the Study Area, as described below.

Residential Opportunities

High-end rental housing geared towards emptynester baby-boomers, young professionals, and incommuters.

Downtown student housing, dependent on Cayuga Community College's intentions to build additional on-campus housing.

Mixed residential and other uses at the Dunn & McCarthy site, provided that contamination issues are not prohibitive.

Retail Opportunities

Present market conditions could accommodate a limited number of small-scale, boutique outfits including:

- Clothing stores;
- Full service restaurants and drinkeries; and
- Specialty / locally-sourced food stores.

Industrial and Mixed-Use Opportunities

Possibility for one or more large industrial space owners to move to multi-tenant "flex spaces," where property is divided into smaller, separately leasable units.

Selected conversions of former industrial properties into other uses, specifically the Bombardier and Dunn & McCarthy sites.

Conversions of older structures into upper-story apartments with first-floor retail and institutional uses.

Economic Development Strategies

Capitalize on the Waterfront



Ensure Parking Availability



Undertake Selective Demolition



Implement Transformative Projects



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Master Plan



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Recommended Projects

Strategy #1: Transform the Streetscape



#2: Clark St. and Aurelius Ave.

Description:	enhanced lighting, street trees, street furniture
Cost:	\$220 K +
Timeframe:	3 to 5 years



#3: Columbus St. / 5 & 20 Intersection

Description:enhanced crosswalks, street
trees, wayfinding signageCost:+/- \$4.5 MTimeframe:2 to 4 years

-



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1	#	5: State Street	
	Description:	ornate street lights, raised crossings, wayfinding banners	
	Cost:	\$350 K +	
	Timeframe:	3 to 5 years	

#6.	Arteria	al West
TO .		

Description:	more noticeable crosswalks, pedestrian crosswalk timers	
Cost:	+/- \$7.5 M	
Timeframe:	3 + years	





#7: Owasco Street

Description:	enhanced lighting, sidewalk improvements, traffic calming
Cost:	+/- \$3.5 M
Timeframe:	5 + years



Strategy #2: Strengthen the Gateways



#9: North Street Gateway

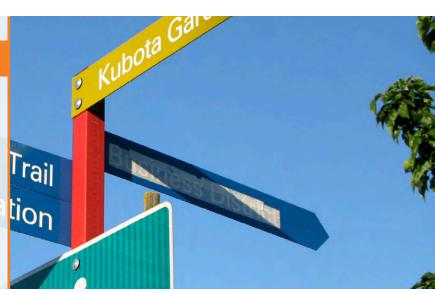
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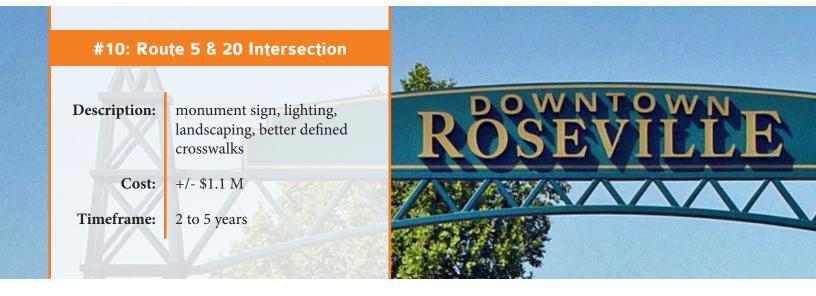
new signage, landscaping, defined crosswalks \$785 K

Cost:

Timeframe:

1 to 3 years







#12: South Street GatewayDescription:historic district gateway signageCost:\$825K +Timeframe:2 to 4 years



Strategy #3: Reinvent Downtown



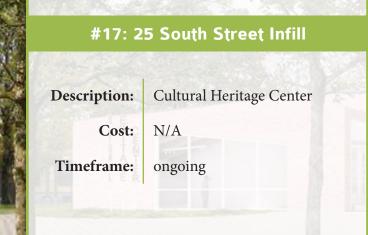


#14: Loop Road Mixed-UseDescription:permanent public market;
brewery; riverfront promenade;
possibility for cultural facilities,
businesses, restaurants; closure
of Loop RoadCost:+/- 2.4 MTimeframe:2 to 5 years



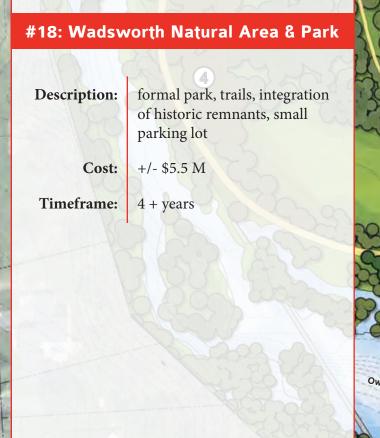
Description:potential for arts and cultural center, visitor's center, and/or museumCost:dependent on chosen end-useTimeframe:1 to 5 years	2	#15: Publi	c Safety Building Reuse	 TOT
		Description:	center, visitor's center, and/or	
Timeframe: 1 to 5 years		Cost:	dependent on chosen end-use	988
		Timeframe:	1 to 5 years	







Strategy #4: Reimagine Vacant and Underutilized Sites





#19: Aurelius Commercial DevelopmentDescription:infill and commercial
developmentCost:TBDTimeframe:2 to 4 years



#21: Dunn & McCarthy Redevelopment

Description:	townhouses, mixed-use apartment and commercial space, green space	
Cost:	+/- \$11.5 M	
Timeframe:	2 to 4 years	



#22: McMa	aster St. Adaptive Reuse	
Description: mixed-use office and residential space		
Cost:	TBD	
Timeframe:	3 to 5 years	



#23: Semiı	nary Avenue Mixed-Use		All and the second
 Description:	facade improvements, infill development, streetscaping		
Cost:	TBD		ST.
Timeframe:	3 to 5 years		La

#24: Lizette & Miller Redevelopment

Description:	infill residential development, possible low-income housing	
Cost:	\$600 K	
Timeframe:	3 to 5 years	

#25: Osborne Street Redevelopment

Description:neighborhood-scale amenitiesCost:TBD

0000. 1

Timeframe: 3 to 5 years



Conclusion

The preparation of this Step 2 Nomination Study evidences the City and the community's strong commitment to revitalization. The recommendations included in this Study are informed by existing conditions and projected trends in the Study Area, and are uniquely tailored to effect desired changes and realize the community's vision for Auburn.

In order to support the recommended projects, the Nomination Study also incorporated the following parallel efforts:

Zoning Ordinance Update

Revisions to the existing Zoning Ordinance will facilitate successful implementation of the projects proposed in the Nomination Study. The revisions will impact the entirety of the Study Area, consolidating existing districts, adding new Central Corridor and Downtown Districts, and updating signage and design regulations in order to support desired forms of development and aesthetics. A formbased code is suggested for the Downtown District to promote a compact, walkable, urban development pattern through the regulation of building and streetscape form, rather than the regulation of land use. The zoning revisions also re-organize the existing document for clarity and ease of use, while ensuring that techniques, laws, and terminology are up-to-date.

Creation of a Public Art Ordinance

To supplement initiatives proposed in the Nomination Study, a Public Art Ordinance was drafted in order to regulate methods for soliciting, approving, siting, installing, and maintaining public art, and for codifying design criteria and application requirements. The Ordinance would establish a Public Art Commission (PAC), both of which are regulatory tools the City could use to establish a comprehensive Public Art Plan and Program.



Nomination Study

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This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

Acknowledgements

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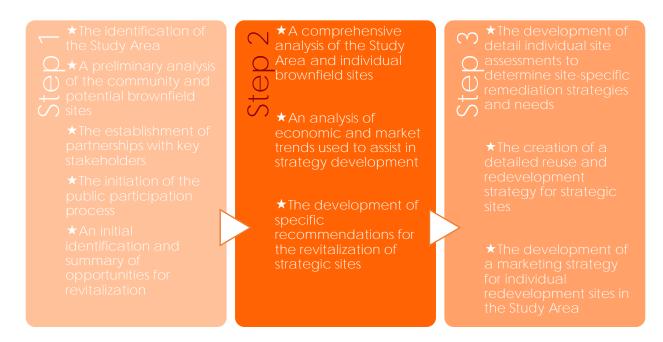
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1. Project Description and Boundary

1.0 Lead Project Sponsors

The Auburn Downtown / Owasco River Corridor Nomination Study is sponsored by the City of Auburn through the Department of Planning and Economic Development with funding provided through the New York Department of State (NYSDOS) Brownfield Opportunity Areas Program (BOA).



1.1 The Brownfield Opportunity Area Program

The Brownfield Opportunity Area (BOA) Program was developed in 2003 as the planning component of the NYS Superfund/Brownfield Law (GML Article 18-C, Section 970-r), providing municipalities and community-based organizations with financial and technical assistance to complete area-wide revitalization strategies for neighborhoods impacted by the presence of brownfields and environmental hazards.

The BOA program is a 3-step process that provides grants and technical support to help municipalities and community organizations complete and implement revitalization strategies for their communities. At the completion of the program, communities will be designated a Brownfield Opportunity Area (BOA), increasing their competitive position for access to funding and incentives under the DEC Brownfield Cleanup Program, the Empire State Development Corporation's economic development programs, and many other State and Federal assistance opportunities.

Brownfield sites are typically former industrial or commercial properties where operations may have resulted in environmental impairment. The DOS and DEC recognize the expansive detrimental impacts these sites have on their surrounding neighborhoods, and that brownfield impacts are not limited to individual sites or immediately adjoining property.

Key Objectives of the BOA Program

Developing a market-driven, economically feasible plan for the riverfront and downtown redevelopment;

Encouraging cleanup and redevelopment of the brownfield site, promoting the redevelopment of vacant and underutilized sites to productive economic and social use; and

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Implementing key strategies needed to support more immediate area-wide improvement activities.

The marketability and viability of entire neighborhoods can be negatively impacted by the presence of contaminated sites through a decline in property values, perceived safety, and a lack of reinvestment. The BOA Program assists communities in identifying and analyzing sources of neighborhood distress, and provides the resources and capacity to develop and implement revitalization strategies for brownfield and underutilized sites, as well as neighborhoods that surround them. The BOA program does not provide funds for direct cleanup efforts. State and Federal programs exist for the cleanup and remediation of sites, such as the DEC Environmental Restoration Program, the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program, and the United States Environmental Protection Agency's (EPA) Brownfield Program. These programs focus on physical investigations and activities, further providing assistance to local municipalities in dealing with brownfield properties and their impacts.

1.2 Project Description

The first step of the BOA program lays the foundation for completing the 3-step planning process and receiving state approvals and designation of the BOA. The Step-1, Pre-Nomination Study includes a preliminary assessment of the community's existing conditions, defining the project boundary, and developing a plan for public participation and consensus building.

In 2010, the City of Auburn, New York was awarded funds from an EPA Brownfield Assessment grant. The Brownfield Assessment grants provide funding for municipalities to inventory, characterize, plan for cleanup, and conduct community outreach activities related to brownfield sites. The City used the funds from the EPA program to select properties as potential brownfields within a 63-acre target area located primarily along the Owasco River.

The Brownfields Program Steering Committee selected 10 City-owned properties to undergo Phase I Environmental Site Assessments to identify potential or existing environmental contamination. Upon completion, 6 City-owned sites were selected for a Phase II environmental assessment to help define the cost and extent of possible future clean-up of these sites.

As a result of the assessment work completed through the EPA Brownfield Program, the City was able to satisfy the criteria for the NYS BOA Pre-Nomination Study and apply for funding to complete Step 2 of the program. In 2014, the City was awarded funding to complete this Nomination Study move towards BOA and designation.



he Study Area for the Downtown and Owasco River Corridor BOA includes 573-acres and 13 identified brownfield sites. In addition to these sites, several vacant, underutilized and potentially contaminated sites were identified. The sites are primarily located in the City of Auburn's downtown business district and along the Owasco River corridor, an area that was previously occupied by industrial operations and have been impacted by the release of hazardous material.

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Redevelopment Potential

Tourism associated with the Finger Lakes draws visitors to Auburn to enjoy the city's range of historic, recreation and cultural attractions, including the Harriet Tubman Home and Seward House Museum. The downtown business district, centrally located along the Owasco River, further provides opportunities for visitors and residents to enjoy local shopping, dining and entertainment.

Since 2010, downtown Auburn has welcomed over 15 new restaurants, retail, and residential mixed-use establishments. Additionally, the city has developed a strong creative economy that includes the visual, graphic, performing and culinary arts. While these new businesses have helped propel redevelopment in the downtown, there remains the need to fill vacant office and retail space.

The riverfront will play a significant role in attracting new residents and revitalizing the downtown. In addition to providing opportunities for water-based recreation and new waterfront development, the river can serve as a significant source of clean energy. Through new and upgraded hydropower facilities, the river could generate new jobs associated with project development, manufacturing, facilities operations and maintenance, as well as secondary benefits associated with dams including recreation and flood control.



State Street is a recent example of the Auburn renaissance.

In addition to the downtown district, the Study Area contains parks, trails, and established residential neighborhoods. There are a number of parks in the Study Area that have been redeveloped to include new playground equipment and aesthetic upgrades. Development of the Owasco River Greenway Trail will provide additional outdoor recreation opportunities as well as connect people to new destinations.

The area is also characterized by the presence of vacant, underutilized and brownfield sites that have varying degrees of environmental contamination from prior industrial uses. Properties, such as the Bombardier and Dunn & McCarthy sites, provide significant opportunity to contribute to the redevelopment of the surrounding neighborhood and positively impact the quality of life for residents. Through infill redevelopment and targeted reinvestment, these properties have the potential to create new employment opportunities, increase local revenue and spur redevelopment of the remaining vacant and underutilized sites in the Study Area.

Auburn Sparks!

To build momentum around the BOA project and create a positive vision for the community, a new name was developed that captures the active nature of the planning process (Auburn Sparks). The Auburn Sparks brand was created through a 2-month process that included internal meetings with City staff and stakeholder interviews. The process started with eleven concepts (name, tagline, logo, colors) that were individually weighed and analyzed. The resulting logo is reflective of the range of industries in the study area and paints a future vision for revitalization, the project area and the city.

BOA Plan Purpose and Need

The City of Auburn BOA Plan identifies redevelopment and reinvestment challenges and opportunities, particularly for the 6 strategic sites within the Auburn Sparks Study Area. The

includes plan set of а recommendations regarding the potential reuse of key properties and areas, as well as actions to modify land use patterns and regulations, and create policies and programs which bolster economic the City's development capabilities. The plan culminates in the development of a Master Plan and Implementation Strategy which outlines proposed actions according to a phased timeline that spans the next 10 - 20years.



1.3 Related Planning Studies and Efforts

The Brownfield Opportunity Area study is intended to align previous planning and design efforts undertaken by the City and create a unified implementation strategy for key sites within the community. The following section presents a brief summary of planning efforts that have been reviewed, considered, and incorporated into the BOA Nomination Study.

Owasco River Greenway Trail: Project Scoping/Final Design Report (2014)

The Owasco River Greenway Trail Project is a proposed 12-mile trail, linking Wadsworth Park, located in the northwest of the city, to Emerson Park, located in southeast of the city. The proposed trail extends throughout the city and provides a non-motorized multi-modal corridor. The proposed project will support the city's goal of reducing the area's carbon footprint. The trail will focus on the Owasco River while connecting the City's residential neighborhoods with the central business district.

Brownfield Site Market Analysis (2014)

The Brownfield Site Market Analysis examines the general conditions affecting the city's real estate market and identifies possible uses for three selected sites previously identified through the EPA Brownfield Assessment Program.

- **1-15 Pulaski Street** is approximately 8.56 acres. The study recommends that this site be developed for small to mid-sized manufacturing operations that takes advantage of its proximity to existing rail lines.
- The second site is **10-14 Genesee Street**. This site is comprised of two parcels totaling 0.17 acres. Each parcel has two existing four-story, row-type mixed use buildings. 10 Genesee Street's building is vacant, whereas 14 Genesee Street is occupied by a restaurant on the ground floor. The study recommended that these parcels be developed as residential and commercial mixed-use space. The property is currently undergoing cleanup and renovations.
- **41-55 Washington Street** is approximately 7.5 acres and contains one structure: the City's combined sewer overflow system. The remainder of the site is mostly vacant and used to store fill materials. The plan recommends that the site be redeveloped to include commercial space. Challenges associated with this site include the lack of arterial streets that allow for heavy traffic volumes. Due to this challenge, an alternative recommended use is the development of a senior housing facility contingent upon the degree of site remediation necessary to redevelop the property.

City of Auburn, NY EPA Brownfields Assessment Program: Brownfields Redevelopment Plan (2014)

In 2010, the City of Auburn secured funding from the Environmental Protection Agency to create, prioritize and select sites for environmental assessments. The preselected Study Area was comprised of approximately 63 acres located in or adjacent to the Auburn business district and the Owasco River. The selected sites are characterized as vacant, abandoned or underutilized. A combination of public outreach and expert analysis revealed 16 properties that were eligible for further analysis through the Brownfield Assessment Program (of these 16 properties, 9 are City-owned). These properties were selected from a synthesis of the City's Comprehensive Plan and suggestions taken from a public meeting held in May, 2011.

The criteria used to make the selection of properties for Phase II environmental site assessments included the findings of Recognized Environmental Conditions (REC) identified in the Phase I documents, willingness and cooperation of site owners and participants, access and location, infrastructure, and potential for economic, recreation, and community benefits.

The properties were designated as either a hazardous or petroleum site which was determined on the environmental condition of the property. Recommendations for redevelopment were developed for the nine properties that underwent Phase II environmental site assessments. Site recommendations were based on market trends and demographics of the City of Auburn and Cayuga County.

Economic Development Strategic Plan (2011)

Cayuga County developed a strategic plan with the goal of fostering a sustainable quality of life in Cayuga County through employment, retention, expansion and attraction. The plan identifies the county's strengths and weaknesses followed by a comprehensive profile of the county's major attributes. The City of Auburn was identified as needing diverse housing options, specifically condominiums and high-quality rental units in close proximity to the downtown. The Economic Development Strategic Plan recommends updating the city's Zoning Ordinance as a means of creating the regulatory environment that would attract and encourage this type of housing diversity.

Comprehensive Sustainable Energy and Development Plan (2009)

In 2006, the City of Auburn received a Quality Communities Grant from the New York State Department of State. This grant funded the Comprehensive Sustainable Energy and Development Plan that brought together municipal governments, industry, utilities, educational institutions, labor, environmental organizations, community organizations, and the public to plan for sustainable energy and economic development. Specifically, the plan focuses on implementing the top 20 recommendations identified through the planning process. This plan builds on past projects while keeping in mind new emerging technological initiatives and the principles of sustainability as a means of optimizing the benefits of renewable energy. The plan was created using a two-phase participatory planning process, with data gathering being the first phase followed by a community energy summit.

Building a Sustainable Auburn City of Auburn, New York Comprehensive Plan (2009)

The City of Auburn's Comprehensive Plan is the guiding document that sets the vision, goals and objectives for the community through 2025. The plan is organized by topic which includes:

- Revitalizing neighborhoods;
- Boosting the downtown area;
- Shaping business growth across Auburn;
- Re-engaging the Owasco River;
- Creating a welcoming community; and
- Simplifying and improving development

Each topic is supported by a series of goals, strategies, and an implementation table that outlines the timeframe, partners and resources required to carry out the plan. The Nomination Study will incorporate the goals and objectives outlined in the Comprehensive Plan, specifically with regards to the downtown, Owasco River, and economic development.

Housing Market Study for the City of Auburn (2006)

A study was developed to examine the city's housing trends in an effort to forecast future market demands. The study further included a vacant and abandoned property analysis, with a focus on identifying underutilized areas prime for residential development. The findings indicate that in addition to an aging population, there is a shortage of rental units. To remedy existing housing disparities, it was recommended that a housing subsidies program for low-income residents as a means of reducing the housing cost burden. Creating incentives, such as low-interest financing for first-time homebuyers, would encourage development and the rehabilitation of existing structures.

Orchard Street Revitalization Plan (2006)

The City of Auburn, in partnership with the Orchard Street Area Association and Home HeadQuarters, Inc., created a plan focused on improving the quality and affordability of housing in the neighborhood. The Orchard Street area is bounded by James Street to the east, Baldwin Street to the west, Clark Street to the north, and Genesee Street (Route 5) to the south. The goals for the plan were twofold: to create a range of residential developments, and to increase the Orchard Street Area Association's (OSAA) role in the development of the neighborhood. In 2012, the Orchard Street neighborhood received \$10.2 million in housing rehabilitation by Housing Visions, a nonprofit organization in Syracuse, NY. Completed in 2014, the results include 35 new housing units, demolition of deteriorating buildings and rehabilitation efforts, including asbestos abatement. The Benton Street Park was also renovated in 2013 which included new playground equipment, benches and aesthetic improvements.



Downtown Auburn.

1.4 BOA Boundary Description and Justification

The 573-acre Study Area is centrally located in the city and encompasses both sides of the Owasco River (Map 1). The boundary generally follows the profile of the river, spanning from the southeast corner at Silver Avenue to the western city boundary just beyond Bradley Street. The boundary was determined through a process of selecting only the parcels that are considered to have the highest potential for redevelopment while meeting the DOS guidelines for BOA size and scope. As the planning process progressed, the Project Advisory Committee, in consultation with the DOS, expanded the boundary to include additional properties that would benefit from the BOA designation. The updated BOA boundary is reflected in Chapter 4.0.

Major thoroughfares, including Route 5, Route 20, and E. Genesee Street, intersect the Study Area north of downtown. The Finger Lakes Railway runs adjacent to Route 20 through the Study Area and travels north at the intersection of State Street/NY 38 and Route 20. The area encompasses most of Auburn's downtown which is surrounded by a mix of residential neighborhoods, commercial, municipal, recreational and industrial properties. Key sites and features in the Study Area include:

Northern Boundary

The north portion of the Study Area runs parallel to the Owasco River, and includes parcels just north of Wall Street, Barber Street and Case Avenue. The northern most parcel in the Study Area is located just north of the intersection of Case Avenue and Bradley Street. The Auburn Correctional Facility is located on the northern boundary, directly adjacent to residential neighborhoods and parks located along Barber Street and Wall Street. The northern boundary is further characterized by commercial uses along Genesee Street, light industrial uses along Canoga Road, as well as neighborhood residential along Myrtle Avenue, Wall Street, and Barber Street.

Southern Boundary

The southern boundary runs parallel to the Owasco River and encompasses the downtown business district and a portion of the historic district. The Bombardier Site is directly west of downtown, located along Route 20 and the Finger Lakes Railroad. A mix of light industrial and residential uses characterize the southwest portion of the Study Area which terminates at the city line. The Study Area continues southeast of the downtown business district along Osborne Street. The southeastern Study Area is predominantly neighborhood residential, with some light industrial uses located at the southern tip of the Study Area at the intersection of Camp Street and Osborne Street. The southernmost parcel included in the study is located on Silver Avenue.

Western Boundary

The western boundary terminates at the City line, immediately west of Belmont Avenue and the bend in the river at the Wadsworth site. The Owasco River continues north past the western boundary where it eventually meets the confluence of the Seneca River.

Eastern Boundary

The eastern boundary of the Study Area aligns with the City boundary. The City boundary runs east-west along Havens Avenue where it meets the Owasco River, due south of the Lake Avenue bridge. Here, the City line turns south and follows the shore of the Owasco River. The easternmost boundary is located in a residential neighborhood between 23 and 25 Havens Avenue, and continues south along the Owasco River where it terminates perpendicular to Silver Avenue.

Map 1: Project Boundary

0

0.3 Miles

Section 1

Legend

Nomination Boundary

Owasco River

- Railroad



11

AUBURN SPARKS Step 2 Nomination Study

2. Community Participation

The Auburn Downtown and Owasco River Corridor BOA was developed by actively engaging the public in an open and transparent planning process. Each phase of the project built upon input gathered through collaboration between the public, community organizations, business and property owners, institutions, and other interested parties. Active engagement and citizen input resulted in a plan that is representative of the people and community it serves.



Community visioning.

2.0 Community Involvement Plan

A Community Involvement Plan (CIP) was developed to ensure the public and interested stakeholders have a range of opportunities to provide input and feedback during the planning process. The CIP outlines a variety of forums and outreach mechanisms to engage the public and community stakeholders in the planning and revitalization process for the BOA. Specifically, the CIP guides the community in the planning process while allowing for flexibility as the project moves forward. A full copy of the CIP is included in Appendix A.

2.1 Enlisting Partners

The Community Involvement Plan identifies the types of partners and outreach activities necessary to inform the study through project completion. Key project partners include city staff, a Project Advisory Committee, and Zoning Subcommittee. Significant input was gathered through public outreach meetings, workshops and stakeholder interviews. The project team worked closely with these entities throughout the planning process to ensure the final plan accurately reflects the vision of the Study Area. Meeting summaries are provided in Appendix A.

City of Auburn

The City of Auburn Office of Planning and Economic Development served as the project coordinator for the Nomination Study. In addition to serving on the Steering Committee and Zoning Subcomittee, city staff were responsible for arranging meeting dates and locations, reviewing draft documents, and ensuring that the study aligns with the long-term goals and objectives for the Study Area. Representatives from the City's Engineering Department and Public Works were critical in determining infrastructure needs for future development.

Project Advisory Committee

The Project Advisory Committee was comprised of city staff and representatives from the Zoning Board of Appeals, Planning Board, Orchard Street Neighborhood Association, Auburn BID, Auburn Farmers' Market, Cayuga County Tourism Office, and the Cayuga Economic Development Agency. The Steering Committee met with the project team on a bi-monthly basis to discuss project updates, working sessions, and design workshops.

Meeting 1 – June 15, 2015

The first meeting was held on June 15, 2015 at City Hall. The meeting focused on introducing the project team to the Steering Committee, an overview of the BOA program and a summary of the planning process. Members participated in an exercise focused on identifying the opportunities and challenges in the Study Area, as well as how each committee member would define success for the project.

Meeting 2 – September 24, 2015

The focus of the second meeting was to present an overview of the initial findings of the existing conditions and economic and market analysis. Understanding the existing conditions analysis was the first step in developing recommendations for future opportunities. The Steering Committee was also introduced to the branding initiatives which included the Auburn Sparks.

Meeting 3 – December 10, 2015

The third Steering Committee meeting focused on visioning and character of the built environment. Committee members worked with the project team to identify key concepts to be included in the vision statement and participated in a Visual Preference Survey. The survey will help inform policy, zoning code updates and design standards by identifying the desired form and character of the community.

Meeting 4 – February 10, 2016

This meeting focused on community design. Members of the project team introduced Committee members to the characteristics that contribute to a great community and strong quality of life. Committee members participated in a hands-on design workshop to identify key sites and projects that would help revitalize the downtown. Top priority projects included redevelopment of the Nolan block, attracting tenants to the Bombardier site, developing a permanent farmers' market, as well as trail and gateway connections.



Developing the Master Plan with the Project Advisory Committee.

Meeting 5 – May 17, 2016

At the fifth meeting, the project team presented the draft vision statement, goals and objectives, draft Master Plan, and site-specific designs for strategic sites.

Meeting 6 – August 18, 2016

The Project Team provided the Committee with updates on the zoning re-write and Master Plan revisions. Economic pro formas were developed for each strategic site, and the findings were presented for the Committee to review.

Zoning Subcommittee

The Zoning Subcommittee consisted of planning staff and representatives from the Planning Board and Zoning Board of Appeals. The subcommittee was formed to work with the project team to develop the zoning ordinance update. A copy of the meeting summaries can be found in Appendix A and a copy of the updated zoning ordinance can be found in Appendix D.

Zoning Subcommittee Meetings Summary

Meeting 1:	Strengths, weaknesses, and opportunities associated with administering the current zoning code.		
Meeting 2:	Identified opportunities in the re-write of the code.		
Meeting 3:	Reorganization of the document, as well as review of the definitions and Supplemental Regulations.		
Meeting 4:	Defining the Downtown District		
Meetings 5 & 6: Review of the Supplemental Regulations.			
Meeting 7:	Zoning map and districts		
Meeting 8:	Permitted Use Tables		
Meeting 9:	Bulk & Area Tables		

Public Arts Steering Committee

The Public Arts Steering Committee consisted of City of Auburn staff and representatives of the arts community. The purpose of the committee was to provide leadership and guidance in the development of a public arts ordinance (Appendix E) for the City that outlines the process, procedures, and criteria for installation of public art. A copy of the Auburn Public Art Program Guide, which provides direction for developing a comprehensive Public Art Plan, can be found in Appendix F.

Website

In order to provide flexible involvement in the planning process, a website was developed that allowed community members to access documents, stay up-to-date on events, and provide feedback. The website can be accessed at http://auburnsparks.com

Public Outreach Events

The public had the opportunity to participate in the planning process through a series of informational meetings, design workshops and open houses. These workshops were interactive, hands-on sessions that allowed participants to communicate their ideas and vision for the Study Area.

Visioning Workshop

The first public workshop was held on October 20, 2015 at the Hilton Garden Inn. In addition to introducing residents to the project and planning process, attendees of the meeting had the opportunity to engage in a visioning exercise to help identify what attributes their ideal community would have in 5 years, 10 years and beyond. Participants worked in small groups to brainstorm their ideal community focusing on five topics: quality of life, environment, jobs & businesses, transportation and downtown. Additionally, each group was asked to prepare one positive, declarative "future statement" about the study area for each of the topics.

Design Workshop

Community members had the opportunity to engage in a hands-on design activity to graphically depict the desired vision for the future of the Auburn Sparks study area. Participants worked in small groups to provide guidance on preferred end uses, locations and types of new development, parks and trails priorities, streetscape projects, public investments, and transportation enhancements.

The first activity focused on the entire Auburn Sparks study area, while the second activity focused on the design of five strategic sites.

IGNITE Workshop

On January 12, 2016, over 20 members of IGNITE, a young professional group, attended a workshop to learn about the BOA project and participate in a visioning exercise. Participants were asked to develop a poem designed to capture their hopes and vision for the future of Auburn. Each poem consisted of a geographic location (general or specific), followed by a series of words to describe what happens in the place, what it feels like, what it will do in the future, and a single word that summarizes the vision for that place in the year 2025. Key themes resulting from the exercise include the concept of home, revitalization, pride, vibrancy, alive, and creative. The results from the workshop helped guide the vision statement and goals.

2.2 Auburn Central School District – S.T.E.A.M. Education

The project team partnered with the Auburn Central School District to create opportunities for students focusing on the Science, Technology, Engineering, Arts and Mathematics (S.T.E.A.M.) fields. Through class-developed projects and studios specific to the BOA Study Area, students were able to directly interact with STEM professionals, engage in the planning process, develop real-world solutions, and present their findings at public meetings.

Stream Sampling

On October 8, 2015, members of the project team collected macroinvertebrates and water chemistry information at a series of stations along the river. Information was documented on tables provided by the Finger Lakes Institute which will be made available to the students, providing a deeper understanding of water quality in the river and enhancing the educational experience for the school district.



Stream sampling in the Owasco River.

Planning in the Classroom

Members of the project team facilitated sessions with over 200 9th and 10th grade students on November 19, 2015. In these sessions, students were educated about brownfields in their community. Students were given a "Brownfield 101" primer to learn about what defines a brownfield, how brownfields are identified and assessed, and how cleanup is conducted to clear a path for redevelopment. Students brainstormed future development opportunities, and identified the need for more indoor and outdoor activities.



The Project Team taught students at Auburn High School about the BOA project.

Auburn Sparks Vision Statement

A community built on the interconnected relationships between its many natural, cultural and historic assets, and an unparalleled quality of life supported by a strong local economy and restored vibrancy in the downtown. With safe, friendly and active

2.3 Community Vision, Goals and Objectives

Over the past five years, the City of Auburn has been proactive in their efforts to develop a strategy for redevelopment and revitalization through long-term comprehensive planning, brownfield site assessments, and trail expansion and development. In 2010, the City adopted their Comprehensive Plan titled *A Vision for a Sustainable Auburn*. A vision statement was developed for the plan that is intended to guide all long-term city-wide actions related to quality of life and the built environment.

Like many planning efforts, the vision statement serves as the foundation for setting the project's goals, objectives and strategies. For this Nomination Study, a vision statement was developed specific to the BOA project area for a 10-20 year timeframe. The vision is based on input from the Steering Committee as well as public input gathered from a community visioning workshop.

Goals and Objectives

The following goals and objectives provide a framework for achieving the community vision set forth in the Auburn Sparks project area. Each goal is a broadly defined statement directly related to a component of the Vision Statement. Each goal is followed by a series of objectives that identify measurable steps to help achieve the goal. A detailed action plan is included in Section 6 of this plan that includes specific strategies for project implementation.

Synergy

Develop a safe, accessible and interconnected transportation network that serves as a regional hub and destination.

- Explore opportunities to develop an inter-regional commuter rail system.
- Identify alternative modes of transportation, such as a local trolley, pedi-cab, or taxi system to accommodate all facets of the population.
- Improve pedestrian and bicycle safety through designated bike lanes, lighted pathways, and traffic-calming techniques, such as raised medians and crosswalks.
- Invest in the development and maintenance of new and existing trails.
- Identify gaps in the current sidewalk network to provide a safe pedestrian environment.
- Establish gateway features that strengthen the character and identity of the BOA such as signage, plantings, and public art.

Play

Ensure future access to maintained green space, the Owasco River and out-the-door recreation opportunities.

- Identify strategies to develop a community-wide effort to maintain public green spaces, such as parks, gardens, and general right-of-way.
- Continue to develop segments of the Owasco River Greenway Trail in an effort to provide a continuous, interconnected trail system.
- Encourage the development of nodes along the Owasco River Greenway Trail that serve as key destinations for recreation and entertainment.
- Identify opportunities to utilize the Owasco River for hydropower and renewable energy.
- Develop a comprehensive signage and wayfinding program consistent with local efforts that directs visitors and residents to public parks, trails and downtown.
- Provide public access to the Owasco River for water-based recreation opportunities, such as fishing and kayaking.

rts & Culture

Facilitate city-wide engagement in the creative economy.

- Retain and recruit resident artists and craftsman.
- Identify partnerships between City agencies and local organizations to leverage Auburn's cultural assets in the attraction and retention of businesses in the creative economy.
- Support the use of non-traditional spaces for performances, special events, and visual art.
- Develop an outreach strategy to engage culinary and media artists.
- Leverage local resources and visibility to continue to generate support for arts education in the schools.
- Continue to market and promote Auburn's historical assets.

einvention

Establish Auburn as an employment hub that offers a diverse, innovative and sustainable spectrum of job opportunities.

- Redevelop brownfield sites to support new manufacturing and industrial opportunities.
- Establish a centrally located, permanent farmers' market facility to support local agriculture and the agri-tourism industry.
- Capitalize on the existing tourism base to attract visitors to local recreation and entertainment establishments.
- Work with local institutions to develop a job training program for students and new professionals.
- Identify opportunities for incubator space to support small businesses, startups, high-tech industries and artist space.

inship

Continue to develop a vibrant, safe and culturally diverse downtown.

- Encourage a mix of uses that supports a range of retail, amenities, services, and housing options.
- Continue to develop downtown as a safe, pedestrian-friendly environment through new and maintained sidewalks, crosswalks, and visually appealing streetscape.
- Market and promote downtown as an entertainment hub that offers year-round social and cultural opportunities for all ages.
- Provide continuity between old and new development, and retain the scale and the unique character of the downtown.

C implicity

Create a sustainable community that affords all residents access to housing, nature, and a high quality of life.

- Provide high-quality, owner-occupied housing to retain existing residents and attract new homeowners to the neighborhood.
- Create programs to assist existing homeowners to maintain and repair their properties in an effort to help upgrade and improve aging homes.
- Encourage an economically diverse population through a variety of housing opportunities suitable for people at different stages in their life.
- Support the construction of new detached and attached single-family homes to encourage homeownership.
- Encourage the development of new homes close to the downtown to promote a traditional, pedestrian-oriented environment.

3. Analysis of the BOA

This section includes a description of the environmental setting of the BOA, which satisfies both the requirements of the NYSDOS BOA Program and SEQRA.

3.0 Community and Regional Setting

Located on the northern shore of Owasco Lake in Cayuga County, the City of Auburn lies within the Finger Lakes Region and is surrounded by villages and towns (Map 2, Regional Context). Auburn is the only city in the county, and serves as the main transportation, business, and entertainment center in the area. The city boasts a strong central business district that welcomes residents and visitors to its many shops, restaurants and tourist attractions year-round. The downtown is surrounded by residential neighborhoods that offer distinctive and historical architecture, accessible by the community's many sidewalks and trails.

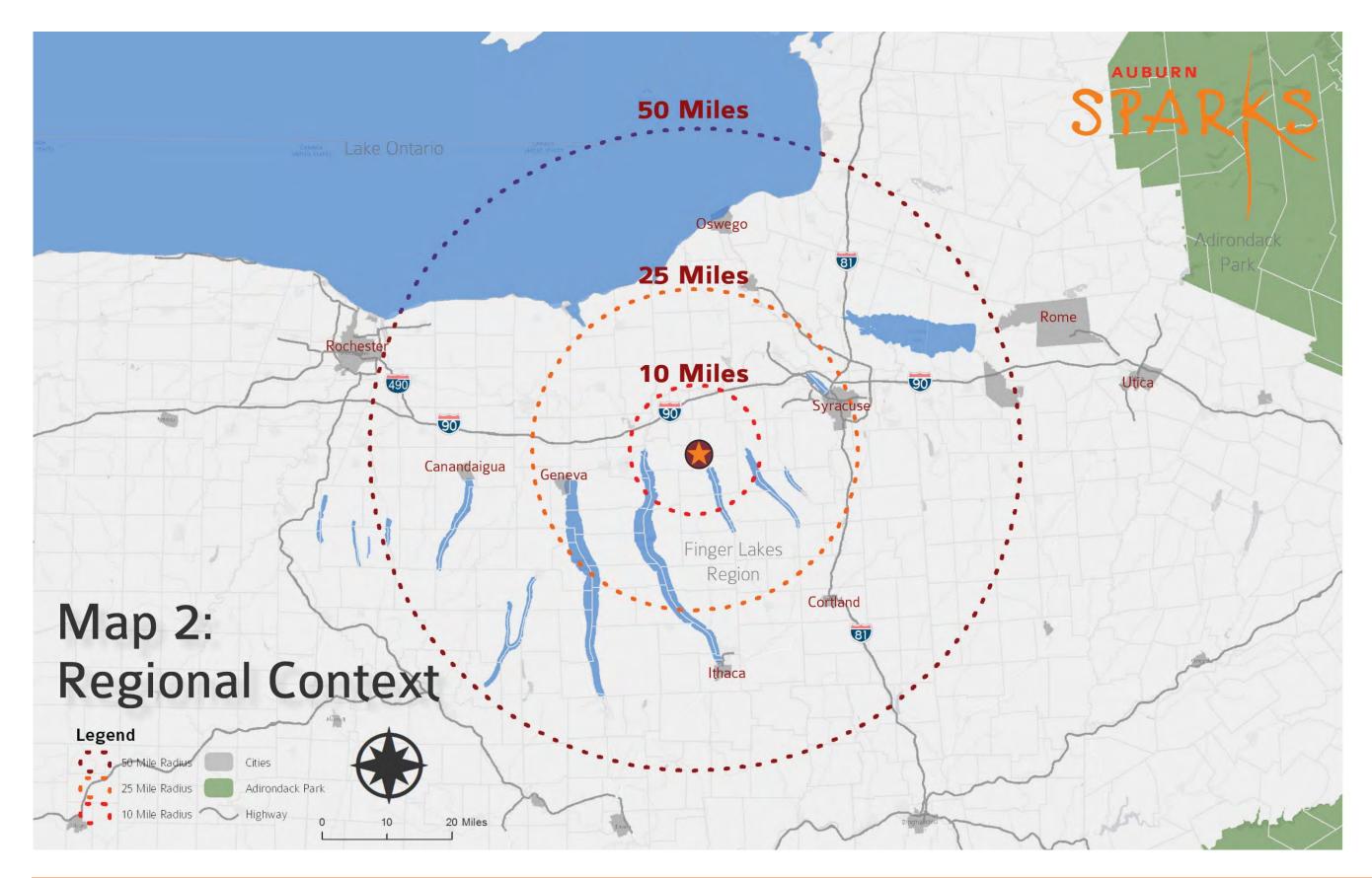
The City of Auburn is 30 miles from Syracuse and 60 miles to Rochester. With convenient access to NYS Route 20 & 5, the NYS Thruway, as well as the presence of the Finger Lakes Railroad, goods and services are able to move in and out of the city efficiently.

Known as "History's Home Town," the City of Auburn was home to notable residents including William Seward, Harriett Tubman, and Theodore Case. The Auburn community continues to celebrate their rich history. The city is located along the Owasco River and in close proximity to Owasco Lake. This provides opportunities for waterfront recreation, panoramic views of the Finger Lakes Region and a growing open space and trail system.

History's Home Town: Did you Know?

- William Seward, who lived at 33 South Street, negotiated the purchase of Alaska for only 2 cents an acre.
- Harriet Tubman escaped slavery to become a leading abolitionist. Harriet was married, lived, and is buried in Auburn.
- Theodore Case developed the precursor to modern sound film systems at his Case Research Lab in Auburn.

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AUBURN SPARKS Step 2 Nomination Study



Historic downtown Auburn.

Historic Perspective

The City of Auburn was established in 1848 and is located in the center of Cayuga County. The development of the area was largely driven by hydropower using the water from the Owasco Outlet. As a result, the City was a host to many industries including flour mills, sawmills, breweries, paper mills and cotton factories.

The Auburn Prison (known as the Auburn State Correction Facility) was established in 1816, as New York State's second prison. Establishing the prison in the City of Auburn promoted additional development along the Owasco River. The facility received its first inmate in 1817 and was the first prison to implement the "Auburn System"; a system where inmates worked in groups during the day. The need for employees for the correctional facility resulted in increased development of commercial enterprises, including retail and taverns, which were established to support the newly introduced population.

The city continued to grow and expand with the construction of the Auburn & Syracuse Railroad in 1835. This newly established railroad allowed for greater mobility of people, goods and services. The railroad transected the northwest part of the city and connected the City of Auburn to Syracuse.

The city experienced a point of transition in 1837 when the Waterous and Company Dry Good Store, centrally located downtown, caught fire and destroyed 14 surrounding businesses. Despite this setback, the area's industrial and manufacturing sector grew incrementally along the Owasco River as the use of hydropower continued to be the industries' main source of power. With the increase in the industrial and manufacturing sector, new residential neighborhoods were developed and the Central Business District was expanded.

At the turn of the 20th Century, the city experienced a significant population increase. Immigrants from southeastern Europe established ethnic enclaves within the city. With this influx of new residents, infrastructure improvements including electricity and publiclyowned utilities, were deemed necessary.

The downtown landscape changed drastically during the 1960s and 70s. Urban renewal plans for the city led to demolishing of a number of older commercial structures that were later redeveloped as parking lots, gas stations, mixed-use buildings, and pedestrian malls. The City of Auburn experienced a shift away from industrial uses, as industries that were once established along the Owasco River closed or relocated to areas outside of the city. Today, the city's location within Cayuga County draws tourists from around the country. The city is the largest community in Cayuga County and has access to the world renowned Finger Lakes wine country.



State Street has been redeveloped to include a mixed of new uses.

Demographic & Socioeconomic Characteristics

This section provides an overview of demographic and economic factors affecting the downtown and the City of Auburn. A more detailed market and economic analysis is located in Section 3.11.

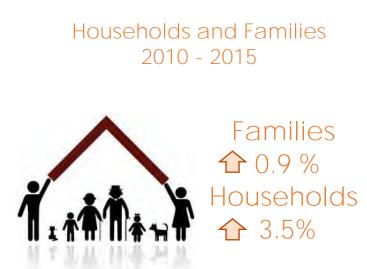
Population

The table below summarizes typical demographic and socioeconomic indicators for the City of Auburn's BOA and includes comparisons to the City of Auburn and Cayuga County. The population of the BOA remained relatively unchanged from 2000 to 2010, with less than a 1% decrease. The City of Auburn experienced a similar decline in population. From 2010 to 2015 the BOA Study Area's population experienced an increase of 3.0% The City of Auburn experienced an overall population increase as well. Based on future projections, it is expected the BOA will experience a higher growth rate than the City and County.

Population Change 2000 - 2020							
	2000	2010	2015	2020 Population (Projected)			
BOA	5,057	4,993	5,150	5,233			
City of Auburn	28,574	27,687	27,953	28,078			
Cayuga County	81,963	80,026	81,077	81,515			
Source: U.S. Census Bureau, ESRI							

Households

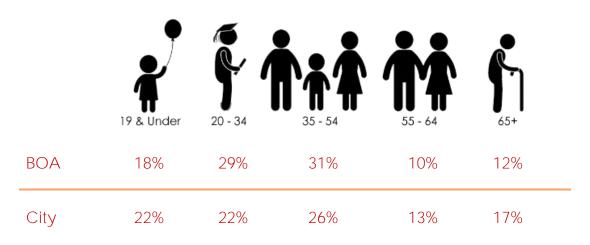
The number of households in the Study Area decreased over a tenyear period between 2000 and 2010, but has increased 6% since 2010. Similarly, the number of families decreased by 5% during this time, but returned to pre-recession numbers in 2015, increasing 5% between 2010 and 2015. Household size remained the same from 2000 to 2010, with an average of 2.23, but decreased between 2010 and 2015 to an average of 2.20.



Age

In addition to households, a population's age distribution is an indicator of current and future demands for goods and services. The median age in the Study Area (36.7 years) is lower than the city (39.6 years) and county (42.6 years), which indicates that this area is attracting a younger population, many which have families. This trend is further supported by examining the age breakdown in the BOA and the city. As of 2015, the Study Area has 7% more 20-34 year olds and 5% more 35-54 year olds than the city as a whole. The 55-64 and 65+ cohort is smaller in the Study Area than the rest of the city.

Age Breakdown



Housing

The City of Auburn's residential building stock is largely comprised of older buildings and homes that date prior to 1910.

Housing in the Study Area is primarily renteroccupied, accounting for more than half of units in the Study Area. The proportion of renter-occupied units is higher in the Study Area than the remainder of the city.

Owner-occupied units in the Study Area account for 31% of all units, which has decreased since 2010, and is projected to continue to decrease through 2020. Approximately 9% of units are vacant, expected to increase to 9.5% by 2020. This provides an opportunity to redevelop vacant units in an effort to increase home ownership opportunities.

Projected Housing Tenure in the BOA 2010 - 2020





Historic properties on Grover Street.

Employment

The unemployment rate for both the city of Auburn and the Auburn Sparks Study Area for 2015 is 5.5%, which is slightly higher than the unemployment rate for the MSA (5.2%). The largest industry sectors in the city include Public Administration, Retail Trade and Health Care/Social Assistance. Public Administration includes public-sector employers and accounts for 32% of employment in the city.

Retail trade, which includes the distribution of merchandise, accounts for 17% of all employment in the city. This includes local shops as well as national merchants, such as Bass ProShop which serves as a significant retailer in the retail trade area. A strong retail sector will continue to support the Study Area's growing population. The Health Care/Social Assistance sector is a significant employer in the city, accounting for 11%. With an aging population, this sector will continue to grow and provide vital services that are necessary to support the older cohort.



Key Findings: Demographics & Socioeconomics

- Population growth is slow but continues to increase in the Study Area.
- The median age is younger than in the surrounding region, but projections show an increase in the 65+ age cohort.
- The total number of housing units is expected to increase by 2020. However, homeownership levels are expected to decline.
- The number of households and families in the Study Area continues to increase while the household size decreases, indicating that the younger population may be delaying starting a family.
- The largest employment sector in the City is in the Public Administration sector which includes government and public-sector jobs.

3.1 Inventory and Analysis

This section focuses on the current land use patterns and regulatory framework of the Study Area.

Existing Land Use

Understanding existing land use patterns is important when considering potential redevelopment scenarios for the Study Area. Evaluating this information will assist in the identification of how proposed development can best fit into the existing urban fabric, and will indicate where regulatory changes might be required to realize the vision for the Auburn Sparks Study Area.

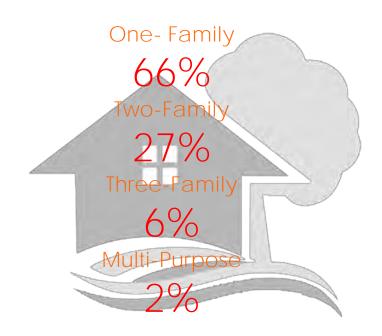
There are 1,253 parcels occupying approximately 573 acres of land within the Study Area (Map 3, Land Use). The largest land use by acres within the Study Area is residential. Residential land uses are concentrated on the eastern and western ends of the Study Area. The center of the Study Area is predominantly commercial.

Land Uses in the BOA (Acres ; Source: Cayuga County)

32%	Residential
26%	Commercial
12%	Vacant Land
12%	Public Services
9%	Community Services
8%	Industrial
2%	Recreation & Entertainment

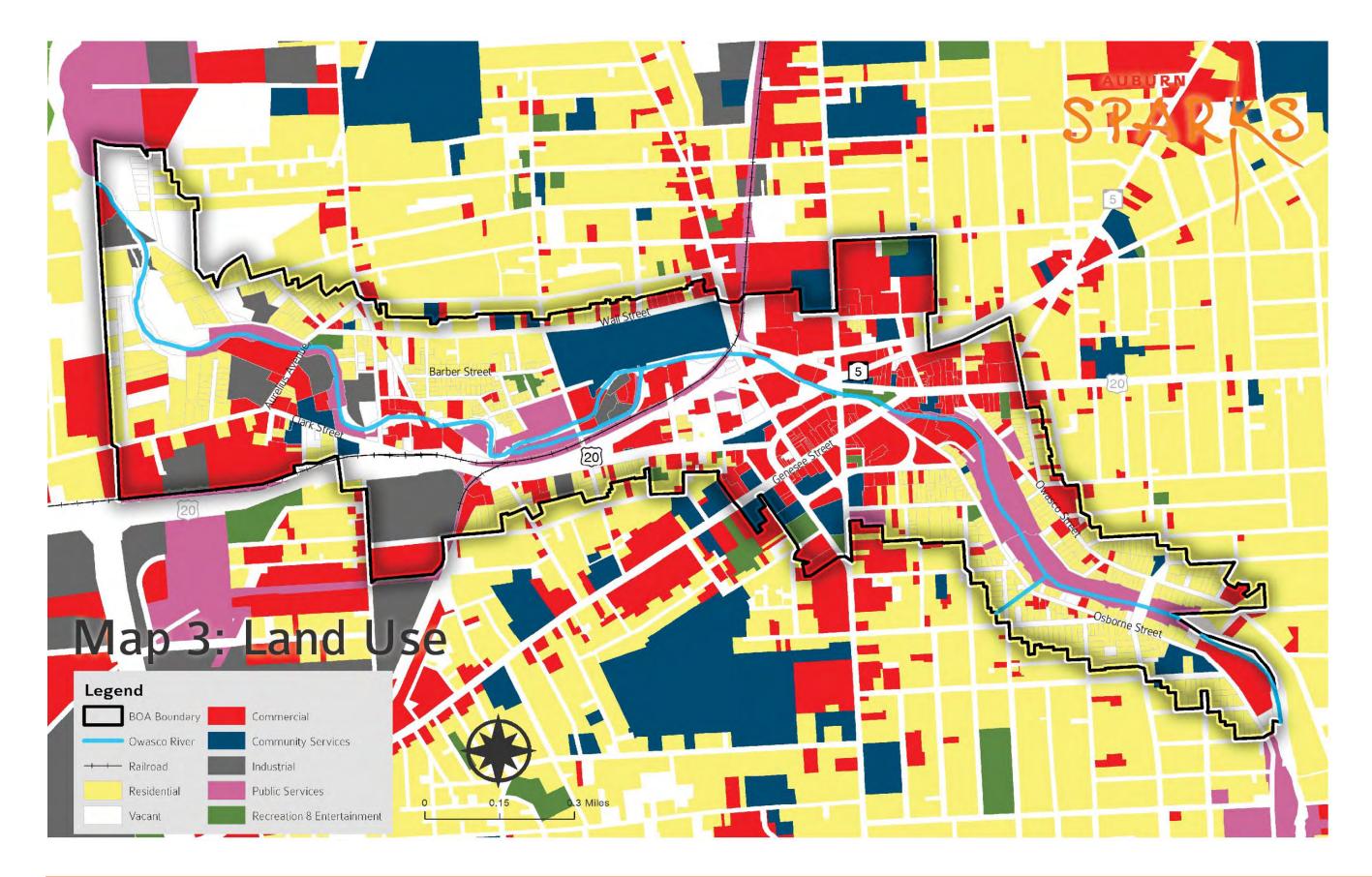
Vacant land makes up 12.5% of the Auburn Sparks Study Area's total acres and is scattered throughout the boundary. The majority of the larger parcels of vacant land are concentrated in the western section of the Study Area. Five of the total 1,253 parcels within the boundary did not have any data associated with it.

Nine percent of acres are used for community services. Community Service uses include the Auburn Correctional Facility. The correctional facility is located in the northern portion of the Study Area and occupies approximately 27 acres. The facility is one of the oldest operating prisons in New York State, opened in 1817. Residential Land Uses in the BOA (Acres; Source: Cayuga County)





Historic residential neighborhood in the Auburn Sparks Study Area.



Section 3

AUBURN SPARKS Step 2 Nomination Study



The 10 Fitch Inn.

Existing Zoning

The City of Auburn Zoning Ordinance (1992) is the regulatory framework that guides land use and development. As indicated on Map 4 there are 17 established zoning districts in the city, as well as 3 overlay districts, which include varying standards for residential, commercial, industrial, public use and institutional uses.

Within the Auburn Sparks Study Area are 11 of the 17 zoning districts and two overlay districts. While there are a mix of land uses in the Study Area, over 60% of the Study Area is zoned residential. Approximately 42% of the Study Area is zoned Single-, Two- and Multiple-Family Residential (R-2) which allow for a range of residential uses.

Commercial districts comprise approximately 35.5% of the Study Area. There are five commercial districts that range in allowed uses and densities. The Central Commercial District (C-2) is comprised of 200 parcels and accounts for 15% of total acres in the Study Area. This district includes parcels in the downtown business district and directly north of Route 5 & 20.

Approximately 10% of the Study Area is zoned General Commercial (C) which is the second biggest commercial zoning district by number of parcels and percent of total acres. There are 136 parcels zoned General Commercial which are concentrated along Route 5 & 20, west of the downtown business district.

The remainder of the separate districts are zoned as either industrial or institutional / public. These districts account for 5% of the zoning in the Study Area. Industrial uses include General Industrial (1) and Industrial Park District (I-1). The General Industrial District (GI) encompasses 22 parcels, and 1.7% of all parcels. The GI district includes the Bombardier site (15+ acres) and properties south of Clark Street. Located along the western boundary on Canoga Road, the Industrial Park District includes 3 industrial parcels owned and operated by NYSEG, the City, and a private limited liability corporation. The Public Uses and Institutions District (P), which includes the Auburn Correctional Facility (27 acres), account for one percent of all zoning districts.

The Historic District overlay encompasses 21 acres and is located in the southern portion of the Study Area, south of the Owasco River. The Historic District was established to preserve and protect historically significant structures and landscapes. In order to perform any alterations, construction, demolition and improvement within this district the action must be reviewed and accepted by the Historic Resources Review Board. Located in the southern portion of the BOA Study Area along Route 34 and Genesee Street, the Auburn Schine Theater is the only landmarked building within the BOA Study Area.



Quaint residential neighborhood on Tuxill Square.

The intent of the commercial overlay districts (including C-4, C-5, and C5-A) is to insure the availability of sites for specialized uses that require or benefit from proximity to particular facilities, as well as sites that are easily accessible by the public. The Seminary C5-A overlay district, located in the northeastern corner of the Study Area, includes 8 parcels and accounts for 2.27 acres. This district extends to the north beyond the Study Area boundary. The C-5A district was created to promote residential and mixed-use development in the Seminary area neighborhood which is bounded by residential and appropriate mixed-use development Seymour Street, Nelson Street and Seminary Street.

Key Findings: Land Use & Zoning

- Residential land uses are the largest land use, accounting for 32% of all land uses and are primarily located on the perimeter of the Auburn Sparks Study Area.
- Commercial land uses account for 26% of all uses in the BOA, and are concentrated in the core of the downtown.
- Vacant land uses account for 12.5% of the BOA, which provides opportunities for new and infill redevelopment.
- Over 60% of the BOA is zoned residential which allows for single-, two- and multiple-family units. There are five commercial zoning districts which account for 35% of the Study Area. The C-2 district includes 200 parcels and 15% of all zoning in the BOA.
- There are limited buffers between the industrial and residential zoning districts, most notably along Orchard Street and the Bombardier facility which can be addressed through modified zoning requirements.

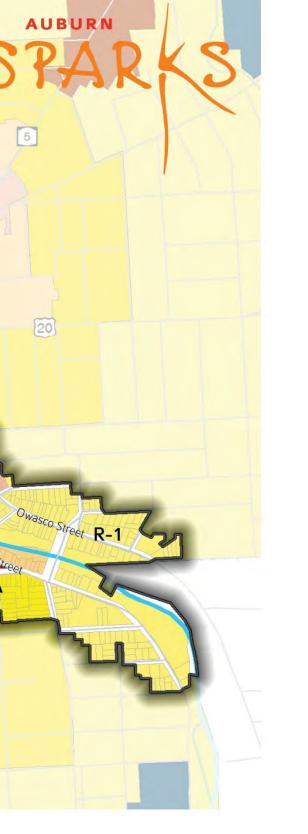
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Map 4: Zoning

Legend

R-2

Zoning	Industrial Park District (I)	Seminary C-5A Overlay		
General Commercial District (C)	Industrial Park District (I-1)	Historic District Overlay		
Neighborhood Commercial District (C-1)	Public Uses and Institutions District (P)	Nomination Boundary		
Central Commercial District (C-2)	Single-Family Residential (R-1)	Roads		
Seminary Area Central Commercial District (C-2A)	Single-Family Residential (R-1a)	Owasco River		
Specialized Commercial District (C-4)	Single-, Two- and Multiple-Family Residential	(R-2) +++ Railro <mark>ad L</mark>	0.15	0.3 Miles



5

R-2

R-1A

41

3.2 Land Ownership Patterns

Ownership patterns can impact the type, location, and potential for future redevelopment. Some projects may be easier to implement on publicly owned property while others may be more appropriate on private parcels. It is important to engage land owners early in this planning process to agree upon a common vision for these properties to ensure revitalization efforts continue to progress.

As indicated on Map 5, Land Ownership, publicly owned lands account for 10% of the Study Area, or 131 acres. Of the 131 acres, the City of Auburn owns 88 acres which includes parcels along the Owasco River, and throughout the downtown. Key public properties include City Hall, as well as community parks. Several city-owned properties with the highest potential for redevelopment are currently vacant, including 9 Owasco Street (Mill Street Dam), 41-55 Washington Street, 42 Wadsworth Street, 2-38 Wadsworth Street, and 40 Frazee Street.

Remaining public lands include 24 acres of State-owned property and 19 acres owned by Cayuga County. State properties include the Auburn Correctional Facility while county properties include the County building, courts and court library.



The historic Post Office is used today as the Auburn City Court.

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Section 3

3.3 Brownfields

A primary objective of the NYS Brownfield Opportunity Area Program is to assist communities that have been negatively impacted by the presence, or perceived presence, of environmentally constrained sites. The presence of these sites often has notable impacts on a community, including depreciation of property values and the discouragement of investment of surrounding properties.

Although redevelopment of brownfield properties can be complicated, community-led revitalization plans can facilitate necessary actions to redevelop and market sites. Active reuse of brownfields recognizes the intrinsic relationship between environmental sustainability and economic prosperity. Brownfield redevelopment benefits both individual property and the owners surrounding community. Developers of brownfields may be eligible for tax credits and other financial and technical assistance that help make these redevelopment projects financially feasible.

Properties are remediated and returned to beneficial and productive reuse. They are redeveloped to support the local tax base, and new uses serve as a catalyst for redevelopment of brownfields in Auburn.

WHAT IS AN ENVIRONMENTAL SITE ASSESSMENT (ESA)?

A Phase I ESA involves a review of records, a site inspection, and interviews with owners, occupants, neighbors and local government officials.

If a Phase I ESA identifies potential contamination of the site by hazardous materials, a Phase II ESA may be conducted. The Phase II ESA includes sampling and laboratory analysis to confirm the presence of hazardous materials.

ENVIRONMENTAL ACRONYMS

LBP – Lead Based Paint ACM – Asbestos Containing Material ASTM – American Society for Testing & Materials CBS – Chemical Bulk Storage PBS – Petroleum Bulk Storage

The City of Auburn has a long history of industry dating back to the 1800s. Former industries and commercial uses which were located within the Auburn Sparks boundary include:

- Carpet, Textile and Shoe Manufacturing Facilities
- Machinery Manufacturing Facilities
- Auto Sales Facilities
- Gasoline Stations
- Foundries
- Combined Sewer Overflow Facilities
- Oil Storage Facilities
- Railroad Yards
- Railroad Maintenance Facilities

The City recognizes the importance of identifying the impacts these industries left on the landscape. In an effort to move towards remediation and redevelopment, the City received funding in 2010 to conduct Phase I Environmental Site Assessments (ESAs) for 13 sites within the Auburn Sparks Study Area, 8 of which received funding for Phase II assessments. Below is a summary of these reports and recommendations for future cleanup of the sites located within the Auburn Sparks Study Area (Map 6).

(1) 42 Wadsworth Street

42 Wadsworth Street is 11.8 acres and is located at the end of Wadsworth Street, between Canoga Street and Belmont Avenue. According to a Phase I ESA, dated March 2012, the property is currently vacant and semi-wooded, with remnants of former buildings and asphalt pads throughout. The property was formerly the site of the Wadsworth and Son scythe manufacturer from the late 1800s through the 1950s. The former Wadsworth and Son facility contained a main building with an engine room, a coal storage area, forge, wood shop, tempering, painting and packing areas, two oil houses, a lumber storage building, sheds and an office. The property also formerly contained residential buildings.

Adjoining properties formerly included the Richard Eids Carriage Forging Company, a carriage manufacturer which contained a forge and machine shop, and the Henry & Allen Company (later known as the Auburn machine and Tool), a manufacturer of cutting apparatus for harvesting machinery which included a forge and hammer shop containing a cistern, an iron storage building containing several engines, two machine shops, an engine room, a boiler room and several fuel oil tanks. Adjoining properties also formerly contained the Onondaga Coach Corporation, the Gleason-Avery Company, the A&R Paper and Metal Company, a junk yard and a car wash.

Historical records revealed that the City of Auburn enrolled the property in the NYSDEC ERP for investigation of the property as a brownfied site, however, the cleanup program did not have enough funding to remediate the property. The City of Auburn applied for a US EPA grant to remediate the property. As of the date of the report, no data related to investigations or environmental conditions was reviewed.

Review of an environmental regulatory database report indicated that the property was not identified by any of the databases searched. A previous consultant identified the former presence of industrial operations, the former oil storage on the property and the former presence of a foundry, various machine shops, fuel oil storage and engine shops on an adjoining property as RECs. It was recommended that a limited subsurface investigation be performed on the site, including the areas where former industrial buildings and oil houses were located. Also identified was the potential presence of LBP and ACM in demolition debris potentially buried at the property.

The Phase I ESA recommended that a subsurface investigation at the site be performed, including surface and subsurface explorations, to evaluate soil and groundwater quality conditions and to investigate RECs identified in the ESA. The Phase II Brownfields Site Investigation was to assess subsurface conditions at the Site. Completed Phase II tasks include:

- The site boundary survey was completed in June 2013.
- Drilling activities were completed in May-June 2013 and included the collection of subsurface soil/fill samples and the installation of three new permanent monitoring wells.
- The new monitoring wells were surveyed, developed and sampled June 2013.
- Soil/fill and groundwater samples were submitted to Accutest Laboratories for the analysis of VOCs, SVOCs, TAL metals, and PCBs.

Next Steps

- The NYSDEC Spill Program closed the Spill Case on November 12, 2013 based on the results presented in the draft Phase II ESA Site Investigation Report.
- Excavations may encounter shallow soil/fill material impacted with residual nuisance petroleum odors. It is recommended that handling, staging and reuse of these materials (if encountered) be managed with proper restrictions.
- Additional sampling is recommended to further delineate the extent of metal and SVOC impacted soil prior to site development.
- It is recommended to coordinate with the NYSDEC to determine if remediation of the shallow arsenic-impacted fill (and other impacted soil) is required during site development. Installation of a properly designed soil cap should be discussed as an option to minimize public exposure to fill material impacted with metals. A Site Management Plan and deed restriction may be institutional controls to be utilized if a soil cap is selected as a remedial technique.

(2) 40-46 Frazee Street

40-46 Frazee Street is 1.7 acres and located south of Frazee Street, between Canoga Street and Myrtle Avenue. According to a Phase I ESA, dated March 2012, the property was vacant at the time of the site reconnaissance. A fenced grass and gravel area was observed on the northeast corner of the property. The property was formerly used as a junk yard with automotive dismantling operation as part of the A&R Paper and Metal Corporation. A forge and metal shop were also part of A&R Paper. The Henry & Allen Corporation were located on the property, manufacturers of cutting apparatus for harvasting machinery. Henry & Allen operations included a hammer and forge shop. During the site reconnaissance, observed were small amounts of paper and plastic litter, a sand pile and the ground surface was covered with glass particles. Also observed was a groundwater monitoring well in the northwest section of the proeprty which was unlocked and damaged.

Review of an environmental regulatory database report indicated that the property is not identified by any of the databases searched. Historical maps show various industrial uses on adjoining properties. A previous consultant identified the past industrial use of the property, the past presence of a junkyard where automobile dismantling occurred, the existence of an abandoned monitoring well and the adjacent Auburn Foundry, with residual contamination, ongoing industrial use, and up-gradient location in close proximity to the property as RECs.

Next Steps

Acetone and several metals, including mercury, were detected in four (4) of the five (5) test pits installed on the Property at concentrations exceeding the unrestricted SCOs. The end use for the Property has not been identified. Given this uncertainty, it is recommended that once an end use has been determined that the Phase II data be re-evaluated. Part 375 Unrestricted SCOs, which are the most stringent criteria, were used for comparison as specified in the SAP. However, a more applicable SCO may be applied dependent on the future use and subsequent soil exposure.

(3) 2-38 Wadsworth Street

2-38 Wadsworth Street is 3.4 acres and located south of Wadsworth Street. The Owasco River crosses the southwestern portion of the property. The property is currently wooded and contains one single-story brick structure with associated driveway enclosed by a chain link fence. Several PVC pipes and a sewer manhole were observed on the property. The City of Auburn provided information that the current use of the property is a combined sewer overflow (CSO) facility. During the Phase I ESA site reconnaissance, the CSO building on the property was inaccessible. This is considered a limiting condition to the Phase I ESA.

The property was formerly developed with the following uses:

- Aurelius Ave Mills, a saw and flour mill.
- The Wadsworth Scythe Works, including a coal storage area, a forge, a wood shop, tempering, polishing, painting and packing areas, an engine house and two oil houses.
- The Richard Eides Carriage Forging Company, a carriage manufacturer.
- The Henry & Allen Company, an agricultural implements manufacturer including a main factory building, a forge and hammer shop, an iron storage building, a cistern, an oil house, a machine shop and multiple fuel oil storage tanks.
- The Auburn Machine & Tool Company.
- The Onondaga Coach Corporation.
- The A&R Paper and Metal Co., Inc., including a junk yard.
- Dart Properties, Inc.
- The Auburn Foundry

The property is listed on the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database as the City of Auburn High Rate CSO, located on the eastern portion of the property. The listing is for an 830-gallon aboveground storage tank (AST) containing a 15% sodium hypochlorite (bleach) solution.

In 1972, an oil seep was observed at the base of the riverbank on the property. The NYSDEC assigned spill number 8301549 to the property. The City of Auburn demolished buildings at the property and performed an investigation of the spill. A trench was excavated at the site above the seep area and piping or evidence of contamination was not observed. A second trench was excavated in the seep area and a catch basin and pipe discharging oil into a second catch basin was discovered. The pipe was cut, impacted soil was removed, and the excavation was backfilled. The oil continued to seep from the area, and no conclusive source was identified during the investigation. Soil borings were installed in 1978 in the vicinity of the seep and no oil was encountered. A catch basin was installed down-gradient of the seep to act as an oil-water separator. The installed catch basin was not maintained and stopped functioning by 1988.

A second investigation occurred in 1988 to locate the source of the spill and included the installation of soil borings and groundwater monitoring wells. Results of this investigation

were inconclusive. After the 1988 investigation, free product was observed in the groundwater monitoring wells, and was removed on a weekly basis. As of 1995, 325 gallons of product was removed from these wells. The spill is currently listed as closed on January 07, 2009. No further information is available.

A previous consultant noted that buried materials may be present in the subsurface at the property from demolished buildings. Due to the age of the buildings demolished at the property, LBP and ACM may be present in the buried demolition debris at the property. The past presence of industrial activities was identified, as well as on site fuel oil storage and the known presence of an oil seep with a past history of free product recovery from groundwater monitoring wells as RECs. It was recommended that the performance of a subsurface investigation within the former building footprints, in the vicinity of the oil houses and within areas of the oil seep and associated monitoring well system.

Next Steps

The NYSDEC closed Spill Case No. 1305264 on November 12, 2013 based on the draft Phase II ESA Site Investigation Report. It is still recommended that residual product be pumped out of the oil collection system and then periodically checked to prevent petroleum to be discharged to the Owasco Outlet. Excavations may encounter soils and groundwater impacted with residual nuisance petroleum odors. It is recommended that handling, staging and reuse of these materials (if encountered) be managed with proper restrictions. Further characterization of shallow fill material is recommended on the eastern and central portions of the Site if excavations are required for site development.



Ruins from the Wadsworth Street site.

(4) 14 North Division Street

14 North Division Street is approximately 2.3 acres and located along the Owasco River. According to a Phase I ESA, the property was formerly part of the Nye & Wait Carpet Manufacturer from the 1880s through 1972. The property has been vacant since 1990. While operating as the Nye & Wait Carpet Manufacturer, site features included a bleach house, dye house, weaving, spinning and carding areas, an engine room and a machine shop. Buildings at the site were previously demolished.

The past land use as a carpet manufacturing factory with a bleach house and dye house was identified as a REC. Also identified was the potential presence for lead based paint (LBP) and asbestos containing materials (ACM) to exist in demolition debris potentially buried at the property. It was noted during the site reconnaissance that the property was landlocked by private properties and some portions of the site were not visible. The performance of a subsurface investigation was recommended. In addition to dye and bleach house areas, the property formerly contained an engine room and a machine shop while operating as the Nye & Wait Carpet Manufacturer. These areas should be identified for subsurface investigation and sample collection.

Next Steps

Upon completion of the Phase II ESAS, several SVOCs and metals, including mercury, were detected in each of the six (6) surface soil samples collected on the Property at concentrations exceeding the Unrestricted SCOs, the standard specified in the SAP. An end use for the Property has not been identified. Given this uncertainty, it is recommended that once an end use has been determined that the Phase II data be re-evaluated. Part 375 Unrestricted SCOs, which are the most stringent criteria, were used for comparison as specified in the SAP. However, a more applicable SCO may be applied dependent on the future use and subsequent soil exposure.

NYS Brownfield Cleanup Program (BCP)

The New York State Brownfield Cleanup Program promotes the cleanup and redevelopment of contaminated property throughout the site. The program specifically encourages parties to cleanup and redevelop sites by providing specific incentives including:

- 1. Procedural incentives including an expedited, streamlined process;
- 2. Legal incentives including a limited waiver of liability for any contamination remaining on the site; and
- 3. Financial incentives including tax credits for a percentage of costs incurred in site cleanup.

(5) 13-19 North Division Street

13-19 North Division Street is 0.81 acres and located on the west side of North Division Street, north of Clark Street. The property is currently vacant commercial land. The property was formerly owned and operated by the Nye & Wait Carpet Manufacturer from 1886 until at least 1972. The property borders 14 North Division Street, and shares many of the issues previously identified for that property.

According to a Phase I ESA, dated January 2012, the property was formerly part of the Nye & Wait Carpet Manufacturer from the 1880s through 1972. The property has been vacant since 1990. While operating as the Nye & Wait Carpet Manufacturer, site features included a bleach house, dye house, weaving, spinning and carding areas, an engine room and a machine shop. Buildings at the site were previously demolished. Review of an environmental regulatory database report indicated that the property was not identified by any of the databases.

The past presence of a carpet manufacturing factory including a bleach house and dye house was identified as a REC. Also identified was the potential presence for lead based paint (LBP) and asbestos containing materials (ACM) to exist in demolition debris potentially buried at the property. It was also noted during the site reconnaissance that the property was landlocked by private properties and some portions of the site were not visible. The performance of a subsurface investigation is recommended.

It was noted that in addition to dye and bleach house areas, the property formerly contained an engine room and a machine shop while operating as the Nye & Wait Carpet Manufacturer. During future subsurface investigation(s) at the property, these areas should be identified for subsurface investigation and sample collection.

Next Steps

It is recommended that the performance of a subsurface investigation at the site including surface and subsurface explorations to evaluate soil and groundwater quality conditions and to investigate RECs identified in the March 2012 Phase I ESA. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. It is further recommended that the collection of environmental samples by an environmental professional and the analysis of samples by a NYS ELAP certified laboratory

(6) 41-55 Washington Street (Dunn & McCarthy site)

41-55 Washington Street is 7.5 acres and located at the southwest corner of Washington and West Streets. The property is divided into three sections. The largest on the north side of the Owasco River, a smaller portion on the south side of the Owasco River and a narrow strip on the eastern side of Washington Street along a previous canal race (hydraulic head race). The property is mostly vacant, except for a small brick building associated with the City of Auburn Combined Sewer Overflow (CSO), surrounded by a chain link fence and containing one 575 gallon chemical bulk storage tank containing Sodium Hypochlorite (bleach). The property was used as a storage area for soil, brick, wood, concrete and asphalt from municipal projects at the time of the site reconnaissance in 2012.

The property was formerly the Barber and Sons woolen mill, the American Wringer Works, and the W.H. Reilly Shoe Factory. The property was home to the Dunn & McCarthy site, a manufacturer of shoes from approximately 1895 through 1985. A large engine room, a machine shop and a lumber yard were part of the Dunn & McCarthy facility. During the early 1900s, the Empire Manufacturing Co., and the F.A. Benson Paper Box Company were also located on the property. Structures previously existing on the property were demolished, and the building materials may have beeLargn buried at the property. These materials may contain LBP and ACM.



Dunn & McCarthy brownfield site.

The property is listed on the NY SPILLS database. An April 1994 spill was related to leaking lines from an underground fuel oil tank at the Dunn and McCarthy site. According to the report soil between the tank and the Owasco River bank was saturated with petroleum. The Spill report is closed and is listed as meeting NYSDEC Cleanup Standards. According to historical maps, an oil house was located adjacent to the Owasco River, likely the former location of the tank. A September 1990 spill was from a tank overfill on. The spill report is closed and listed as meeting NYSDEC Cleanup Standards. A note in the database report for the spill file states "No Environmental Problem."

The documented storage and releases of petroleum materials on the property while it was in operation as the Dunn and McCarthy shoe manufacturer were previously identified, as well as the long industrial history of the property, and the large amount of hard fill material on the property which was generated by road reconstruction projects within the City of Auburn. The City of Auburn reported that the material is clean fill , however no analytical documentation to attest to this fact was available.

Next Steps

According to the Phase II Environmental Site Assessment completed by an outside consultant in 2014, coordination with the NYSDEC is recommended to determine if further investigations of the SVOC and metal impacted soil/fill will be required based on this Site Investigation data and proposed future site use. Installation of a properly designed soil cap should be discussed as an option to minimize public exposure to SVOC and metal-impacted soil/fill in this area.

(7) 151 Orchard Street

151 Orchard Street is 15.70 acres and located north of Orchard Street, east of Columbus Street. According to a Phase I ESA, dated March 2012, the property currently contains multiple vacant industrial structures. The property was originally developed as an industrial complex for the McIntosh & Seymour Company, manufacturers of steam engines including a machine shop, erecting shop, pattern storage, furnace room, casting/cleaning, sheet metal department, tool room, babbit room, storage room, store room and switch house. The Standard Oil Company, an oil storage facility was located on the subject property, containing multiple oil storage tanks and a coal pile. The complex was later occupied by the American Locomotive Corporation (ALCO) and Bombardier, Inc., manufacturers of diesel locomotives.

The property is listed on the following environmental databases:

- NY SPILLS/LUST 12 spill numbers: 0003737, 0004265, 0004361, 0005562, 0006767, 0007614, 0013196, 0105321, 0200228 (Freon), 0004774 (lube oil), 0011082 (Chlorofluoromethane), 0100984 (unknown material). Contaminated soil was discovered in 1994 at the property during a tank removal. Some of the soil was removed, and the report lists residual on-site contamination.
- RCRA Large Quantity Generator (LQG) of hazardous waste. Wastes include spent solvents, Chromium, degreasers, corrosive and ignitable wastes, methyl-ethyl ketone (MEK), trichloroethylene (TCE) and electroplating wastewater.
- Petroleum Bulk Storage (PBS) number 7-024724 21 aboveground storage tanks (ASTs) and underground storage tanks (USTs) listed for the property ranging from 250 gallons to 100,000 gallons.

Access to the property was restricted during the site reconnaissance. This is considered a limiting condition to the Phase I ESA. From public access roads, one plastic drum adjacent to a loading dock area was observed on the northwestern portion of the property and two metal drums were observed north of the main structure, on the vacant portion of the property.



Site of the former Bombardier, Inc. manufacturers.

A previous consultant identified the past presence of diesel locomotive manufacturing on the property, the past presence of bulk petroleum storage on the northeast portion of the property by Standard Oil Co. and the past presence of fuel oil storage the property, including documented impacted soil on site as RECs. It was recommended that a subsurface investigation be conducted on the property. Also recommended was a hazardous building materials survey be performed prior to building renovation or demolition.

Next Steps

The performance of a subsurface investigation is recommended at the site including surface and subsurface explorations to evaluate soil and groundwater quality conditions and to investigate RECs identified in the March 2012 Limited Phase I ESA. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. It is further recommended that the collection of environmental samples by an environmental professional and the analysis of samples by a NYS ELAP certified laboratory. The performance of a Hazardous Waste/Contaminated Materials Survey should be conducted to identify LBP, ACM and mold within the property building and to inventory hazardous materials containers, including drums, prior to any renovation or demolition activities. Also recommended is the performance of a soil vapor survey prior to building occupancy.

(8) 144 Clark Street

144 Clark Street is 0.18 acres and located south of Clark Street and east of Jefferson Street. According to a Phase I ESA, dated December 2011, the property currently contains a singlestory concrete block automobile repair garage with associated lawn and a paved parking lot storing multiple vehicles. It was noted that the parking lot pavement was in poor condition at the time of the site reconnaissance. Lumber and debris piles were observed on the property. The property was formerly used as a gasoline station with associated USTs. The property also formerly included a rail yard. Access to the building was restricted at the subject property during the Phase I ESA. This is considered a limiting condition to the Phase I ESA.

Review of an environmental regulatory database report indicated that the property was not identified by any of the databases searched. Previous consultants identified the use of the site as a gasoline station and a rail yard, the current use of the property as a private auto repair garage and the storage of vehicles on the property as RECs. It was recommended the performance of a subsurface investigation. Due to the age of the building, it was also recommended the survey of the building to identify hazardous materials including LBP and ACM prior to any potential disturbance.

Next Steps

It is recommended that the performance of a subsurface investigation at the site including surface and subsurface explorations to evaluate soil and groundwater quality conditions and to investigate RECs identified in the December 2011 Phase I ESA. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. It is further recommended the collection of environmental samples be by an environmental professional and the analysis of samples by a NYS ELAP certified laboratory. Additionally, it is recommended that the performance be conducted of a Hazardous Waste/Contaminated Materials Survey to identify LBP, ACM and mold within the property building prior to any renovation or demolition activities. A performance of a soil vapor survey should be conducted prior to building occupancy.

(9) 140 Clark Street

140 Clark Street is one acre and located South of Clark Street and west of Jefferson Street. According to a draft Phase I ESA, dated December 2011, the property currently contains a single story wood framed structure used as a materials storage building for a construction contractor. The building was formerly a railroad roundhouse used as an engine repair shop for trains. The property has a long history of use in the railroad industry. Numerous 55 gallon drums are stored within the building, some of which were rusted and dented, and staining was observed on the floor of the building. The property also formerly contained a gasoline station. An auto repair garage is located on an adjoining property.

A previous consultant identified the long history of use in the railroad industry including the repair and maintenance of trains at the property, the current storage of numerous 55 gallon drums of unknown contents, and the presence of a former gasoline station and existing auto garage on an adjoining property as RECs. They recommended the performance of a subsurface investigation to characterize the property and identify any existing environmental impacts. They also recommended that all drums and containerized materials be characterized and properly stored or removed from the property. Based on the age of the building, the potential for LBP and ACM within the building exists.

On March 12, 2016 the structure on the property caught on fire and caused significant damage. The property owner's insurance company deemed the structure a total loss and it was demolished in May 2016.

Next Steps

It is recommended that the performance of a subsurface investigation be conducted at the site including surface and subsurface explorations to evaluate soil and groundwater quality conditions and to investigate RECs identified in the December 2011 Phase I ESA. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. It is recommended that the collection of environmental samples by an environmental professional and the analysis of samples by a NYS ELAP certified laboratory

(10) 50 West Garden Street

50 West Garden Street is 0.17 acres and located south of Garden Street and east of State Street. According to a Phase I ESA, dated April 2012, the property is currently vacant land. Building foundation remnants were observed throughout the property and the majority of the property was paved. A concrete retaining wall was observed on the property. The property formerly contained the Germand House, which was comprised of a saloon, reading room, stores, offices, a creamery, a barber, a parlor and a hotel at various times during its lifespan. The property was also formerly used as a gasoline station and an auto sales lot.

The property is listed on the NYSDEC Spills list under several spill numbers. During a demolition at the property, sand contaminated with #2 fuel oil was used by the contractor as backfill. The spill report was closed not meeting NYSDEC Cleanup Standards. A pile of sand was noted on the property during the site reconnaissance. Several additional spill reports are associated with discharge to the Owasco River from a brick storm drain pipe located at the intersection of State Street and West Garden Street. The discharge was reported in twice in 1986 and once 1989 and 2007. Reports reviewed state that the discharge appeared to be petroleum and could have multiple sources of origin. A gasoline station is located north of the property which has associated spills and documented contamination in the soil and groundwater. Spills on the property were closed not meeting NYSDEC Cleanup Standards.

A previous consultant identified the past presence of a filling station on the property, the documented use of petroleum impacted sand on the property during building demolition and the presence of several filling stations, including one with documented subsurface contamination, located up-gradient of the property as RECs. It was recommended that a subsurface investigation be conducted in an effort to characterize the subsurface materials.

Next Steps

It is recommended that the performance of a subsurface investigation be conducted at the site including surface and subsurface explorations to evaluate soil and groundwater quality conditions and to investigate RECs identified in the April 2012 Phase I ESA. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. It is further recommended that the collection of environmental samples be by an environmental professional and the analysis of samples by a NYS ELAP certified laboratory.

(11) 10 Genesee Street

10 Genesee Street, also known as the Auburn Flooring Building is a 16,000 square foot building located south of Genesee Street and north of the Owasco River. The property formerly contained a foundry and operations by the D.M. Osborne Company, which began in 1885. The property also formerly contained a floor covering company, a mitten factory, a furniture store, a shoe manufacturer, an electro-plating company, a hardware store and an auto sales facility. The property was remediated (including asbestos removal) and redeveloped in 2015. The building currently contains retail on the first floor and apartments on upper floors.



Redevelopment of 10 Genesee Street.

(12) 16 South Street

16 South Street is 0.29 acres and located on the northeast corner of South Street (Route 34) and Lincoln Street. The property is currently a vacant theatre and was formerly known as the Auburn Theatre. The building was developed as a Presbyterian Church in 1886 and was converted into a theatre in 1949. The building at the property is currently vacant.

Storage of paints and cleansers in one-gallon containers were noted during the site reconnaissance. Some of the containers were observed to be leaking or showed evidence of previous leakage. Flooding was noted in the basement and evidence of water damage to stored materials and building materials was observed. Several "old-style cooling units" were observed within the building and evidence of staining in the area of the film projectors was also observed. Adjoining properties uses or former uses include a filling station, an auto repair shop, a dry cleaner and a printer.

The following historic REC was identified: historic uses of adjacent sites, including a filling station, dry cleaners and an automotive repair garage. The ASTM definition of a Historic REC was updated since the time of the Phase I ESA. The updated ASTM E1527-13 Standard defines a Historic REC as:

"a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)"

Information was not available indicating that past releases have been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority. The definition of Historic REC applies to former land use, and these RECs should be considered current.

It was also noted that while not considered a REC, numerous damaged building materials were present as a result of extensive water damage within the building. There is a potential that these materials could contain LBP or ACM. Given the extensive water damage, there is also the potential for mold within the structure. It is recommended that an indoor air quality study be performed to address any vapor intrusion issues from historic uses of the adjacent properties and a LBP, ACM and mold survey be completed prior to performing any renovation or demolition activities at the property.

Next Steps

As part of the Phase II Site Investigations, the City has prepared a Pre-Renovation Hazardous Materials Survey Report, Limited Indoor Air Investigation, and Analysis of Brownfields Cleanup Alternatives (ABCA).

Based on the site inspection and analysis of samples performed by an outside consultant, the following recommendations were developed:

- All asbestos abatement work shall be performed by a NYS licensed asbestos abatement contractor in accordance with all local, state, and federal regulations.
- The consultant has notified the owner of the presence of asbestos debris observed throughout the basement of the subject building and the requirements of NYS Code Rule 56. Due to the quantity of the asbestos debris present, a site specific variance to the NYSDOL Asbestos Control Bureau is required to set forth appropriate cleanup procedures prior to removal of the asbestos debris by a licensed asbestos abatement contractor.

- Bulk debris samples and air samples should be collected within and adjacent to contaminated areas to properly delineate the observed extent of contamination.
- The water located in the backstage basement should be pumped and disposed of by a NYS licensed asbestos abatement contractor in accordance with all local, state, and federal regulations. Following the water removal activities, the basement should be inspected for asbestos-containing materials.
- If additional suspect materials are discovered during renovation activities, those materials should be assumed to be asbestos-containing and treated as such until they have been sampled and analyzed for asbestos.
- New York State considers any removal of load bearing structural supports as a demolition activity. If load bearing structural supports are to be impacted by the current project, it is also the building owner's responsibility to transmit this report to the local asbestos control bureau district office.
- Although the seven wall paints have detectable levels of lead well below 0.5% by weight, all work must comply with OSHA's Lead in Construction Standard which regulates all construction work where an employee may be occupationally exposed to lead.

The Limited Indoor Air Investigation was completed in 2013 and performed by an outside consultant. The analytical results show no exceedances of NYSDOH Indoor Air Quality guidance parameters, except for methylene chloride, a recognized laboratory contaminant. Based on the elevated methylene chloride concentrations, it is recommended that an industrial hygiene survey be completed at the Property once restoration details are finalized.

An Analysis of Brownfields Cleanup Alternatives (ABCA) was prepared by an outside consultant for the City in 2014. The ABCA was prepared to: present remedial alternatives considered to mitigate potential exposure to asbestos, lead based paint (LBP), mold and airborne volatile organic compounds (VOCs) at the former Shine's Theater location. Based on the site reuse plan, including complete renovation, and extent of ACM and LBP and lead-containing paint debris throughout the theater building located at 16 South Street, a full abatement throughout the building is recommended. This would not only address the recommendations set forth in the Pre-Renovation Hazardous Materials Survey Report but allow for safe access to the building for redevelopment and marketing activities.

(13) 9 Owasco Street

9 Owasco Street is 9.63 acres and located south of Owasco Street and east of the Owasco River. According to a Phase I ESA dated March 2012, at the time of the site reconnaissance the southern portion of the property contained the Mill Street hydroelectric power generation dam facility with associated building and a CSO building. It was also noted areas of solid waste disposal including tires, wood, paper and plastic litter, asphalt and concrete blocks throughout the property. The CSO building was reported to contain a 973 gallon AST holding hypochlorite (bleach) and a 225 gallon AST holding sodium bisulfate. Both tanks are registered on the NYSDEC Chemical Bulk Storage (CBS) database. The property formerly contained the Auburn Woolen Mill, a textile mill, since at least the 1880s through the mid-1990s which included a main factory building, a gas meter building and two coal storage areas.

A gasoline station was formerly located on an adjoining property and contamination remains in the subsurface at this off-site location. Due to the presumed groundwater flow in the area, the consultant preparing the Phase I ESA identified the potential migration of petroleum from the gasoline station to the property as a REC. The past presence of a textile factory on the property as a second REC was also identified, as well as the potential presence of LBP and ACM in demolition debris potentially buried at the property. It was recommended that a subsurface investigation be performed at the property. The City of Auburn attempted to enroll the property in the NYSDEC Environmental Restoration Program (ERP) to investigate the property as a Brownfield Cleanup Site; however, due to a lack of funding, the property was not enrolled in the program.

What are the SCOs?

In order to streamline the cleanup of Brownfield sites, the New York State Department of Environmental Conservation has established Soil Cleanup Objectives (SCOs). The SCOs identify concentrations which soil contaminants should not exceed in order to prevent harmful exposure through ingestion, inhalation, and skin contact as well as to ensure that the site can be safely used for a particular land use in the future. Unrestricted SCOs set the lowest threshold for contaminants, making them the most protective of human health and ecological resources.

Next Steps

A subsurface investigation was conducted at the site as part of the Phase II investigation. Results from this investigation indicate that select SVOCs and metals (including mercury) were detected at concentrations exceeding the Unrestricted SCOs. However, the end use for the Property has not been identified. Given this uncertainty, it is recommended that once an end use has been determined that the Phase II data be re-evaluated. Part 375 Unrestricted SCOs, which are the most stringent criteria, were used for comparison as specified in the SAP. However, a more applicable SCO may be applied dependent on the future use and subsequent soil exposure allowing for a more definitive delineation of contamination. The historical Phase I ESA identified the presence of demolition debris on the Property. The potential for asbestos and lead paint in the rubble was noted in the ESA, but was not identified as a REC and was not addressed as part of the limited subsurface investigation.

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3.4 Vacant and Underutilized Sites

While vacant and underutilized properties often contribute to a sense of decline and lack of investment in a given area, they also represent greater opportunities for revitalization. Identifying the amount and location of publicly owned-vacant and underutilized properties helps to provide a greater understanding of where to target redevelopment initiatives in the Auburn Sparks Study Area. It is important to note that categorizing a property only signifies that the potential for additional development exists at a given site and does not indicate that current uses should be discontinued.

To identify publicly owned vacant and underutilized sites, data was derived from Cayuga County as well as field work conducted in April, 2016.

As indicated in Map 7, there are 64 parcels owned by the City of Auburn and Cayuga County in the Auburn Sparks study area. There are six vacant public parcels in the study area totaling 35 acres that are owned and operated by the City of Auburn including:

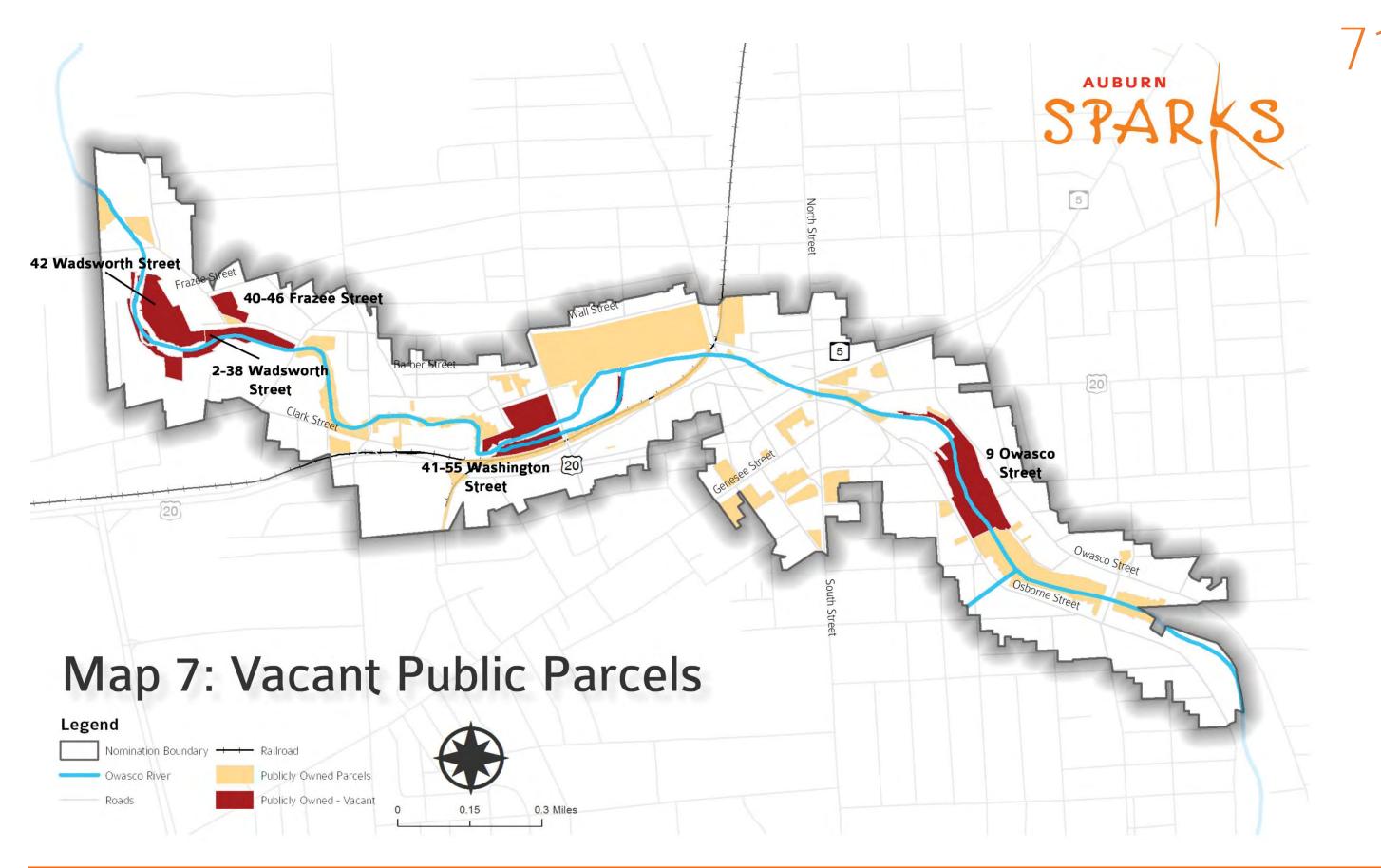
- 42 Wadsworth Street
- 40-46 Frazee Street
- 2-38 Wadsworth Street
- 41-55 Washington Street
- 9 Owasco Street
- 1-7 State Street

The largest of the publicly-owned vacant sites is 42 Wadsworth Street, a former manufacturing company that operated until the 1950s. The site is strategically located along the Owasco River, and will provide a major node for the future Owasco River Greenway Trail as well as recreation opportunities.

The Dunn & McCarthy site, located at 41-55 Washington Street, is a vacant 7.5 acre publically-owned site that was formerly the W.H. Reilly Shoe Factory. The site is bordered by the Owasco River to the south and a residential neighborhood to the north. Although it is several blocks from the downtown business district, there are opportunities on this site to develop complementary uses that would support the surrounding neighborhood.

While vacant sites can have negative impacts on a neighborhood or study area, they also provide opportunities for new development. These sites, once confirmed to be free of environmental contamination, provide a clean slate to private developers because they typically do not require extensive site preparation, potential demolition of existing structures, or retrofitting of existing buildings. Vacant property in high value locations are a priority in determining strategic sites for redevelopment and infill development within the Study Area.

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3.5 Strategic Sites for Reuse Potential

The Project Advisory Committee has identified 6 Strategic Sites, covering approximately 46 acres that, if redeveloped, have the potential to catalyze redevelopment and investment throughout the community.

When evaluating individual sites within the Auburn Sparks Study Area it is clear that although some sites provide notable opportunities for significant new development, there are also sites with existing buildings and facilities whose enhancement could serve to further revitalization efforts on surrounding properties, such as the HSBC Bank / Nolan Property.

(1) Wadsworth Site (public)

Located at the end of Wadsworth Street, this site offers the potential for open space amenities, increased access to the waterfront, and serve as a key node along the Owasco Greenway Trail. The site has several dam ruins on the banks of the Owasco River, but is otherwise does not contain any buildings.

(2) Bombardier (151 Orchard Street; private)

This 15-acre site that served as a former manufacturing plant. The existing building offers $90,000 \pm SF$ of industrial space, while the site has the potential for infill redevelopment, accessory trail uses, and commercial and retail space. The site has excellent visibility along the well-traveled Route 5 & 20, and is located at a key gateway into the City.

(3) 41-55 Washington Street (Dunn & McCarthy; public)

The 7.5-acre site is publicly owned and could support a range of uses including housing, commercial, and enhanced open space. The site is located in a residential neighborhood, adjacent to the correctional facility and borders the Owasco River.

(4) 1-7 State Street (public)

The 0.17 acre site is currently a publicly-owned vacant lot is located on State Street, an active and vibrant corridor home to several new restaurants and businesses. Future redevelopment of the site will play a significant role in the character and urban form of downtown, as well as fill the demand for public green space in the Auburn Sparks study area.

(5) 9 Owasco Street (public)

Located on the bank of the Owasco River, this 9.6 acre site is provides opportunities to connect residents and visitors directly to the Owasco River Greenway Trail while providing much needed open space.

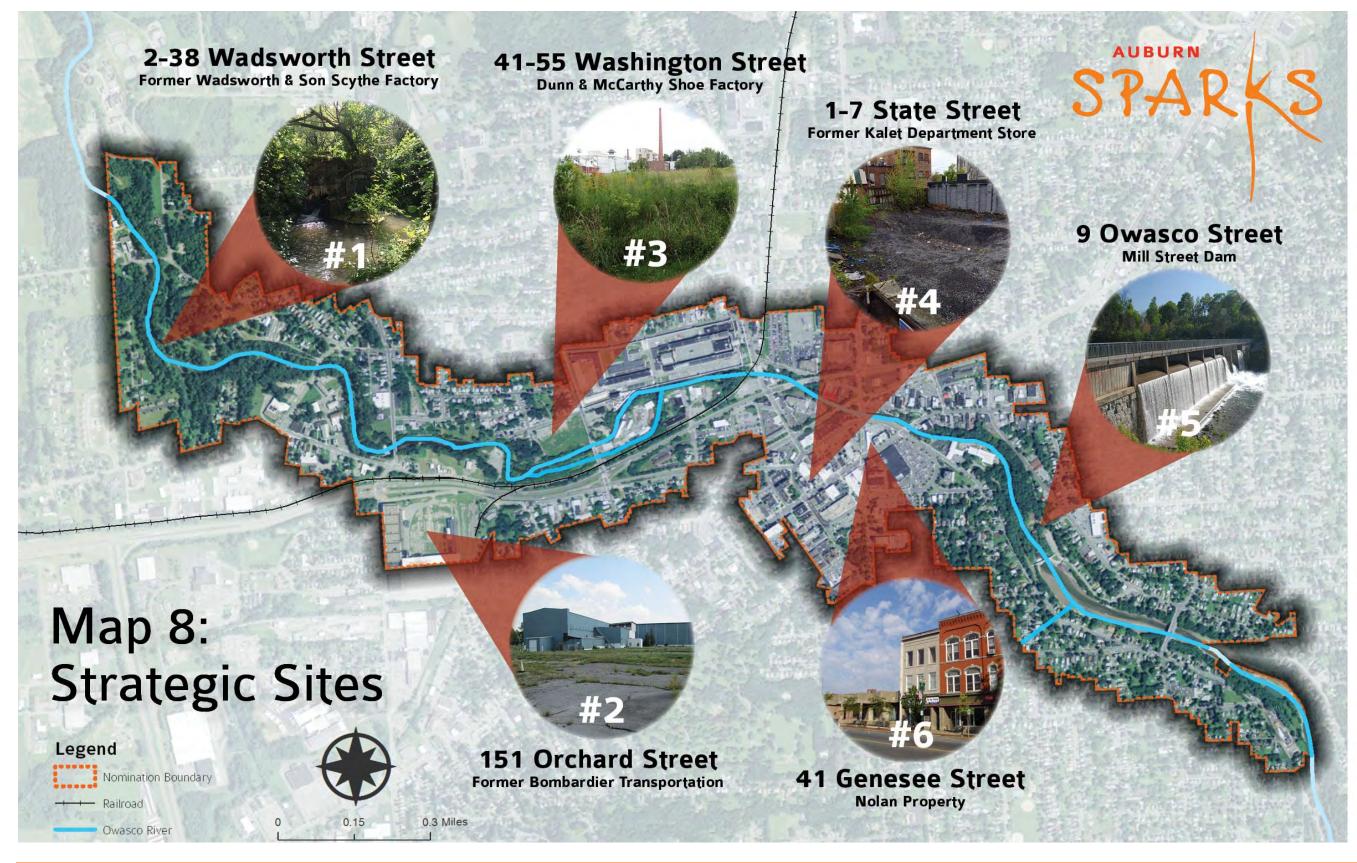
(6) Nolan Property / Loop Road (private/public)

The Nolan Property / Loop Road site provides an opportunity to develop an attractive and vibrant downtown space that can capitalize on its waterfront location. The Nolan Property was purchased in the summer of 2016, and will be redeveloped as a mixed-use commercial space. The size of the site, ownership status and location adjacent to the Owasco River make it highly valuable for redevelopment as a pedestrian-friendly space that links future uses to the Owasco River Greenway Trail.

A further description of how these properties fit into potential redevelopment plans is discussed in Section 4.0 Master Plan. Detailed site profiles are also provided in Appendix B.

Key Findings: Strategic Sites

- The public ownership of the majority of strategic sites will allow the City to target and attract specific redevelopment activities that will enhance the overall quality of the downtown.
- The environmental status of the Bombardier site represents an important unknown for future redevelopment of the property, yet this site is also a significant opportunity for new private investment within the City.





3.6 Parks, Trails and Open Space

Parks and open space contribute to a strong and stable community. The City of Auburn has embraced a proactive approach in ensuring City residents have playgrounds, athletic fields, trails, and informal open green spaces. The City recognizes that parks and open space contribute to a strong and stable community, and understands how these resources serve as the connective fabric that links the community's residential neighborhoods, downtown, and amenities together. In September 2016 the City of Auburn finalized a Parks Master Plan. This Master Plan will guide the maintenance and investment in the City's 23 publicly owned parks over the next 10 years. This section provides an inventory of the parks, trails and open space in the Auburn Sparks Study Area, and the ongoing efforts to continue to develop these resources.

Parks

Having convenient access to neighborhood parks and playgrounds has been identified as one of the most important factors in ensuring that people will increase and maintain a healthy level of activity over time. As indicated on Map 8, Parks and Open Space, there are eight parks in the BOA that include a range of active and passive recreation facilities, including playgrounds, sports facilities, and undeveloped green space. The summary below provides an overview of each park and facility.

Benefits of Parks & Trails

Parks and trails are an integral part of the city's landscape. The Trust for Public Land (TPL) has conducted research on the need to increase the number of parks in city environments, citing a range of social, environmental, economic, and health benefits.

Increasing the number of parks in the Auburn Sparks Study Area can have positive, long-term impacts on residents and the greater community including:

- Improving community health by increasing opportunities for exercise and regular physical activity;
- Increasing the value of neighboring residential properties;
- Providing recreational opportunities for youth, including low-income and atrisk children;
- Serving as an engine for economic revitalization and investment; and
- Increasing residents' sense of community ownership and stewardship, providing a focus for neighborhood activities and connecting people to nature.

Market Street Park

Located at 21 Genesee Street, Market Street Park is centrally located in the Downtown Business Improvement District and overlooks the Owasco River. The 1.3-acre park was redesigned and renovated in 2010, and is a popular destination in the summer for community festivals and concerts.

Buonocore Park

Buonocore Park is located at the intersection of Loop Road and E. Genesee Street, directly south Market Street Park. The park is 0.70 acres and features benches along the sidewalk, a small picnic area, and covered pavilion.

Freedom Park

Freedom Park is adjacent to Market Street Park and is located at 17 North Street. This 0.15acre park was designed as a pocket park dedicated to Harriett Tubman and William Seward. It was built in 1992 by community members who wanted to celebrate those individuals from Auburn who have had an impact on freedom. The park overlooks the Owasco River to the west. In addition to several seating areas, the park contains a kiosk with information about the life and efforts of Harriett Tubman.

Wall Street Playground

Wall Street Park, located on the corner of Wall Street and Aurelius Avenue, is a one-acre park featuring swings and playground equipment, a covered pavilion with picnic tables, and a half-court for basketball.

Cottage Place Park

Located two blocks north of the Orchard Street Neighborhood between Barber Street and West Street, Cottage Place Park provides over 1.2 acres of recreation space for the community. There are no playgrounds or programmed recreation areas at the park.

Osborne Street Park

Osborne Street Park was the original site of the Grover Street School house. In November 1910, the City of Auburn entered into an agreement to purchase the Grover Street School Property and renamed the property Osborne Park, in honor of former Mayor David Munsen Osborne. Since that time, the Grover Street School house was demolished and the 0.5-acre property remained a vacant greenspace until 2010 when the Auburn Beautification Commission (ABC) partnered with Auburn City Planning, Engineering Department, and Public Works to design a new community space. Through significant support from ABC and utilizing CDBG funding, the park was designed and redeveloped as a safe and accessible space that serves hundreds of neighborhood children. The park includes playground equipment as well as park benches, fencing, lighting, and walkways.

Seward Park

Seward Park is located at the intersection of Williams Street and South Street, south of the Seward House Museum. Named after William Seward, the 0.25-acre park is frequented by residents and tourists of the historic South Street District. The park features a 9-foot statue of Seward shown on March 11, 1850, when he spoke in the U.S. Senate against the Fugitive Slave Act.

Benton Street Playground

Since 2011, Benton Street Park and Playground has been undergoing site improvements and renovations through City funding and CDBG grant funding. Located at 2-4 Benton Street in the heart of the Study Area, ongoing site improvements include new playground equipment with mulched safety zones, and resurfaced basketball courts. In 2014, new pillars were installed at the entrance of the park and fencing was replaced on the northeast corner of the park.



New equipment at the Benton Street Playground.

Healthy Living Analysis

An increasing amount of research has emerged about accessibility to parks, trails, open spaces and recreation facilities (Trust for Public Land). Research indicates that these resources are critical to a child's development, serve as a catalyst for active living, and positively contribute to a community's overall quality of life. A Healthy Living Analysis was conducted to assess the availability of parks and open space resources in the Auburn Sparks Study Area. This assessment is particularly useful in identifying specific areas of the Study Area that are underserved and in need of programs or facilities.



Example of an park integrated into the urban fabric of the community.

In traditional neighborhoods, 1/4 mile radius is considered a comfortable distance that people will walk to an amenity or service, and serves as the basis for the Healthy Living Analysis. As indicated on Map 9, Parks and Open Space, the neighborhood south of the Lake Avenue bridge on the eastern edge of the Study Area is not within a ¹/₄ mile of public parks or playgrounds. This area is a part of a larger residential community that extends to the east, south and west of the Study Area. The neighborhood is home to many of the city's residents, including families with young children, who are not within walking distance to parks and recreation facilities. This limits their ability to participate in outdoor recreation as well as opportunities to be physically active and socially engaged in the community.



Unique features, such as the mushroom statues as seen above, allow children to explore and use their imagination

1/4 Mile Radius

Accepted as the average distance an able-bodied person is willing to walk to an amenity or service. With the ever-increasing demands and limited leisure time available, the 5-minute (1/4 mile) walk to a service has become increasingly valuable.



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Trails

Over the last several years, the City of Auburn invested in its emerging Owasco River Greenway Trail Project, a twelve-mile network of shared use trail facilities that will connect the downtown area to the northern shore of Owasco Lake (Map 10). When completed, approximately half of the length of the trail system, and a majority of its 13 major and minor nodes, will be located within the BOA.

The Greenway Trail project features a mix of on- and off-road facilities intended to enhance non-motorized transportation and recreation options. and to connect residential neighborhoods with the Central Business District, employment centers, and other assets in and around the City of Auburn. Each of the 13 nodes will include some amount of parking and seating, river overlooks, interpretive and directional signage, and other amenities. These nodes will be connected by on-road trails consisting of shared use lanes, wide curb lanes, or exclusive bike lanes (with sidewalks for pedestrians), and off-road trails.

Regional Trail Case Study: Cherry Creek Trail Denver, Colorado

The Cherry Creek Trail is an example of a trail that connects multiple suburbs and counties to the center of the community, downtown Denver. The trail is below grade for much of the way, following the bed of the creek. Residences, jobs, schools, parks, and shopping are all seamlessly connected on the trail corridor.

Through the development of the Owasco River Greenway Trail, the Auburn Sparks Study Area has the opportunity to create a city-wide trail that connects downtown to neighboring residential, commercial, and recreation areas; serving as an important transportation corridor that is safe and accessible.



The City of Auburn is currently implementing its preferred designs for the trail system, focusing first on connecting two major nodes along the network:

(1) Market Street Park

Market Street Park is a recognizable element of the city's vibrant downtown atmosphere, with its iconic blue fence framing the channelized section of river between Genesee and North Streets.

(2) Mill Street Dam

From Market Street Park, trail users will soon be able to connect to improved recreational facilities at the Mill Street dam site via bicycle lanes and shared-use paths on the south side of the river and sidewalks on the north side.

The trail to Market Street Park will bring users directly past the former Auburn Woolen Company site, located between Osborne Street and the Owasco River.

Although Market Street Park and the Mill Street dam site are the City of Auburn's current implementation priorities, the system is expected to continue expanding as funding allows. The development of several of the remaining nodes and trail segments could impact, or be impacted by, other investments at critical locations within the BOA, particularly in the city's west side. For example, at the western end of the proposed Greenway Trail system, the City of Auburn has identified the underutilized Wadsworth property as a potential major node that will be accessed in part via an off-road trail adjacent to the Auburn Foundry property. Continuing east from that site, the next two minor nodes would be located directly across the Route 5 arterial from the Bombardier property, followed by a major node in close proximity to the Dunn & McCarthy site on Tehan Avenue.

The continued development of the Owasco River Greenway Trail has potential to benefit properties within the BOA, both in terms of multimodal transportation connectivity and as a recreational amenity. A range of potential development programs at these sites (e.g., residential units, mixed use, retail/commercial) would be well suited to support the goals of the trail system, and would in turn benefit from the increased access, exposure, and connectivity that the trail system could offer.

Open Space

The City maintains several areas of open space that serve as important venues for active and passive recreation. Additional areas of open space can be found throughout the City, such as the plaza adjacent to the Auburn Public Theater, Steward House grounds, and along the Owasco River Greenway Trail. Vacant sites, including the Dunn & McCarthy site as well as the Wadsworth site, are major nodes in the design of the future Owasco River Greenway Trail. This provides an opportunity for vacant sites to be redeveloped as parks, structured recreation facility or field, or be integrated into a larger development plan.

Key Findings: Parks, Trails and Open Space

- The Study Area includes a variety of parks including traditional playgrounds, open space/green space, and pocket parks, such as Buonocore Park.
- Over 85% of residents in the BOA are within ¼ mile, walking distance, to parks and open space.
- There are 8 parks in the BOA, and 2 additional parks on the periphery, that range in size and facilities. The community will need to continue to invest in upgrades for those that are lacking or require new facilities.
- Over half the length of the Owasco River Greenway Trail, when completed, will be in the Study Area. Thirteen major trail nodes will connect to residential neighborhoods to the downtown and providing new out-the-door recreation opportunities.
- Wall Street Park, Benton Street Playground, and Osborne Street Park are the only parks with playground equipment and sports fields.
- Five parks in the Study Area are passive recreation areas which are characterized by limited development, open green space and minimal visitor facilities.
- Cottage Place Park and Buonocore Park are in need of upgraded facilities to accommodate a broader range of users.
- In addition to fulfilling the need for more parks in pockets of the Study Area, there remains an overall need to develop new active recreation facilities that would support the existing residential neighborhoods.

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3.7 Key Buildings

The Downtown / Owasco River Corridor has many buildings of significance that range in use and condition. While others are currently contributing to the economic vitality of the Auburn Sparks Study Area, many of these buildings have the potential to spur economic growth if fully occupied. It is recognized that not all key buildings are redevelopment opportunities; many of these buildings are historic sites and defining landmarks in the community, and are highlighted for their character and contribution to the community. The key buildings in this section have been organized into the following sections: cultural and historic resources, community services, and redevelopment opportunities. These buildings are described below and illustrated on Map 11.

Cultural & Historic Resources

Seward House Museum

The Seward House Museum is located at 33 South Street, adjacent to Seward Park and City Hall. The Seward House Museum opened to the public in 1955 and was designated a National Historic Landmark in 1964. In 2008, the museum became a non-profit organization.

Auburn Public Theater

The Auburn Public Theater was founded in October 2005, at 8 Exchange Street. The 10,000 SF building opened on the Exchange Street pedestrian courtyard, which served as an ideal place for patrons to meet and converse before a show. The theater opened its doors on December 7, 2005 and welcomed more than 500 people to an open house and tour of the facilities. Today, more than 80,000 patrons have visited the theater which continues to serve as an important social and cultural venue in the City.

Westminister Presbyterian Church

Located at 17 William Street, the original Central Presbyterian congregation worshiped first in the original YMCA building on Genesee Street, then purchased property on the corner of Genesee and William Streets, next to the present courthouse. They constructed a basement chapel, with seating up to 600, with plans to later construct a church building over it. The leader of the Underground Railroad, Harriet Tubman, was married to Charles Nelson Davis in the basement chapel on March 18, 1869. Today, the church serves as a community center for arts, human services, educational, and other not-for-profit agencies, programs, and events. In 1869, the church recognized that current site was too small for their growing congregation site and purchased the property located at 17 William Street.

St. Mary's Catholic Church

St. Mary's Church building is an example of modified Gothic architecture constructed in 1870 and opened in 1877 at its current location at the corner of Clark Street and Green Streets. The edifice, built entirely of gray limestone, is 135 feet long and the ceiling is 65 feet high. The church today participates in many ecumenical and inter-religious activities.

Community Services

YMCA – South Street

The Young Men's Christian Association (YMCA) was organized in Auburn in 1859 in its current location. The YMCA offers many programs and services that include aquatics, camping, preschool, school-age childcare, family programs, health, fitness, and adult programs.

Auburn Correctional Facility

The Auburn Correctional Facility was constructed in 1816 and was the second state prison. Today, it is a maximum security prison that employs 802 number of residents from Auburn and surrounding areas. The facility is 27-acres, and is located in the northern part of the Study Area.



The YMCA on William Street provides a range of programs to all ages.

Redevelopment Opportunities

Bombardier

This property was originally developed as an industrial complex for the McIntosh & Seymour Company, manufacturers of steam engines including a machine shop, erecting shop, pattern storage, furnace room, casting/cleaning, sheet metal department, tool room, babbit room, storage room, store room and switch house. The Standard Oil Company, an oil storage facility was located on the subject property, containing multiple oil storage tanks and a coal pile. The complex was later occupied by the American Locomotive Corporation (ALCO) and Bombardier, Inc., manufacturers of diesel locomotives. The property was vacated in 2006.

Auburn Schine Theater

The Auburn Schine Theater building was constructed as a Presbyterian church in 1886 and was converted into a theater in 1938. The theater operated until 1978 when it was transformed into the Auburn Music Hall. From 1980-1992, the building was used for a night club and later a video store. Cayuga County Arts Council took ownership of the building in 1998 and is currently vacant.

14 Tehan Avenue

Located adjacent to the Auburn Correctional Facility, this building is 15,300 SF on 2.32 acres. The building has been used for storage, and new plans for a private business have been approved by the City.



The City of Auburn public safety building.

City Police and Fire Safety Building

The current police and fire safety building, located at the corner of Market and North Street was constructed in 1930. Since its construction, the building has undergone numerous structural, mechanical and architectural modifications to respond to operational and vehicular needs.

Nolan Property / HSBC Bank Property

The Nolan block consists of a row of five buildings located at 41, 43-51, and 53 Genesee Street. The Genesee Street buildings were home to Nolan's Shoes for over 50 years, as well as home to several other local businesses until *Nolan's closed in 2004. The structures were condemned* in June 2014. Kyle Croft Development purchased the buildings in June 2016 by with plans to redevelop the buildings to include new commercial space and apartment units.

1-7 State Street

The City of Auburn acquired the parcel at 1-7 State Street in 1995. The City demolished the former Kalet retail store in 2011, leaving a vacant site prime for redevelopment. The property was transferred to Cayuga County in the spring of 2011. Ownership returned to the City in the fall of 2015. The City has conducted extensive public outreach identify potential uses for the site. Through public meetings and online participation, community members expressed interest in using the site for open space, public art, and community events.



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3.8 Transportation Systems

The downtown / Owasco River Corridor contains a comprehensive transportation network. Properties in the Study Area and City benefit from access to New York State Route 5 & 20, proximity to the thruway, a railroad line, bus routes, trails, and maintained sidewalks (Map 12). Although there is no airport in the Study Area, residents have access to major airports in Syracuse (30 miles) and Rochester (60 miles).

Roadways

The Auburn Sparks Study Area contains five major roadways, divided east to west by U.S Route 5 & 20. U.S. Route 5 & 20 connects to three major interstates running north to south in upstate New York. Interstate 390 (I-390), I-81, and I-87. U.S. Route 5 & 20 is a single lane, two-way arterial highway. New York State Department of Transportation (NYSDOT) has the average daily traffic pattern for 2013 ranging from 14,989 to 22,225 vehicles daily. New York State Route 5 merges with U.S Route 20 twice along its duration, once in the Auburn Spark Study Area.

The Auburn Sparks Study Area is divided by Route 34, referred to locally as North Street north of Genesee Street and South Street to the south of Genesee Street. Route 34 is a single lane, two-way highway and runs from the Pennsylvania state line in the south to the Village of Hannibal to the north. ADT ranges from 6,136 to 14,544.

New York State Route 38A is located to the north of the Owasco River in the eastern portion of the BOA Study Area. This roadway is a single lane, two-way highway, running from north to south; starting in the City of Auburn to the north. NYS Route 38A's southern terminus is in the Village of Moravia. New York State Route 38A is also known as Owasco Street. The ADT on this roadway in 2013 ranges from 6,227 to 9,425 vehicles.

Railroads

The BOA Study Area is accessible by rail, providing an opportunity for new large – and smallscale industrial operations. The Finger Lakes Railway (FGLK) maintains a freight rail line that extends east to west through Auburn from Geneva, to Syracuse. The Finger Lakes Railway is a privately owned railroad company whose headquarters are located in Geneva, 29 miles east of the Study Area. FGLK has the capacity to ship over 46 commodity groups, including; steel, scrap metals, pulpboard, scrap paper, canned goods, sand, chemicals, salt, aggregates, grain, fertilizers, plastic, corn syrup, clay, soda ash, lumber and building materials like shingles, roofing, panel products and pipe.

Public Transit

The City of Auburn bus system is serviced by the Centro of Cayuga. Inter-city bus service is available Monday through Saturday. There are five stops within the City that run from the Finger Lakes Mall to downtown (Common Center bus stop). Common Center is the only bus stop located in the Study Area and is located at the intersection of Exchange Street and Lincoln Street. There are additional bus routes to Welch-Allyn and Tessy Plastics, as well as a route to the Cayuga Correctional Facility. There are three additional routes between Auburn and Syracuse via Skaneateles, Jordan-Elbridge or Taunton. The inter-city bus system is designed as a "clover system" with each bus servicing all four major routes in succession, limiting the number of transfers between buses. This system also provides reliable and flexible service for residents who rely on public transportation as their primary mode of transit.

Pedestrian Trails and Bicycle Facilities

The completion of the Owasco River Greenway Trail will provide an important alternative to vehicular routes within a transportation system. Interconnected trails provide residents with safe routes throughout the community by reducing the number of road crossings and interactions with motorized vehicles. In addition to providing out-the-door recreation opportunities, the development of the trail can contribute to a high quality of life. (*Source: The Economic Benefits of Parks and Open Space, Trust for Public Land, 1999*)

Auburn is also a destination along two bike trails promoted by the Cayuga County Office of Tourism. Other improvements, such as dedicated bike lanes and bike racks, would enhance bicycle convenience and accessibility in the downtown area, making Auburn more bikefriendly.



Route 5 & 20 heading eastbound.

Key Findings: Transportation

- The Auburn Sparks Study Area is located 30 miles from Syracuse and 60 miles from Rochester, which are easily accessed by Route 5 & 20 and the NYS Thruway.
- The Finger Lakes Railroad transects the Study Area, creating opportunities for future industrial, light industrial and manufacturing companies.
- Centro operates an inter-city bus system that serves residents with access to five stops in the city, and additional stops to neighboring communities. There is no direct service to the Syracuse airport or the City of Rochester, limiting travel to other major cities.
- Route 5 & 20 is a well-traveled route that welcomes thousands of visitors annually and transects the BOA. This provides a visible and easily accessible route to the downtown.
- Trails will continue to emerge as an important alternate mode of transportation. Goods and services will be increasingly accessed by trail corridors, making the Owasco River Greenway Trail an attractive mode of transportation.



The Finger Lakes Railroad provides opportunities for moving goods and services.



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3.9 Infrastructure and Utilities

The Study Area and the City of Auburn contain infrastructure commonly found in most urbanized areas including public water, sanitary sewers, storm sewers, water, electric, and natural gas. Access to these resources is an incentive for new development, as it reduces dependency on well and septic facilities which require significant maintenance and upkeep. This section provides an overview of the availability of resources in the Study Area.

Water

Public water is available to the entire Study Area provided by the City of Auburn. The City of Auburn water source is Owasco Lake, which is drawn through a single 30-inch intake line that extends over 1,800 feet into the lake.

The water system serves approximately 27,000 residents through 8,800 service connections. Water from the City is also distributed to other neighboring areas including the Towns of Sennett, Fleming, Throop, Brutus, Montezuma, and Springport. Auburn supplies close to 45,000 people in Cayuga County with their drinking water. The latest data provided by the City indicates that the total water produced in 2013 was 1.45 billion gallons. The daily average of water treated and pumped into the distribution system is 4 million gallons per day. It is estimated that approximately 13.5% of the total water produced is lost due to leakage, used to flush mains and wash streets, extinguish fires, and for internal use at the water filtration plant. The City also maintains a water purification plant which provides water to residents that is safe, sanitary, and free from turbidity, color, taste and odor. In 2013, customers were charged \$2.05 per 100 cubic feet, with an average of \$6.83 per month, per customer.

Sewer

Based on data obtained from the City of Auburn, sanitary sewer is available to all properties in the Auburn Sparks Study Area. Property owners are required to maintain their lines from the residence to the property line at the main road. The City of Auburn operates and maintains a revolving loan program to assist with the financing costs associated with sewer/water lateral repair or replacement, providing up to \$9,000 for sewer repairs and \$2,500 for water line repairs.

Parking

Parking in the Study Area is available on-street, in public parking lots, and in parking garages. On-street parking is available on most streets in downtown Auburn, unless otherwise marked. There is a two-hour limit to park on the street at a current rate of \$0.75/hour. Spaces are monitored by City parking employees. Long-term parking is available in the Seward Lot, located adjacent to City Hall on Lincoln Street, as well as the Dill Street Lot, located behind Lattimore Hall. This lot allows all day parking. The Downtown Parking Garage, located on Lincoln Street, across from the Seward Lot, offers short-term, long-term, and permit parking options. In July 2017, the City began offering free parking for the first 2 hours on the upper levels of the garage, with additional time priced at \$1 per hour. This is a convenient garage for patrons of the Auburn Public Theater and nearby restaurants and shops.

In 2013, the City approved the Pango pay-by-phone parking initiative. The Pango system allows users to pay for on-street parking and in garages using a smartphone app. This eliminates the need to feed a meter with quarters or find the nearest parking kiosk. In its first year of operation, Pango had over 1,000 users and was the first municipality nationally to implement the system.

Key Findings: Infrastructure

- New development in the Auburn Sparks Study Area will have adequate access to public water and sewer.
- The City maintains several options for parking including surface lots, garages and on-street parking, which vary in price and size. Future commercial businesses, particularly in the downtown, will benefit from being in close proximity to these parking areas.



Crossing Genesee Street in downtown Auburn.

3.10 Natural Resources and Environmental Features

The quality and quantity of natural resources are directly related to quality of life, providing clean communities with and abundant groundwater and surface water, safe air to landscapes natural breathe. and that accommodate a diverse range of habitats. Natural resources can also contribute to economic vitality, encouraging recreation, tourism and increasing property values. Planning for future land use in concert with existing environmental conditions promotes protection of these key assets. This section describes natural resources and environmental features in the BOA.

Oswasco River

The Owasco Rivers flows north to northwest from Owasco Lake to Seneca Lake. The river runs through the City of Auburn extending a total of 14 miles. Within the City of Auburn six dams have been established and are maintained by the City. The Owasco River has historically been an asset for the City of Auburn. Throughout the development of the city, the river has provided local industries and manufacturing factories with power. Mill Street Dam Hydropower Station (MSDH) is the first dam in the Study Area, located in the eastern section along the Owasco River. This station is operated only when flows in the Owasco River exceed 450 cubic feet per second.

WHAT IS HYDROPOWER?

Hydropower uses moving water from rivers, lakes, and oceans to generate energy. The use of hydropower began in the 1800s when water wheels were used for tasks such as sawing lumber and grinding grain. Remnants of former saw and gristmills can be seen dotted along the many riverbanks throughout Upstate NY.

Modern hydropower operations use a complex system of turbines and blades to create mechanical energy. The generator connects to the turbine, then rotates, producing electricity. Transformers convert the electricity to useable voltage levels for our communities.

Source: NY State Canal Corporation



Hydro Power Assessment

A pre-feasibility level assessment was conducted of two potential hydropower sites in the City of Auburn including the Dunn and McCarthy and the State Dam site at Lake Owasco Outlet. In addition, abandoned sites were observed downstream of the North Division Street site including the Shoe Form Dam, Aurelius No. 1, Aurelius No.2, Canoga No. 1, and Canoga No. 2. Hydropower facilities are illustrated on Map 13. Considerable information was available through public record searches of past preliminary license applications to the Federal Energy Regulatory Commission (FERC).

Background of FERC Licensing Criteria

Under the Federal Power Act (FPA), the FERC regulates the nation's non-federal hydropower resources. However small projects, less than 10-megawatt (MW) in generating capacity, are eligible for exemptions. The applicant must have all the real property interests or an option to obtain the interests in any non-federal lands. For perspective, Mill Street Dam (FERC permit P-4372) and North Division Street (FERC permit P-8949) are currently operating with such an exemption.

Dunn and McCarthy Site

The Dunn and McCarthy Dam was a 9.5-foot-high, 100-foot-long stone and masonry dam, built in the mid-nineteenth century. In the early 1930's Dunn and McCarthy installed a single turbine-generator with a capacity of 0.7 MW, and operated the project without a FERC license continuously until 1974, when a flood damaged the site and it ceased operating. The generator unit was removed in 1976.

Several attempts have been made to re-develop the hydro potential at this site. Yankee Hydro filed a preliminary license with FERC in December 1982. Dunn and McCarthy fought this unsuccessfully and FERC granted a full license to Yankee Hydro in 1987. In August 1992, Yankee Hydro transferred their license to Jefferson National Bank. In February 1983, the City sent FERC correspondence indicating their intent to obtain the rights to develop this site. However, later that month they were informed by the NY State Attorney General of the City's requirement to pass a referendum to amend the City Charter increasing their dollar capacity to undertake the project. This led the City to abandon the project. In June 1993, the FERC terminated the license due to inactivity and transferred dam safety responsibilities to NY State Department of Environmental Conservation Dam Safety Division. (Note all sources referenced above were taken from FERC permit files for Project 6962.)

In July 1993, the City of Auburn filed a preliminary license with FERC to develop four sites called the Owasco River Project. It comprised of State Dam, Dunn and McCarthy and two sites downstream of North Division Street. In October 1993, preliminary permit 11425 was issued by FERC. In November 1995, this license was terminated due to lack of activity. (Note all sources referenced above were taken from FERC permit files for Project 11425.)

Owned by the City of Auburn, the Dunn and McCarthy site is in reasonable condition for redevelopment of hydropower, although the former dam would need to be reconstructed. There appears to about approximately ten to fifteen feet of head available at this site (although a NYPA report in 2006 states there is 22 feet of head at this site). The penstock, while still on the site, would likely need to be replaced. Discussions with turbine manufacturer Voigt did not progress sufficiently during this study to determine size of unit or generating capacity. Under the city's proposed Owasco River Project in 1993, it was proposed that one generating unit with a capacity of 0.612 MW could be installed. Discussions with FERC New York Regional staff as well as Washington D.C. headquarters staff regarding development of this site was favorable. FERC supports either generation at

legacy sites or complete removals, as leaving partially intact dams pose a public safety hazard. This site would be exempt from a FERC license as it is less than 10 MW generating capacity.

State Dam

The State Dam site (also known as Owasco Outlet) is owned and maintained by the City of Auburn and was part of the City's Owasco River Project. Retrofitting this site to hydro should be relatively straightforward as the existing dam appears to be in excellent condition. A preliminary permit by

FERC (P-11023) was issued in November 1990 (under the name Swift Street Dam Project), but the permit was cancelled when no work was performed within 30 days. The project called for rehabilitation of the dam (with 13 feet of head) to include an 80-foot long, 8 foot diameter penstock, and a new powerhouse with one 0.5 MW generator.

When the City of Auburn proposed the Owasco River project (FERC permit P-11425), it included installation of only 0.31 MW at State Dam. This smaller generating capacity is presumed to be because the City factored the recreational uses of the dam open the potential for generating hydropower.



State Dam on the Owasco River.

Shoe Form Dam

Shoe Form Dam is within close proximity to the North Division Street site. Little information regarding the prior use of this site could be found. During a site visit on August 18, 2015, it was observed that the main portion of the river channel was flowing unimpeded. A small structure on a high flow side channel was visible but in poor condition. It appeared during the site visit that there is approximately 5 to 10 feet of head available at this site. Development of hydro at this site would likely require complete reconstruction of the dam and powerhouse.

Aurelius Dam No. 1

This site was visited on August 18, 2015. Much of the original dam and appurtenant structures were visible but not in good condition. There was a major breach in the main dam structure. It appeared that there was approximately 15 feet of available head. It is unclear if the existing structure could be rehabilitated or if the site would require a new dam structure. A preliminary license filed in 1991 (P-11022) called for rehabilitation of the dam (13 feet of head) and installation of a 0.5 MW generating unit. However, the condition of the dam may have been better than it is today. The Owasco River project (P-11023) called for hydro at Aurelius Dam, presumably this site, with installation of 0.36 MW generating unit. The dam is owned by the City of Auburn.



Aurelius No. 2

This site was visited on August 18, 2015. There was little remaining of the original structure but it appeared there was approximately 15 to 20 feet of head at this site. Remnants of a water wheel were noted. The dam is owned by the City of Auburn and complete reconstruction of this dam and powerhouse would be required. There did not appear to be any documentation of attempts to previously develop hydro at this site.



Remnants from Aurelius Dam No. 2

Canoga Dam No. 1

This site was visited on August 18, 2015. There was little remaining infrastructure at this site. It appears that between five and ten feet of head may be available at this site. The Owasco River Project (P-11023) called for Canoga Dam to be developed with seven feet of head and a 0.43 MW generating unit.





Canoga Dam No. 2

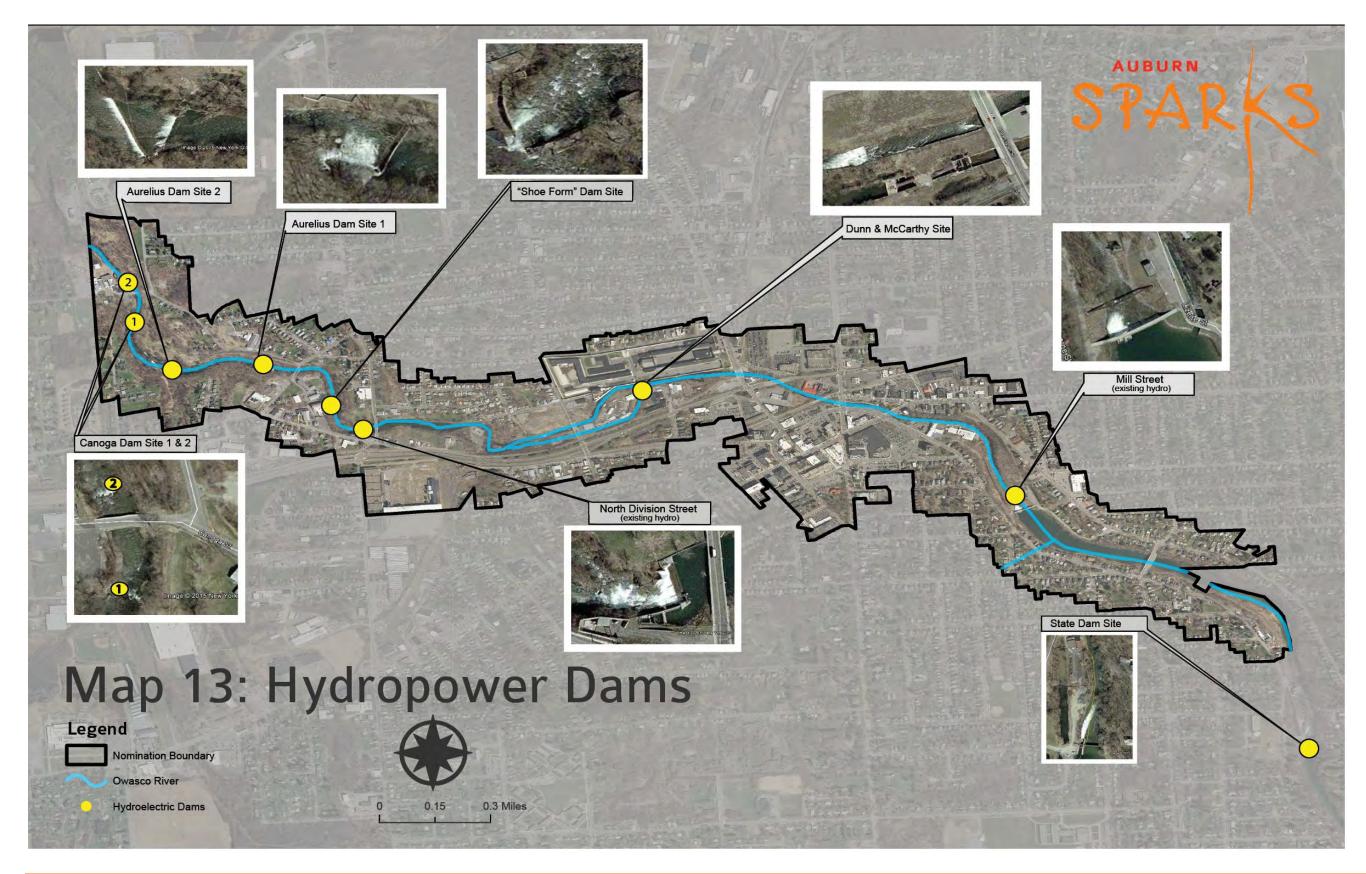
This site was visited on August 18, 2015. It was difficult to determine where the dam site was as there was very little remaining infrastructure. It appeared there was approximately 10 feet of head available at this site. There did not appear to be any evidence this site had been the subject of a preliminary license in the past. The City of Auburn owns both Canoga sites.





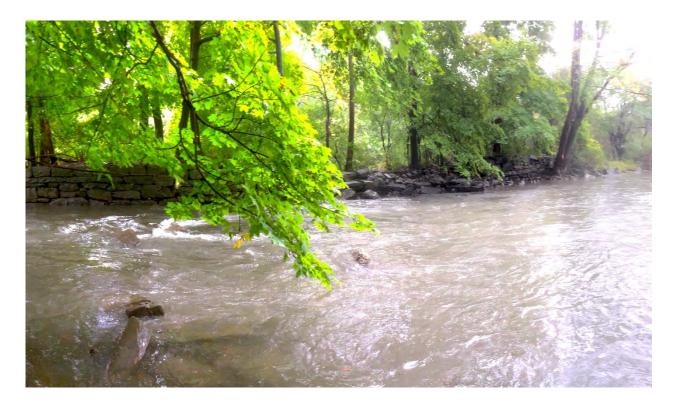
Next Steps

It appears that all of the dam sites would be exempt from FERC licenses, as they are all less than 10 MW in generating capacity. Preliminary licenses should be considered as a next step, but, given the expiration of past FERC preliminary licenses, a second phase of studies is warranted to determine the reason(s) past hydro licenses have proved unsuccessful. Going forward with preliminary licenses for any of these sites is recommended after the City is reasonably satisfied that preliminary license applications will lead to full licensure and ultimately successful, efficient hydro projects.



Water Quality

The NYS DEC classifies the water quality of the different lakes, rivers, streams and ponds across New York State. As a Class C stream, the best usage of the river is for fishing, and best suitable for fish, shellfish and wildlife propagation and survival. Owasco Lake, located outside of the BOA Study Area, but within the City of Auburn, is an intermediate sized lake, with the length of 11.1 miles and 1.3 miles wide, totaling an area of 6,665 acres. The Owasco River flows into Owasco Lake. The Owasco River's water quality is also suitable for primary and secondary contact recreation. Primary contact recreation was created by the NYS DEC as a means of protecting people from illness due to activities involving potential for ingestion of or immersion in water. Primary recreation includes activities that result in the user being submerged in the water, including, but limited to; swimming, water-skiing, surfing and diving. Secondary contact recreation was created as a means of protects users who are unlikely to be fully submerged in the body of water. Secondary contact recreation includes activities such as boating, wading and rowing.



The health of the City's waterways is central to its economy.

The Owasco River drives tourism through recreation-related uses, provides essential wildlife habitats, and creates opportunities for a strong and engaging waterfront.

Ground Water Resources

Aquifers are permeable rock formations that facilitate groundwater flow. Unconfined aquifers are characterized by an impermeable layer underneath and lack a confining upper layer, making them more susceptible to contamination from surface activity. According to data obtained by the NYS DEC and USGS, the Study Area is not located over a primary aquifer.

Flood Hazard Areas

The majority of the BOA Study Area is located in a FEMA-designated Flood Zone X which indicates there are minimal flood hazards in these areas. Portions of the BOA Study Area along the Owasco River are classified as zones A and AE, which are within the 100-year floodplain. Areas impacted by the 100-year floodplain are illustrated on Map 14, Floodplains.

According to the Cayuga County Hazard Mitigation Plan, It is estimated that in the City of Auburn, 76 residents live within the 1% annual chance flood area (NFIP Special Flood Hazard Area). Of the municipality's total land area, 4.8% is located within the 1% annual chance flood area. \$12,812,150 (0.7%) of the municipality's general building stock replacement cost value (structure and contents) is located within the 1% annual chance flood area. There are 20 NFIP policies in the community and there are 10 policies located within the 1% annual chance flood area. FEMA has identified zero Repetitive Loss (RL) including zero Severe Repetitive Loss (SRL) properties in the municipality.

HAZUS-MH estimates that for a 1% annual chance flood, \$1,773,446 (0.1%) of the municipality's general building stock replacement cost value (structure and contents) will be damaged and an estimated 455 tons of debris could be generated (Cayuga County Hazard Mitigation Plan, 2013)

Flood Zone Levels

The most hazardous flood zones are V and A, with V being the first row of beachfront properties and A being located near a lake, river, or other body of water. Subclasses of zone A are differentiated based on how they might be flooded. Zone AE, for example, is subject to waves up to 1.5 feet in height. Areas in zone X are at the lowest risk of flooding, however almost 25% of flood claims come from these areas.

Wetlands

Freshwater wetlands provide an array of ecological functions and environmental benefits including water purification, flood protection, groundwater recharge and streamflow maintenance, and wildlife habitat. Wetlands are regulated by the NYS Department of Environmental Conservation (NYSDEC) and Section 404 of the Clean Water Act which is administered by the Army Corp of Engineers. NYSDEC specifically regulates wetlands that are 12.4 acres or greater in size, while dredge and fill permits are issued by the ACOE. While there are no state or Federal designated wetlands in the Study Area, there are areas of significance along the Owasco River that are documented through the National Wetlands Inventory. These areas include deepwater habitats, riverines, and dike/impounded wetlands that have been created or modified by a man-made barrier or dam which obstructs the inflow or outflow of water. These areas are primarily located south of the dam and extend to the southern-most point of the Study Area.

Topography

The topography of the Study Area is relatively flat, with some steep slopes located along the banks of the Owasco River near the Mill Street Dam and Wadsworth site (Map 15).

Soil Characteristics

The two major types of soil that comprises the Study Area is Urban Land and Cazenovia silt loam. Urban Lands are generally characterized by impervious surfaces made up of structures or paved services, with limited open space.

Threatened and Endangered Species

According to the United States Fish and Wildlife Service (USFWS), there are two species that hold the threatened status, as well as, one species that holds the endangered species. The Indiana bat (myotis sodalist) is an endangered species with a habitat within the Cayuga county boundary. Both the Northern Long-Ear Bat (Myotis septentrionals) and the bog turtle (Clemmys muhlenbergii) hold that threatened status and have habitats within Cayuga County.

Visual Quality

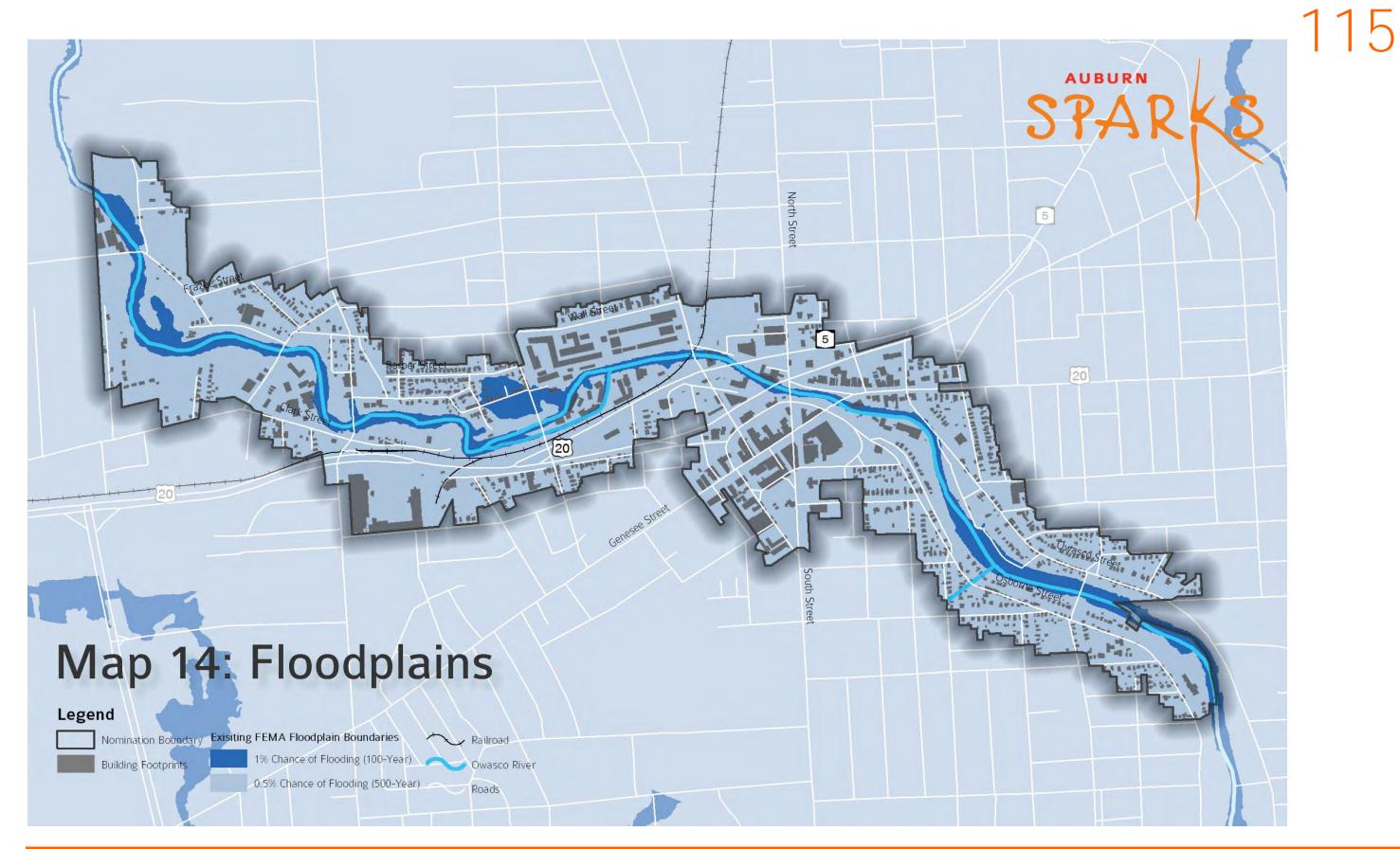
There are several scenic vistas along the Owasco River corridor, including the view from the Mill Street Dam. There is dense vegetation along the existing trail and along the streambank through parts of the City, which limits potential views.

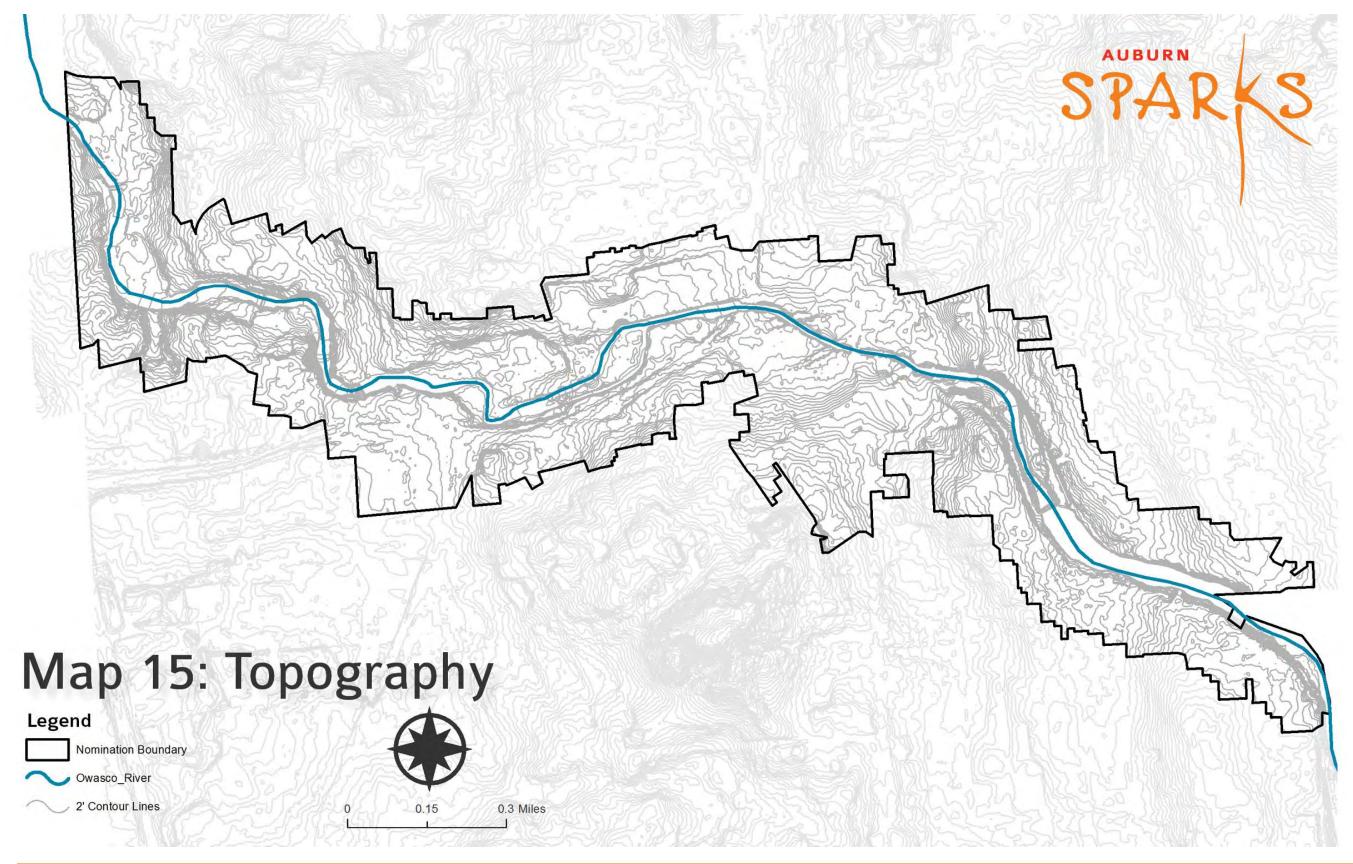
Key Findings: Natural Resources and Environmental Features

- The Owasco River is a major natural resource which has the potential for primary and secondary recreation as identified by the DEC.
- The Auburn Sparks Study Area is not located above an aquifer, limiting the potential risks of groundwater contamination by new development. Past industrial uses have contaminated soils in some areas, and mitigation may need to occur before redevelopment.
- The majority of the Auburn Sparks Study Area is in Flood Zone X, indicating that there is minimal risk for future development.
- There are no federally designated wetlands in the Study Area, but areas of significance along the banks of the Owasco River. Development should occur away from these areas to ensure the protection of these habitats.
- The topography of the City is relatively flat with the presence of two major soil types, limiting the need to significantly grade the site prior to development.
- Future development will need to be cognizant of threatened and endangered species.



Mill Street Dam.





Section 3

3.11 Economic and Market Trends Analysis

Demographic and economic factors were analyzed for residential, commercial, industrial and institutional real estate to inform future land use decisions. Major findings about opportunities within the Auburn Sparks Study Area are described below. The full Economic and Market Trends Analysis, with supporting data, is included in Appendix C.

Residential Opportunities

Downtown Auburn has recently benefited from a growth in residential development. Developers have successfully rehabilitated a number of properties and have been aiming for the high-end rental market. It is anticipated that additional housing development can and will continue to occur in the Auburn Sparks Study Area, given trends that have been observed across the Northeast as well as local supporting data (i.e. low vacancy, good rent price points), including:

- Additional high-end rental housing geared towards the empty-nester baby-boomers as well as young professionals via conversions of existing property. In particular, it is noted that a very high level of in-commuting to major employers in the Auburn Sparks Area (notably: the hospital, Nucor Steel, Xylem as well as federal, state and local governments), some of who could be captured as new residents. Likewise, Auburn could present an interesting opportunity for out-commuters who want small-scale urban living.
- In the mid- to long-term, should a "transformative project" occur (examples described later), a host of other housing options could prevail, such as **new-build apartments and condos**, as well as **mid-range choices** tied into mixed-use developments.
- There could be an opportunity geared towards **student housing** for community college students, as downtown housing already exists (Lattimore Hall). However, it is understood that the college is intending to build housing on campus. Therefore, it is suggested that the city reach out to the college to determine whether additional student housing, formal or informal, in the downtown could be possible. It is also noted that downtown student housing in Binghamton and Rochester has been highly successful.
- Reintegration of the **waterfront** into the fabric of the Auburn Sparks Study Area will be quite beneficial to additional housing development.
- Such residential development is most likely to continue in the downtown area, then spread out to nearby areas. One potential mid- to long-range option would be the Dunn and McCarthy site (residential combined with other uses such as the farmer's market concept and/or hydropower production), provided contamination issues are not prohibitive.

Retail Opportunities

The downtown portion of the Auburn Sparks Study Area has had modest growth in retail in recent years, with strong growth shown in quasi-retail sectors such as entertainment and eating/drinking places. Because of the very weak market rates, it is believed that any further major retail development is likely only if one or more of the following conditions are met:

- (1) A national-brand anchor tenant is secured;
- (2) Significant new residential development occurs; or
- (3) A "transformative project" occurs, such as those examples provided in Section 4.5.

Absent the above catalysts, the data indicate that the Auburn Sparks Area could already accommodate a limited number of additional small-scale, boutique outfits, such as:

- Clothing stores
- Full service restaurants and drinking places
- Specialty food stores

In regards to specialty food stores, a particular niche exists for retail establishments that sell locally-made food products, including wine, jams, syrups, and cheeses among other items. Other than the Farmers' Market, which only has limited hours, there are few options for purchasing such locally-made products in the downtown area. Like Bet the Farm in Aurora, New York, specialty food stores in downtown Auburn could include an in-house brewery or wine tasting component, coupled with locally- and regionally-sourced food options.

To be competitive, any retail will have to be of a "destination style" and not in direct competition with suburban mall retail. Furthermore, the Auburn Sparks Study Area lacks undeveloped property of a sufficient size to accommodate major retail centers. The one possible exception would be the vacant Bombardier site which could be converted into a retail center should market demand be sufficient. It also benefits from road frontage to the arterial with high traffic volume.

Industrial Opportunities

Industrial space is quite challenging for the Auburn Sparks Study Area, with large vacant properties and more ideally suited land elsewhere in the County. However, some opportunities do exist:

- Convincing one or more large industrial space owners to consider moving to a multitenant "flex space" product whereby the property is divided into smaller, separately leasable units, and,
- Selected conversions of former industrial property into other uses, particularly as it relates to the Bombardier site (potentially retail, with a possible entertainment destination reuse concept such as an indoor adventure park, bike track or other) and Dunn and McCarthy site (potentially mixed-use, with farmer's market, hydropower production or other uses on the property).

Mixed Use and Other Developments

Because of the strength of the residential market and pockets of opportunity elsewhere, there is a good opportunity for mixed-use developments. On the mixed-use side, there should continue to be opportunities to convert older structures into upper-story apartments with first floor retail, commercial (services), entertainment and institutional uses (non-profits). These are national-level trends that are already present in the Auburn Sparks Area.

The Dunn and McCarthy site has been studied and designed by Cayunity, Inc., a program founded in 2014 and financially sponsored by Cornell Cooperative Extension, as a potential public gathering space use. However, it is recommended that the City consider a mixed-use property that would include some residential with access and visuals of the river. It is believed that the site is sufficiently proximate to the Downtown as to be the next logical large site to accommodate a transformative project, inclusive of residential should on-site contamination issues be nonprohibitive.

Cayunity

"Cayunity believes the former Dunn & McCarthy site is the ideal location for a public market, with ample space for permanent structures and off-street parking, [...] Cayunity envisions permanent open-air structures that will offer booths to approximately 40 vendors [...] In addition, a fully enclosed structure will be open vearround, which will include a small store selling locally produced goods; a café for coffee, baked goods and small food items; a community bulletin *board; travel and tourist information;* public bathrooms and drinking fountain. The enclosed space will include a certified commercial kitchen and multi-use facility to host gatherings, programming, classes, entrepreneurs' product development, and more."



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4. Master Plan

4.0 Overview

The analysis of existing physical, socio-economic and market conditions has led to the formation of several key recommendations to help the City of Auburn achieve its vision for the Auburn Sparks Study Area. Recommendations include capital improvement projects, regulatory changes and policy initiatives to position Auburn as a destination of choice for commercial, residential, and tourism-related developments within the Finger Lakes region.

The Master Plan is the culmination of an 18-month planning process which included numerous opportunities for public input, to guide the direction of the plan. A brief overview of this input is provided below, as well as in Sections 2.0 and Appendix A. The Auburn Sparks Master Plan reflects the vision and goals of the local community, yet recognizes the economic realities of the study area.

The Master Plan is graphically depicted on Map 16 and indicates capital projects the City and its implementation partners should pursue in the shortand long-term. It is anticipated that only a portion of this development could reasonably be accomplished within the current and anticipated market conditions. Section 5.0 includes a detailed matrix outlining the implementation of significant near-term capital projects, including estimated costs, potential funding sources, and the phasing of individual project components.

The projects recommended in Section 4.2 are development initiatives to be implemented through public and private investment and public-private partnerships. An overview of the funding for BOA implementation is also included in Sections 4.2 and 5.0 funding will be covered in greater detail upon the advancement of the Auburn Sparks BOA to Step 3 Implementation of the NYSDOS BOA Program.



BOA Boundary

Through the Master Planning process, the Project Advisory Committee identified key parcels that present substantial redevelopment opportunities and would benefit from the BOA designation. As a result, the Auburn Sparks Study Area was expanded from 1,253 parcels (573 acres) to 1,425 parcels (705 acres) as depicted on the Master Plan.

4.1 Capital Projects

The Master Plan for the Auburn Sparks Study Area includes 20 recommended projects to be accomplished through private and public efforts. Recommended projects range from intersection and streetscape enhancements to large, complex mixed-use development projects involving the realignment of roadways, and the construction of buildings and structured parking. Each of the recommendations made within the Master Plan relate to the vision, goals and objectives outlined in Sections 1.4 and 4.4 of the Nomination Study. Together, the goals and objectives, and Master Plan provide a refined, vet flexible set of recommendations and guidance for the continued revitalization of the Auburn Sparks Brownfield Opportunity Area.

Design Workshop Priority Projects

Gateway Development



Green Space at Loop Roac



Niche Retail Options





Permanent Farmers' Market



Develop the Trail Network



The Auburn Sparks Master Plan makes specific recommendations regarding the implementation of several projects, including reuse of vacant sites, the improvement of public spaces, the development of mixed-use nodes, and enhancing downtown's and access to the waterfront. The following is a brief overview of the Auburn Sparks Master Plan recommendations, which have been grouped into two categories:

- (1) Private development, and
- (2) Public/municipal improvements.

Private Development

There are several targeted sites throughout the Study Area where it is expected that future private development would occur, including the redevelopment of the 15-acre Bombardier site, as well as sites in the downtown core. Development recommendations seek to improve and increase the housing stock and community services in these locations, as well as enhance opportunities in the downtown that would serve a broad range of residents. Larger mixed-use developments are proposed that would be driven by the private sector, yet would capitalize upon initial public investments in infrastructure such as the Owasco River Greenway Trail.

Commercial and industrial development interests are focused on several sites, with recommendations focused on increasing the city's employment base while capitalizing on opportunities to meet the demand for housing, mixed-use development, and retail. Potential projects further explore opportunities to meet the demand for large-scale recreation space that could attract regional sports teams, and other sports-related interests.

The Auburn Sparks Master Plan encourages the City to promote a heightened standard of design for all private development projects. Private development recommendations are included in the project descriptions outlined in Section 4.2.

Public/Municipal Improvements

Public improvements generally improve the quality of life for residents and visitors. Recommended projects include the continued development of the Owasco River Greenway Trail and development of a naturalized nature area/park. The development of the Wadsworth Nature Area and Park and Owasco River Greenway Trailhead would provide connectivity with the existing open space network while fulfilling the demand for additional park space in the western edge of the Auburn Sparks Study Area.

In addition, numerous streetscape enhancements are proposed that provide residents and visitors with a safe and attractive downtown experience. Enhanced gateways would help further define the City and Auburn Sparks border, while providing pedestrians and motorists with a strong visual cue that they have arrived.

4.2 Sparking Success Strategies

The City of Auburn is uniquely positioned to move forward with several redevelopment projects that would spark additional investment and redevelopment efforts city-wide. The following priority projects and recommendations together would move the City closer to its vision, which would encourage job growth and increase the tax base. The projects are organized based on the strategies listed below. Each strategy directly relates to the goals and objectives outlined in Section 2.3 of the plan.

Strategy 1: Transform the Streetscape

These projects would transform the existing streetscape, creating an interconnected, safe, and accessible network for pedestrians, cyclists, motorists, and public transit riders of all ages and abilities. Auburn's city streets account for a significant amount of public space including sidewalks, crosswalks, medians, and bike accommodations, that have the potential to spark additional investment, as well as community pride. Results from the public participation process indicate that redevelopment of the public realm, including streetscape improvements, were necessary to bring residents and visitors to the downtown core. Streetscape projects identified through the planning process include:

- Project 1: Canoga Street
- Project 2: Clark Street & Aurelius Avenue
- Project 3: Columbus Street / Route 5 & 20 Intersection
- Project 4: Washington Street
- Project 5: State Street
- Project 6: Arterial West
- Project 7: Owasco Street



BOA GOALS

Synergy

Develop a safe, accessible and interconnected transportation network that serves as a regional hub and destination.

Play

Ensure future access to maintained green space, the Owasco River and out-thedoor recreation opportunities.

Arts & Culture

Facilitate city-wide engagement in the creative economy.

Reinvention

Establish Auburn as an employment hub that offers a diverse, innovative and sustainable spectrum of job opportunities.

Kinship

Continue to develop a vibrant, safe and culturally diverse downtown.

Simplicity

Create a sustainable community that affords all residents access to housing, nature, and quality of life.

AUBURN SPARKS Step 2 Nomination Study

Strategy 2: Strengthen the Gateways

The projects outlined in this strategy are specifically targeted towards strengthening the city's gateways. Gateways help define the edge of the community, providing a point of entrance for pedestrians, cyclists, motorists, and transit riders. Gateway features, such as unique signage and plantings are important to establish at entrances to the City to let the traveler know they have arrived in the community. They further define a visible boundary for the city. Developing strong gateways at each entrance to the city were identified as a top priority through the planning process. As indicated on the Master Plan, the following projects focus on gateway improvements:

- Project 8: Downtown Gateway
- Project 9: North Street
- Project 10: Route 5 & 20 Intersection
- Project 11: East Genesee Street
- Project 12: South Street

Strategy 3: Reinvent Downtown

The success of the downtown is dependent upon a strong local economy coupled with vibrant streetscapes, opportunities for arts and culture, and provides civic space that enhances the community's overall quality of life. The projects identified in the Master Plan target specific redevelopment opportunities in the downtown that would help transform the city into a local and regional destination. These projects include:

- Project 13: East Genesee Street Infill Redevelopment
- Project 14: Nolan Property / Loop Road Mixed-Use
- Project 15: Public Safety Building Adaptive Reuse
- Project 16: 1-7 State Street Redevelopment
- Project 17: 25 South Street Seward Parking Lot & Infill Development

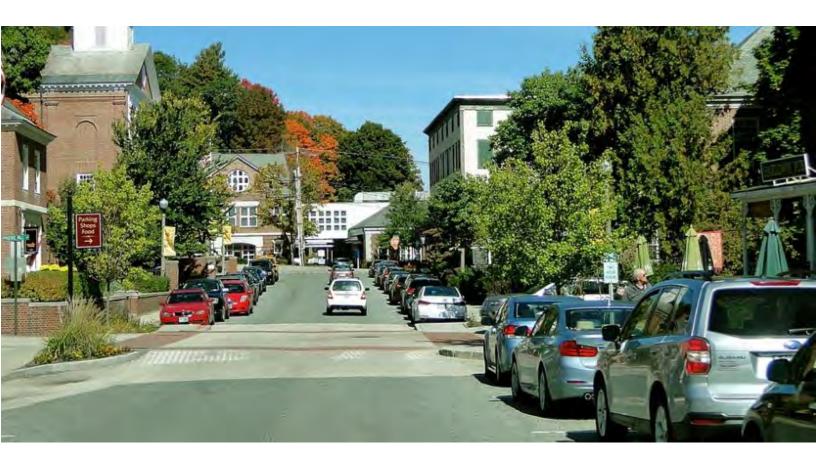


Section Four

128 <u>Strategy 4: Reimagine Vacant & Underutilized Sites</u>

These projects take into account vacant and underutilized sites throughout the Auburn Sparks Study Area. Although many of these sites have historically been industrial, they present a significant opportunity to be redeveloped, or returned to a natural state. As identified in Section 3.3, many of these sites have started the environmental remediation process, making them prime for redevelopment. The projects outlined in the Master Plan have been identified as having the greatest economic and social opportunities for the City. These projects include:

- Project 18: 2-38 Wadsworth Street Natural Area and Park
- Project 19: Aurelius Avenue Commercial Development
- Project 20: 151 Orchard Street Bombardier Redevelopment
- Project 21: Dunn & McCarthy Redevelopment
- Project 22: McMaster Street Adaptive Reuse
- Project 23: Seminary Avenue Mixed-Use
- Project 24: Lizette Street Redevelopment
- Project 25: Osborne Street Redevelopment





Section Four





Strategy 1: Transform the Streetscape

Canoga Street

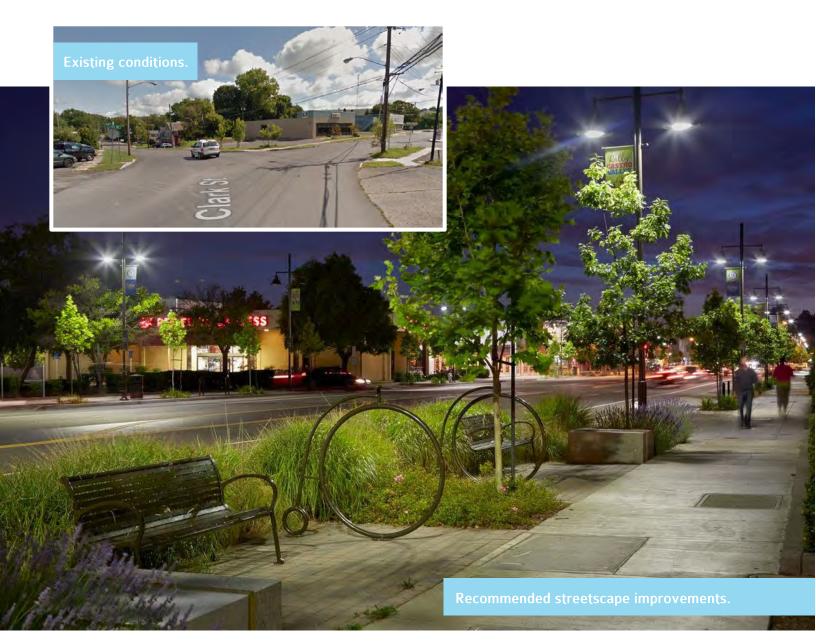
Canoga Street is located on the western edge of the Auburn Sparks Study Area and continues past the city boundary as Canoga Road into the Town of Aurelius. The street accesses several industrial buildings west of the Owasco River overpass. These industrial uses are immediately adjacent to single-family homes that line the both sides of Canoga Street. There are no sidewalks along the street, with the exception of a 4-foot sidewalk on the overpass.



This project is focused on connecting to the existing sidewalk network to improve pedestrian connections, and additional street-trees to enhance the aesthetic quality of the street and provide a visual barrier to surrounding industrial uses. Enhancements along Canoga Street should also include the utilization of green infrastructure techniques to mitigate stormwater runoff into the Owasco River.

Clark Street & Aurelius Avenue

Clark Street and Aurelius Avenue are located on the west side of the Auburn Sparks Study Area. Clark Street runs parallel to Route 5 & 20 where it intersects with Aurelius Avenue and continues northeast to the border of the Study Area. The south side of Clark Street is predominantly light industrial and commercial uses bounded by residential along the north side of the street. Aurelius Avenue contains a mix of commercial and residential uses and both sides of the street. Clark Street and Aurelius Avenue have sidewalks on both sides of the street. This project focuses on streetscape enhancements, including new street trees, furniture, and enhanced lighting to improve the public realm and create a safe pedestrian environment.





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Columbus Street / Route 5 & 20 Intersection

Columbus Street runs perpendicular to Route 5 & 20 and is a major corridor that serves the neighborhoods north and south of 5 & 20. The intersection of 5 & 20 and Columbus Street is characterized by a 110-foot, four-lane highway with turn lanes and central median. The former Bombardier site is located at the Southeast corner of the intersection.

The intersection is challenged by a number of conditions including the width of the highway (which encourages vehicles to travel at high speeds), poorly defined or no bicycle lanes, and a lack of streetscape enhancements.

This project is designed to improve the Columbus Street / Route 5 & 20 intersection by creating a human-scaled environment devoted to pedestrians and cyclists. By establishing crosswalks that clearly delineate safe zones to cross, wayfinding signage that is welcoming and inviting, and implementing street trees, traffic would be calmed and the character of the public right of way would be greatly improved. Bike accessibility could also be enhanced with dedicated bike lanes.

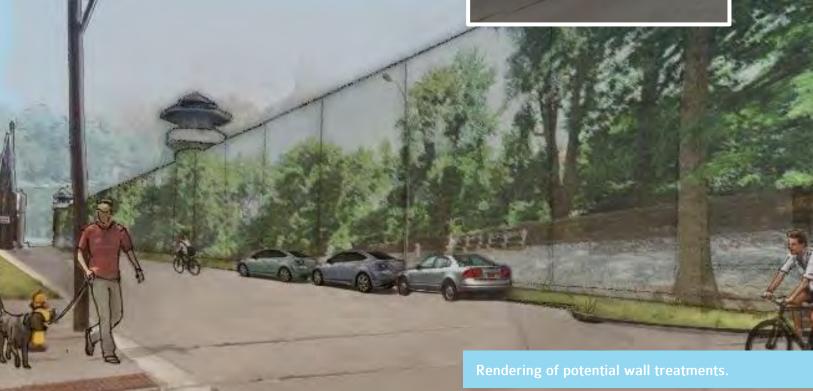


4) Washington Street

Washington Street is centrally located in the Auburn Sparks Study Area. The street is bounded by a residential neighborhood to the west, and the security wall of the Auburn Correctional Facility to the east. The face of the wall is stark white, standing approximately 35 feet tall. Although there are sidewalks on the west side of Washington Street, the spatial enclosure overpowers the pedestrian and vehicular scale of the streetscape. Increased streetscape improvements, including street trees strategically planted along the west side of Washington Street, can transform the streetscape into a comfortable, welcoming, and walkable environment.

Opportunities also exist to integrate the City's public art efforts into the correctional wall. Mural paintings can reframe and soften the image of the penitentiary, while improving the overall aesthetic of the streetscape.





State Street

The State Street corridor (NYS Route 38) serves as the second major northern gateway into downtown, as well as a key connector to residential neighborhoods north of the BOA. This project is includes improvements from the railroad crossing at the intersection of W. Garden Street north to Wall Street.

The City must balance pedestrian circulation and access with the movement of cars and trucks.

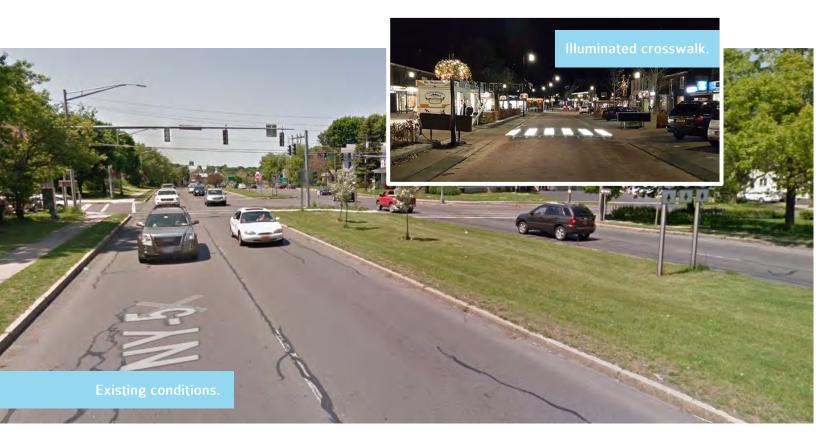
This section of State Street is bounded by the Correctional Facility to the west, and commercial uses to the east. Due to the angled parking with limited space for landscaping on the west side of the street, streetscape improvements should focus on the east side of State Street. The commercial buildings on the east side of the street are set back from the sidewalk, which reduces the streetscape site-line. Vertical elements, including new ornate street lights and wayfinding banners, should be installed. To ensure pedestrians have a safe place to cross onto Wall Street, raised crossings could help increase visibility and improve the pedestrian experience. Bike racks could also be included in the sidewalk verge as an additional amenity.



136 Arterial West

The Route 5 & 20 corridor was developed north of the Central Business District as a divided, four-lane thoroughfare intended to move vehicles through the City with minimal delay. As a result, the design of the corridor has created a significant physical and psychological barrier to pedestrian and vehicular connectivity between commercial services along Genesee Street, downtown, residential neighborhoods north of the 5 & 20 corridor. Physical and visual enhancements would be required to ensure residents and visitors have a safe, convenient, and intuitive access to community destinations.

Priority enhancements should focus on safety and creating a strong pedestrian and multimodal environment. The width of the roadway makes crossing dangerous at both controlled and uncontrolled crossings. While there are safety islands dividing east and west-bound traffic, intersections should be improved to alert drivers of pedestrian activity. Improvements should include enhanced and well- marked crosswalks to guide pedestrians and alert drivers to a crossing location. Crosswalk markings can be painted or can consist of an epoxy material embedded with reflective glass beads, which is particularly useful for alerting drivers at night. Pedestrian countdown signals should help create a more predictable crossing environment and give adequate warning to pedestrians attempting to cross a roadway. All new crosswalk signals should include pedestrian signals with countdowns. In addition to pedestrian connectivity enhancements, dedicated bicycle lanes would improve safety and comfort for cyclists.



Owasco Street

Owasco Street connects E. Genesee Street and Route 5 & 20 to neighborhoods southeast of the Owasco River. This area is predominantly residential, with a strip of commercial development on the east side of Owasco Street and single-family residential on the west side. Set back from the sidewalk, there are opportunities to incorporate new street lighting on both sides of the street to create a safe pedestrian environment and encourage residents to walk to this area and downtown.

In 2002, a plan was written for the Owasco-Osborne neighboood, which stretches along Owasco Street from E. Genesee Street to Lake Avenue. The plan made specific recommendations for pedestrian improvements including:

- Sidewalk and crosswalk improvements
- Guidelines to ensure a uniform appearance and consistent pedestrian experience
- Traffic calming measures to reduce speeding
- Additional pedestrian linkages between the Owasco River and downtown



Strategy 2: Strengthen the Gateways



Downtown Gateway

It is important for the City of Auburn to enhance primary gateways into downtown as a means of promoting community identity to visitors, potential business investors, and creating a strong sense of place and arrival for pedestrians, cyclists, and motorists.

Auburn currently lacks a strong gateway for visitor and residents entering the downtown area from the west. Placing a gateway at the entrance of the Business District where Route 5 & 20 and Clark Street come together would better define the downtown district. Community members expressed interest in gateway signage at this location, as it provides the ideal vantage point with St. Mary's church in the background.

Proposed gateway enhancements should include a monument sign that welcomes residents and visitors to the downtown, a mix of paving patterns and materials that distinguish between the sidewalk and crosswalk, as well as banners and street lighting. New gateway treatments can further serve as a traffic calming device, encouraging reduced travel speeds and signaling that motorists are entering the central business district of Auburn.



AUBURN SPARKS Step 2 Nomination Study Section Four

North Street

In addition to creating gateways on the western and eastern entrances to the downtown, there is also a desire by the community to create strong gateways at the northern boundary of the Study Area. North Street (NYS Route 34) provides an opportunity to better define the entry into the City, especially for visitors arriving from the NYS Thruway (Interstate 90). North Street is a four-lane highway that is in a 30 mile per hour zone, which indicates an entry into the downtown. This project includes developing a strong gateway at the intersection of North Street and Chapel Street. In addition to new signage indicating arrival into the downtown, landscaping and defined crosswalks should be installed on the east side of North Street which would serve as a visual cue for motorists.

Route 5 & 20 Intersection

On the eastern edge of Auburn's business district, the intersection of Route 5 & 20 and Seminary Avenue provides the third opportunity for gateway development. In addition to an 80-foot median dividing the east and west thoroughfares, there is a left turn lane one block east of the Seminary Avenue intersection that allows travelers to turn onto John Street, leading directly into downtown. The median provides an opportunity for the City to develop a monument sign that would serve as a visible landmark for the downtown and City. The gateway sign should be supported by crosswalks, new street lighting, and prominent landscaping to encourage drivers to slow down and visit the downtown. (The only issue the City has had with monument signs is that NYS DOT regulates signage along the arterial and therefore vehicular sight lines are required and often impede signage located within the median along Route 5 & 20.)



Existing intersection at North and Chapel Streets.

Section Four

East Genesee Street

The entry into downtown from the east along East Genesee Street (NYS Route 20) is a gradual transition from residential neighborhoods, including several elementary schools, to commercial uses and the downtown core. The community expressed interest in creating a gateway along this corridor that better defines the eastern edge of the downtown. Through the design workshops, the community identified the southeast corner of S. Fulton Street and East Genesee Street as the best site for gateway enhancements. The City's right of way would provide the space needed for gateway signage or a small monument sign that would fit in with the surrounding landscape, but also indicate entry into the downtown and central business district. This gateway would further serve as a means of encouraging business and private development to invest in the East Hill area of downtown.

(12)

South Street

South Street (NYS Route 34) is recognized for its historic homes with unique architecture, parks, and ornamental landscaping. Properties along South Street from the Intersection of Lincoln Street to Metcalf Drive are located in the South Street National Historic District. Notable individual properties include the Harriet Tubman Home and the Seward House Museum. It further serves as an important entry point for visitors traveling from the southern part of Cayuga County and the greater Finger Lakes region. The South Street corridor has been identified as an important area for new gateway signage. It is recommended that new signage be located in or around Seward Park, and incorporated into the current signage for the park. This could serve as a gateway sign for both the downtown as well as historic district.

ADDITIONAL RECOMMENDATIONS

Wayfinding Plan

In addition to enhanced gateways, a comprehensive wayfinding plan would improve the pedestrian experience throughout the City. Wayfinding plans often encompass gateway features, pedestrian and vehicular directional signage, and informational signage at important locations and destinations. Through clear and consistent visual communication, wayfinding plans enable people to navigate and remember the built environment.

Traffic Study

It is also recommended that traffic studies be conducted at intersections where improvements or gateway enhancements are proposed. Intersection realignments or improvements should consider impacts to level of service (LOS), while gateways should be positioned in such a way to maintain vehicular lines of sight. Preliminary traffic studies are important to assess the ultimate feasibility of proposed improvements.

Strategy 3: Reinvent Downtown

East Genesee Street Infill Redevelopment

Downtown Auburn is defined by its historic, mixeduse buildings, streetscape, and diverse restaurants and businesses. Significant reinvestment in new urban and loft-style housing, restaurants, and streetscape improvements through both private and public funding has resulted in a resurgence that has improved the overall quality of life for Auburn's residents and visitors. Through the planning process, opportunities to continue to build on these efforts have been identified.

Layers of activities and uses, creating a place for people of all ages to enjoy.

- Community member's vision for downtown Auburn (public workshop #1)

At the core of downtown is Genesee Street which serves as the main artery to the Central Business

District. Through the design workshop, community members identified opportunities along East Genesee Street for infill redevelopment. These sites include the redevelopment of the Auburn Schine Theater, the Chemung Canal Trust building, as well as the addition of second story on Genesee Center, a single-story commercial building located at the corner of Genesee and South Street.



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Nolan Property / Loop Road Mixed-Use

The Nolan Property / Loop Road project is considered a priority project by the community (Strategic Site #6). Strategically located adjacent to Market Street Park and the Owasco River, this project is focused on creating a pedestrian-friendly promenade that provides access to the Owasco River, and newly developed public amenities. To accomplish this goal, it is recommended that Loop Road is closed and is rerouted through alternative downtown streets. This would provide potential space for a permanent farmers' market, a cultural facility, and businesses, such as a brewery or restaurant.

Redevelopment Scenario



12,000 SF Public Market



Riverfront Promenade





*Assumes \$16 / square foot for 10,000 square foot microbrewery. *Does not include construction of public market.



Section Four

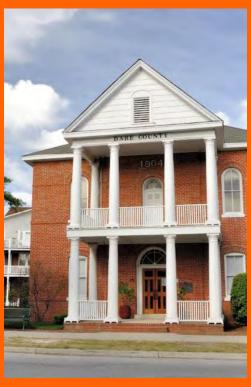
Public Safety Building Adaptive Reuse

The current Police and Fire Headquarters Building located at 46 North Street / 23 Market Street were constructed c. 1930 by renowned architectural firm Coolidge, Shepley Bulfinch and Abbott. While this national register eligible municipal building has served the community for the last 85 years, it no longer provides for the needs of modern-day fire apparatus and community policing. Should the City decide to relocate public safety services, this site would benefit from an opportunity to adaptively reuse the historic building to create a public space that would serve as a center of community history, education, and cultural activities in the heart of downtown Auburn. Potential uses include the development of an arts and cultural center, visitor's center, or museum.



Dare County Arts Council: Adaptive Reuse

The historic Dare County courthouse dates back to 1904. In 2011, the courts moved to a newly developed space that would house all the County's departments. The Dare County Arts Council (DCAC), a local nonprofit organization dedicated public funding, the DCAC was able to renovate the former gallery and performance space, and community gathering areas. As a result, the space has become a draw for regional tourism.



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1-7 State Street Redevelopment

The City's acquisition of 1-7 State Street presents an opportunity for infill redevelopment (Strategic Site #4). The site is well positioned for redevelopment due to its location in an up-and-coming section of downtown. With new restaurants, businesses, and retailers in close proximity, 1-7 State Street would contribute to the City's overall redevelopment efforts and strengthen the downtown core.

In 2015, the City conducted a public meeting and comment period related to the redevelopment of the State Street site. Uses proposed by the public included a(n):

- Park or green space
- Auditorium or performance space
- Sculpture garden
- Public market
- Visitor's center
- Skate park
- Retail or grocery store
- Co-op
- Night club
- Parking lot

Based on analysis of present market conditions, it is recommended that the City develop the site as a public green or outdoor urban plaza space that allows room for arts, cultural, and performance events. The City has conducted an extensive public outreach and visioning process, resulting in public support for open space amenities. The market analysis conducted for this plan further supports the site as a cultural amenity space. An example of a successful urban pocket park is Paley Park in New York City.

Case Study: Paley Park

Located at East 53rd Street in Mahattan, Paley Park is a wellknown example of an intimate park amidst the bustle of midtown Manhattan. Funded and developed by former CBS Chairman, William Paley, in 1967, this 1/10 acre park has long been celebrated as one of Manhattan's best pocket parks. Today, Paley Park still serves as a quiet and serene gathering space, scattered with small tables and chairs, a canopy of trees, landscaped plants, and a 20-foot waterfall that serves as a backdrop and drowns out the City streets.

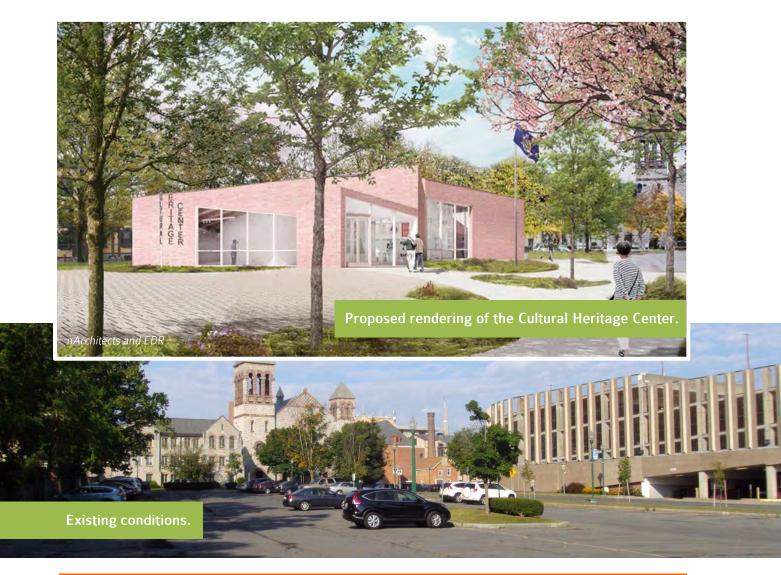


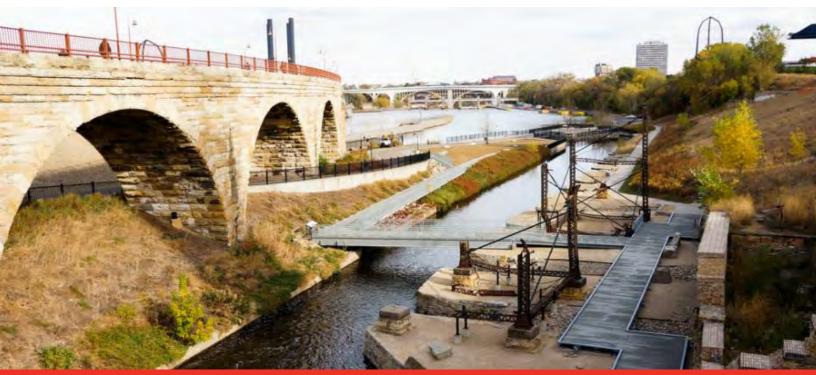
17

25 South Street-Seward Parking Lot & Infill Development

The Seward parking lot, located across the street from Memorial City Hall and adjacent to the Seward House Museum, is strategically located in the South Street Historic District. This site is ideal for green space and mixed-use infill development. Infill development could range from mixed-use commercial and residential space, to a new public green space designed and intended for cultural, arts, and performance activities as well as community gathering space. The City's municipal parking garage currently is at 50% capacity and would be available to support future uses.

The Auburn City Council voted in November 2016 to use this site as the home of the future Central New York Cultural Heritage Welcome Center. The Center is designed to act as a hub for visitors to discover the local and regional significance of cultural and historic movements including abolition and women's rights. The City has partnered with Governor Cuomo to finance the Center, which is slated to begin construction in early 2018 and open in fall 2018.





Strategy 4: Reimagine Vacant and Underutilized Sites



2-38 Wadsworth Street – Natural Area and Park

Development of the Wadsworth site into a natural area and park would provide additional recreation space for the surrounding residential neighborhood while serving as an important node in the City's open space and trail network (Strategic Site #1).

This project would transform the site into a formal park that would include new fields, picnic pavilions, and passive recreation space. The park would abut the waterfront and remnants of the former Wadsworth and Son scythe manufacturing company. A boardwalk would provide opportunities for fishing, and access to the water's edge. It would further embrace the community's unique industrial heritage.

Case Study: Mill Ruins Park

Mills Ruins Park, as shown above, reimagines abandoned flour mills in Minneapolis, Minnesota as an urban park, complete with landscaping and a walkway. The walkway winds through abandoned structures and includes educational signage along its route. The park successfully interprets the history of flour milling in Minneapolis and adaptively reuses historic remnants.

The remainder of the site would remain vegetated, and include a nature trail. The trail would traverse along the waterfront, and connect to the Owasco River Greenway Trail at the eastern and northern most points of the site.

A small parking lot is proposed at the City-owned site on the corner of Wadsworth Street and Canoga Street to service the expanded use of the Owasco River waterfront, trail and park areas. Consisting of approximately 20 to 30 spaces, this lot would function as a trailhead to the Owasco River Greenway Trail as well as park users. This facility may be constructed of gravel or asphalt, and should provide sufficient lighting to ensure safety. A mini-roundabout would provide access within the park, and serve as an emergency access route and drop-off space. Prior to redevelopment of any sites within the Auburn Sparks Study Area, further investigation and remediation may be warranted.



Section Four

Aurelius Avenue Commercial Development

Aurelius Avenue from Wadsworth Street to Clark Street consists of a mix of residential and commercial uses. Opportunities exist on vacant lots for infill development and amenities to support the surrounding residential neighborhoods. A key vacant lot is situated on the western side of Aurelius Avenue, immediately adjacent to the Owasco River. Although privately owned, this site has the potential for commercial uses such as dining or coffee shops that could be utilized by both residents and surrounding businesses. infrastructure, existing including The sidewalks and public utilities, makes this site prime for redevelopment.



151 Orchard Street – Bombardier Redevelopment

The 15-acre Bombardier Site was identified by the community as a top redevelopment priority (Strategic Site #2). Through the Master Planning process, the redevelopment scenario that best supported the Market Analysis includes the development of a recreation and community-based amenities.

Funding and Financial	Feasibility		
_ Total Redevelopment Cost	_ \$25.5 M	10-Year Property Tax Abatement	\$3.1 M
Required Developer Equity	\$7.0 M	Brownfield Clearnup Tax Credits (deanup costs unknown at present)	TBD
Funding Gap	\$9.8 M 🗆	Remaining Funding Gap	6.7 M

*Assumes \$16 / square foot for 18,000 square feet of commercial space and 12,000 square feet of restaurant space

*Assumes \$6.50 / square foot for 52,000 square feet of recreational space.

*Assumes 32 for-sale townhouses at \$325,000 each

*Does not include 90,000 square foot recreational space

The existing building provides the necessary square footage required for an indoor ice skating rink, rock climbing wall, and other training facilities. This would support the community's need for indoor recreation space that could accommodate a range of users, such as regional sports teams. As identified in the Master Plan, the site provides enough space for supplemental uses including trail-related retail and commercial space, as a well as a brewery or restaurant. The parcel south of Bombardier also provides an opportunity to integrate upwards of 40, 2-story unit townhouses at 1,300 SF.

Legend

- 1. Brewery (12,000 sf)
- 2. Commercial (18,000 sf sporting goods stores)
- 3. Recreational Space (90,000 sf ice skating rink)
- 4. Trail supported recreation (52,000 sf of climbing wall, ropes course, BMX park)
- 5. Townhouses (48,000 sf)
- 6. Existing Commercial Space





Dunn & McCarthy Redevelopment

The Dunn and McCarthy site continues to be a top redevelopment priority for the City (Strategic Site #3). Currently a vacant site, it is envisioned to be redeveloped as apartments and townhouses. Opportunities for limited supporting retail uses (up to 8,000 square feet), such as a coffee shop, could take advantage of the surrounding neighborhood.





Legend

- 1. Playground Improvements
- 2. Residential (38,000 sf of townhomes)
- 3. Mixed-use (17,000 sf of apartments, 8,000 sf commercial)
- 4. Green space

The site is challenged by its proximity to the Auburn Correctional Facility. It is also of environmental concern and is a candidate for further soil investigations according to the Phase II environmental assessment. The City and its partners should continue to explore options for cleanup and remediation to prepare the site for development. Despite these challenges, the site is located on the Owasco River and provides waterfront opportunities which are in high demand. When redeveloped, the site has the potential to serve as a catalyst, encouraging future development on neighboring and surrounding sites. In addition, a Phase II was completed, which recommended further site investigation.



*Assumes \$16 / square foot for 27,600 square feet of commercial space. *Assumes 12 for-sale townhouses at \$288,800 each.



McMaster Street Adaptive Reuse

Built in 1864, the former 20,000 SF factory located at 25 McMaster Street is currently home to a 3-story commercial retail operation. The adaptive reuse of the site could add vitality to the corridor while continuing to retain the appearance and character of Auburn's strong industrial history. The project is envisioned as a multi-story, mixed-use building with upper-story

residential lofts or artist space, and firstfloor commercial or office. The site is accessible by sidewalk, and is within two blocks of Genesee Street and downtown. With its close proximity to the Owasco River, the potential redevelopment of the site beyond its current use could expand redevelopment efforts on surrounding parcels, as well as the Route 5 & 20 streetscape and adjacent intersections. The City should work with the current property owners to explore development potential.





Seminary Avenue Mixed-Use

This project includes façade and site improvements that would enhance the public realm and make the site safer and more inviting. Improvements to the interface between the Save-a-Lot food store parking lot and the public realm along Seminary Avenue could have significant benefits for the function and appeal of

the neighborhood. The existing strip mall development is set back from the street with excess parking in the front of the building. The surrounding neighborhood is composed of modest, single-family homes that could benefits from new infill redevelopment that offers a range of services and amenities. The site offers 4+ acres of development land that should retain the urban form, scale, character and density of the adjacent residential community.



Lizette and Miller Streets Redevelopment

There are several vacant sites located throughout the Auburn Sparks Study Area that provide the opportunity for infill residential development. Located on the banks of the Owasco River, Greenway Trail, and the Mill Street Dam, Lizette and Miller Streets offer opportunities for new, single-family housing. As city-owned property, the City could redevelop these lots as part of workforce housing, low-income, or market rate housing. Plans to redevelop the parking area adjacent to the dam into a green space have been submitted to the City and would leverage and enhance the overall aesthetic of the scenic area, and further encourage redevelopment of this neighborhood.

Osborne Street Redevelopment

On the western side of the Owasco River, Osborne Street is a residential neighborhood with small-scale, mom-and-pop commercial uses. Pockets of this neighborhood are prime for redevelopment. The community has indicated the need for additional neighborhood-scale amenities, including doctor's offices, coffee and book shops, and local restaurant, that could capitalize on the location adjacent to the river. The City should consider acquiring vacant and underutilized sites to encourage the new development of residential-scaled buildings located close to the sidewalk.





5. Implementation Strategy

The BOA Plan Implementation Strategy stems from the vision, principles, and strategic objectives developed as part of the Step 1 Pre-Nomination Study as well as the Step 2 Nomination Study process. The Plan is intended to capitalize on the existing character, fabric, and strengths of the City of Auburn while recommending additional developments and improvements to further enhance its vitality. To that end, the implementation strategy details projects with the potential to capture economic potential, their proposed phasing for design and construction, and possible funding sources.

5.1 Strategies for Economic Development

The City has been a strong partner in economic development and can continue to enhance its role in a number of ways. From an economic revitalization perspective, it is noted that the City's first priority is keeping the momentum going in the downtown resurgence noted above, followed by investments in areas adjacent to downtown. Specifically, the Market Analysis identifies a number of ways the City can directly promote development or indirectly induce development to occur.

Parking Opportunities

The City has already allowed for flexibility in its zoning with respect to parking for downtown residential units and also provides opportunities for affordable, long-term parking in its Downtown Parking Garage. While these considerations make conversions of limited-unit projects possible, a developer seeking to construct a large number of units may need to secure additional parking arrangements for the convenience of the tenants.

The City could consider a number of possible public-private partnerships (PPP) to make this feasible including:

- Formalize the for-purchase permit program available at the Downtown Parking Garage to establish a residential and employee parking permit program, expand this program to other municipal surface lots, and consider expanding this program to onstreet spaces after 5:00 p.m.; or
- On a longer term basis, consider another municipal lot or structure elsewhere in downtown adjacent to a potential major development site.

Capitalize on the Waterfront

As noted in Section 3.11, enhancements of the waterfront in the Auburn Sparks Study Area would only serve to improve the value of the real estate, particularly as it relates to residential and mixed-use development. Enhancements should provide access to the water, improve views, provide signage, and allow for pedestrian walkways and other recreational uses.

One such waterfront option would be to **Request for Proposals** (RFP) out to the development community for an adaptive reuse of the City's existing Public Safety building, which is adjacent to the river. This could be converted into a mixed-use development with access/views of the water or cultural center.

Promote Incentives

As noted at length in the "Redevelopment Tools" subsection of the Qualitative Analysis within the Auburn Sparks Market Analysis (Appendix C), the City has already implemented an effective redevelopment tool in the form of the 485a abatement. This program allows for a significant, as-of right abatement to properties rehabilitated to a mixed-use. Furthermore, for any brownfield site, a developer would be eligible for significant tax credits for both remediation and construction of new property. However, *none of the developers interviewed in the planning process were aware of these important incentives*. We encourage the City and Downtown Auburn BID to run a brief campaign to raise awareness among the development community.

Selective Demolition

Moving outside of the downtown area, the City could consider the selective demolition of derelict properties to remove blight and make surplus land for other development. A targeted approach is suggested where the City focuses on a single neighborhood or even a single block for multiple demolitions before moving on to a new section of the Auburn Sparks

Study Area. Once demolished, the land could be sold in groups of lots to a single developer, sold on a one-off basis, or retained as green space. Contiguous lots could be assembled for a larger-scale development.

Transformative Project

The City could select one or more redevelopment sites within Auburn Sparks for a **"Transformative Project"**. The idea of a transformative project is to induce development of a magnitude sufficient to raise the entire profile of the Auburn Sparks Study Area in the minds of the regional development community. Much like the self-reinforcing development occurring in parts of downtown, the transformative project would launch a virtuous cycle of rising property values, increasing investment and enhanced economic vitality to make Auburn Sparks an even more exciting and profitable venture for developmers.

This would require a high level of leadership at the City, determination and persistence, and a good deal of investment and risk. It would require many, if not all, of the City Actions listed above (parking solutions, waterfront access, incentives, and streetscape) as well as perhaps direct City investments in land acquisition, water/sewer, roadways, and utilities as well state/federal grant and loan assistance. It may also require that the City take a very active role in land assembly, i.e. the prospective purchasing of multiple contiguous lots to be divested to a developer under conditions and subject to an RFP. Where might this occur? Much of the Auburn Sparks Study Area is already developed and thus not amenable to a large new development. However, there are some areas of interest outlined below.

The Nolan Property / Loop Road site, including adjoining properties at the Northeast corner of North and Genesee Streets, would make an ideal site for a Live/Work/Play mixed-use development including retail, restaurant, bar, or mid-story offices and upper story residential. For this to happen, a parking solution would be critical and the City would have to take the leadership and risk of assembling the land, potentially in adverse conditions (i.e. having to take land in some cases under eminent domain powers). Furthermore, a deep abatement (if qualified, the 485a may be sufficient) and cash incentives would be required to induce the project.

The **Dunn and McCarthy site**, as mentioned in the projects above, could be a mix of private uses and public uses, such as the farmer's market concept presented by Cayunity plus residential units overlooking the river and perhaps other non-residential permanent uses. Since the City already owns the property, site control is not an issue. Prior to development, flood plain issues may need to be addressed along with the compaction of fill the City added over the years. There may be contamination issues that would have to be addressed, potentially with the help of the BCP program (note that the site is in both the Auburn Sparks Study Area and EN-Zone, so BCP benefits would be substantial). It is believed that a better pedestrian connection with downtown would be critical as well as work on surrounding neighborhood beautification, access, parking and waterfront connections. A significant amount of additional cash incentives is likely necessary to make this project take off in the development community.

The **Bombardier site** would ideally be reused for its original intended purpose: the manufacturing of goods. However, this may not be financially feasible, and the City should consider any and all options for the site since it is a key visual reminder of the city's industrial past. While retail redevelopment is not something that is a strong, self-supporting option in the near term, there are some indications that a transformative retail project could work on the site. This would involve demolition of all existing structures and, likely, the capping of any minor brownfield issues with surface parking, assuming those issues are minor and manageable. Key to this redevelopment would be the attraction of one or more major, brandname, "national" retail tenants. This does not necessarily mean a huge big-box store, rather a smaller-format destination store that would allow for other retail adjacent to it to thrive. Examples of this could be a Pottery Barn, Gap, Jos. A. Banks, Banana Republic or similar quality small-format store. Other retail development options may also work, as would the potential mixing of uses on the site to include an entertainment destination use or other recreational amenity as discussed previously. The City would again have to take a very active role in advancing the current holding pattern at Bombardier, providing abatements and direct assistance, securing state/federal grant funds, changing zoning and making street improvements for access. Note that, like the Dunn and McCarthy site, the Bombardier site is in the Auburn Sparks Area and in an EN-Zone, providing substantial assistance through the BCP program should contamination be an issue.

Should the City undertake the **selective demolition** of derelict property in a focused fashion, it may be able to assemble a multiple-acre contiguous site that currently does not exist today. While there is not a specific target area within the Auburn Sparks Study Area, it is recommended that the City focus on projects from the downtown outward, building on its strengths before moving to more challenging neighborhoods.

5.2 Phasing and Project Implementation

As presented in Section 4.2 of the plan, the future of the Study Area is guided by four strategies to inform and direct decision-making and future investments. Specific recommendations supporting each of these strategies are summarized in the implementation tables below, which include the entity responsible for leading the initiative and a proposed timeline for completion.

The City of Auburn should strive to address short-term and on-going initiatives over the course of the next 5 years. Mid- and long-term timeframes would continue to evolve as progress is made in the Auburn Sparks Study Area.

#	Name	Phase	Anticipated Costs (all costs shown in 2017 dollars)	Potential Funding Resource	Time Frame	Notes
1	Canoga Street Streetscape	Conceptual Design	\$50,000.00	City, GIGP, CSC	3 to 5 years	Assumes green infrastructure elements are included. Final cost dependent on design.
		Final Design and Construction Documents	\$60,000.00	City, GIGP, CSC, TAP		
		Construction	TBD	City, GIGP, CSC, TAP		
	Clark Street & Aurelius Avenue Streetscape	Conceptual Design	\$100,000.00	City, GIGP, CSC		Assumes green infrastructure elements are included. Final cost dependent on design.
2		Final Design and Construction Documents	\$120,000.00	City, GIGP, CSC, TAP	3 to 5 years	
		Construction	TBD	City, GIGP, CSC, TAP		
		Traffic Analysis	\$15,000.00	City, GIGP, CSC, TAP		N/A Mural could be privately funded or funded through local arts organizations.
2	Columbus Street /	Conceptual Design	\$200,000.00	City, GIGP, CSC, TAP	2 to 4 years	
3	Route 5 & 20 Intersection	Final Design and Construction Documents	\$250,000.00	City, GIGP, CSC, TAP		
		Construction	+/- \$4,000,000.00	City, GIGP, CSC, TAP		
	Washington Street Streetscape	Conceptual Design	\$80,000.00	City, GIGP, CSC	1 to 3 years	
4		Final Design and Construction Documents	\$120,000.00	City, GIGP, CSC, TAP		
		Construction	TBD	City, GIGP, CSC, TAP		
1	State Street Streetscape	Conceptual Design	\$150,000.00	City, GIGP, CSC, NYMSP	3 to 5 years	N/A
5		Final Design and Construction Documents	\$200,000.00	City, GIGP, CSC, TAP, NYMSP		
		Construction	TBD	City, GIGP, CSC, TAP, NYMSP		
	Arterial West Streetscape	Conceptual Design	\$760,000.00	City, GIGP, CSC	3+ years	N/A
6		Final Design and Construction Documents	\$760,000.00	City, GIGP, CSC, TAP		
		Construction	\$6,080,000.00	City, GIGP, CSC, TAP		
7	Owasco Street Streetscape	Conceptual Design	\$200,000.00	City, GIGP, CSC	5+ years	N/A
		Final Design and Construction Documents	\$250,000.00	City, GIGP, CSC, TAP		
		Construction	\$3,000,000.00	City, GIGP, CSC, TAP		

	#	Name	Phase	Anticipated Costs (all costs shown in 2017 dollars)	Potential Funding Resource	Time Frame	Notes
/ays		Downtown Gateway	Wayfinding Plan	\$40,000.00	City, OPRHP	1 to 3 years	N/A
Gateways	8		Design and Engineering	\$200,000.00	City, GIGP, NYSMSP, ESD, Market NY		
the G			Construction	\$854,000.00	City, GIGP, NYSMSP, ESD, Market NY		
	9	North Street Gateway	Design and Engineering	\$150,000.00	City, GIGP, NYSMSP, ESD	– 1 to 3 years	N/A
gthe	9		Construction	\$635,000.00	City, GIGP, NYSMSP, ESD		
Strengthen	10	Route 5 & 20 Intersection	Design and Engineering	\$256,000.00	City, GIGP, NYSMSP, ESD, Market NY	_ 2 to 5 years	N/A
y 2:			Construction	\$854,000.00	City, GIGP, NYSMSP, ESD, Market NY		
iteg	11	E. Genesee Street Gateway	Design and Engineering	\$190,500.00	City, GIGP, NYSMSP, ESD	- 2 to 4 years	N/A
Strategy	11		Construction	\$635,000.00	City, GIGP, NYSMSP, ESD		
\bigcirc	12	South Street Gateway	Design and Engineering	\$190,500.00	City, GIGP, NYSMSP, ESD	- 2 to 4 years	N/A
	12		Construction	\$635,000.00	City, GIGP, NYSMSP, ESD		

	#	Name	Phase	Anticipated Costs (all costs shown in 2017 dollars)	Potential Funding Resource	Time Frame	Notes
		E. Genesee Street Infill Redevelopment	Structural Analysis	TBD	City, ESD, NYSMSP		Costs vary depending on project.
	13		Design	varies	City, Private, ESD, NYSMSP	ongoing	
			Construction	varies	City, Private, ESD, NYSMSP		
Ę		Nolan Property / Loop Road Mixed-Use	Site Analysis (geotechnical investigation, Phase 1 ESA, infrastructure assessment)	\$25,000.00	City, TAP, ESD, NYSMSP	2 to 5 years	This project may require the City to acquire sites from private owners or work collaboratively with owners to advance the vision of the BOA Plan. A comprehensive traffic study is also necessary to advance this project as it recommends closing Loop Road.
Downtown			Traffic and Parking Study	\$35,000.00	City, TAP, ESD, NYSMSP		
MoC	14		Conceptual Design	\$45,000.00	City, Private, TAP, ESD, NYSMSP		
			Final Design and Construction Documents	\$265,000.00	City, Private, TAP, ESD, NYSMSP		
Reinvent			Construction	TBD	City, Private, TAP, ESD, NYSMSP		
y 3:		Public Safety Building Adaptive Reuse	Conceptual Design and Programming	TBD	City, Private, ESD, OPRHP		Costs associated with this project are dependent upon the chosen end-
Strategy	15		Design and Engineering	TBD	City, Private, ESD, OPRHP	1 to 5 years	use.
Stra			Construction	TBD	City, Private, ESD, OPRHP		
		1 - 7 State Street Redevelopment	Conceptual Design	TBD	City, GIGP, NYSMSP, ESD, OPRHP		This City has already acquired this site, so redevelopment can begin
	16		Final Design	TBD	City, GIGP, NYSMSP, ESD, OPRHP	0 to 3 years	immediately.
			Construction	TBD	City, GIGP, NYSMSP, ESD, OPRHP		
17	17	25 South Street: Seward Parking Lot & Infill Development	N/A	N/A	N/A	ongoing	The City is actively working on advancing design and construction of a Welcome Center at this site, partial funding for which was provided by New York State's Department of Parks, Recreation, and Historic Preservation.

#	Name	Phase	Anticipated Costs (all costs shown in 2017 dollars)	Potential Funding Resource	Time Frame	Notes
	2 - 38 Wadsworth Street: Natural Area and Park	Site Analysis, Survey, and Phase 1 Archaeological Assessment	\$30,000.00	City, GIGP, OPRHP, RTP, National Grid	4+ years	N/A
18		Programming	TBD	City, GIGP, OPRHP, RTP, National Grid		
10		Design and Engineering	\$1,000,000.00	City, GIGP, OPRHP, RTP, National Grid		
0		Construction	\$4,500,000.00	City, GIGP, OPRHP, RTP, National Grid		
	Aurelius Avenue	Design and Engineering	TBD	Private, ESD, NYSMSP	2 to 4 years	N1/A
	Commercial Development	Construction	TBD	Private, ESD, NYSMSP	2 to 4 years	N/A
	151 Orchard Street: Bombardier Redevelopment	Phase 1 Environmental Site Assessment	\$8,000.00	City, ESD, National Grid, BBRP	5 to 10 years	Remediation dependent upon outcome of Phase 1 ESA.
		Remediation	TBD	City, ESD, National Grid, BBRP		
3 20		Structural Assessment	\$30,000.00	City, ESD, National Grid, BBRP		
אמרמוון		Design and Engineering	TBD	City, Private, ESD, National Grid, BBRP		
		Construction	TBD	City, Private, ESD, National Grid, BBRP		
	Dunn & McCarthy Redevelopment	Site Design and Engineering	TBD	Private, HOME, CDBG, National Grid, BBRP	2 to 4 years	NI / A
		Construction	TBD	Private, HOME, CDBG, National Grid, BBRP	2 to 4 years	N/A
ŕ	McMaster Street Adaptive Reuse	Site Acquisition	TBD	City	3 to 5 years	N/A
		Design and Engineering	TBD	Private, ESD, OPRHP		
		Construction	TBD	Private, ESD, OPRHP		
กั	Seminary Avenue Mixed-Use	Site Acquisition	TBD	City	3 to 5 years	This project includes both streetscaping and mixed-use redevelopment.
23		Design and Engineering	TBD	Private, ESD, NYSMSP		
		Construction	TBD	Private, ESD, NYSMSP		
24	Lizette & Miller Streets Redevelopment	Design and Engineering	\$100,000.00	City, HOME, CDBG	3 to 5 years	The vacant sites considered for redevelopment are City-owned.
24		Construction	\$500,000.00	City, HOME, CDBG		
25	Osborne Street Redevelopment	Design and Engineering	TBD	Private, HOME, CDBG	3 to 5 years	This project may require the City to acquire sites from private owners or work collaboratively with owners to advance the vision of the BOA Plan.
		Construction	TBD	Private, HOME, CDBG		

5.3 Funding

Funding for BOA Master Plan initiatives would come from a host of public and private resources. Timing and levels of public investment would be predicated on numerous issues including the disposition of State and Federal budgets and the regional, State and national economic outlook. However, the overwhelming majority of investment within the BOA would be provided by the private sector. The availability and costs of financing are major factors that dictate the extent and timing of private sector involvement. In addition, the perception of the Study Area and potential costs associated with environmental contamination also deter private sector interest. Although near-term public involvement would be required to facilitate investment, the long-term sustainability and financial viability of development within the Auburn Sparks Study Area would require the ability of projects to persist absent of public subsidies.

Maintaining momentum developed during the Step 2 Nomination process is critical to ensuring that revitalization efforts take hold. The ability of the City and its revitalization partners to bring about meaningful and visible investments and action within the Auburn Sparks Study Area would send a strong signal to the community regarding the City's intent to continue revitalization efforts. Therefore, the City should identify 'low-hanging fruit' short-term projects and initiatives that can be accomplished with limited funding to provide maximum impact. The implementation of a few highly visible quick-wins, such as crosswalk improvements at Columbus Street and Arterial W., or gateway improvements on North Street, would signal commitment, activity, and momentum that should translate into continued public and private investment.

Funding for lower cost, high impact projects can come from more traditional sources such as the New York State Environmental Protection Fund. The following provides an overview of available New York State funding resources and the regional economic development policy approach promoted by the NYS Governor's Office.

NYS Regional Economic Development Councils

In 2011, New York State created ten regional economic development councils (REDC) and mandated that each develop a five-year strategy which identifies an overall economic development approach for the region. Each regional strategy is updated annually to promote priority public sector investments and compete for access to a pool of State funding and development support. The use of State economic development funding for public or private sector projects is now directly tied to the advancement and implementation of regional economic development strategies. Funding priority would be given to projects which meet or advance the strategies and goals identified by the corresponding regional economic development council.

New York State Grants

A significant amount of State funding is now procured through the Consolidated Funding Application (CFA) process, an initiative begun in 2011 in concert with the establishment of the regional economic development councils. The CFA process functions as a funding clearinghouse, whereby applicants can apply for multiple sources of traditional funding via a single application.

Applications for CFA resources must be reviewed by both the funding agency and the REDC to be scored for compliance with agency and regional goals. Implementation of the Auburn Sparks Master Plan would require a broad range of capital projects, including brownfield redevelopment, streetscape and roadway infrastructure, environmental remediation, housing rehabilitation, park and recreational amenities, and the construction of multi-story mixed use structures. These projects have several components which may be eligible for funding via the CFA process. The following is a brief overview of key funding and incentive programs in existence as of 2016 organized by agency and important factors for consideration during the application process.

Parks, Recreation & Historic Preservation Program

A matching grant program for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes and for structural assessments and/or planning for such projects. Funds may be awarded to municipalities or not-for-profits with an ownership interest, for indoor or outdoor projects and must reflect the priorities established in the NY Statewide Comprehensive Outdoor Recreation Plan (SCORP).

NYS Main Street Program

The New York Main Street (Main Street) Program is funded by the NYS Housing Trust Fund and administered by the Office of Community Renewal. The Main Street Program mainly supports investment in private property. The City of Auburn would be a logical applicant for Main Street funding for façade renovations, tenant space improvements, signage, and wayfinding improvements. Main Street funding is also flexible, yet requires proof of committed investment by other state, federal or private sources. Similar to EPF programs, Main Street is also a reimbursement program, with varying levels of match dependent upon project type.

Low Income Housing Tax Credits & NYS HOME

The New York State Department of Housing and Community Renewal provides State Low Income Housing Tax Credits similar to federal HUD tax credits for qualified low to moderate income housing projects. In addition, the NYS HOME program further leverages private investments for the rehabilitation and construction of modern, affordable housing.

Green Innovations Grant Program

The Green Innovation Grant Program (GIGP) supports projects across New York State that utilize unique stormwater infrastructure design and create cutting-edge green technologies. Eligible projects include:

- Permeable pavements
- Bioretention/bioswales
- Green roofs and green walls
- Stormwater street trees
- Construction or restoration of wetlands, floodplains, or riparian buffers
- Stream daylighting
- Downspout disconnection
- Stormwater harvesting and reuse
- Brownfield Cleanup Program
- Excelsior Jobs Program

NYS Empire State Development

Funding is available for economic development initiatives and projects that create or retain jobs, generate increased economic activity and improve the economic and social viability and vitality of local communities. Examples of ways the funds can be used include:

- Acquiring or leasing land or buildings, machinery, equipment
- Acquiring existing business or assets
- Demolition and environmental remediation
- New construction, renovation, or leasehold improvement
- Acquiring furniture and fixtures
- Planning and feasibility studies
- Site and infrastructure development
- Marketing and advertising

Eligibility:

- For-profit and not-for-profit businesses
- Business Improvement Districts and Local Development Corporations
- Public benefit corporations, including industrial development agencies
- Economic development organizations
- Research and academic institutions; incubators
- Technology parks
- Municipalities, counties, and regional planning councils
- Tourist attractions; community facilities

New York State Tax Credit and Loan Programs

Start-Up New York

Qualifying companies would not pay any taxes (income taxes, business/corporate state or local taxes, sales taxes, property taxes, and franchise fees) for 10 years. Employees pay no income taxes for the first 5 years. For the next 10 years, they would pay no taxes on income up to \$200,000 of wages (individual tax return), or \$250,000 (head of household), or \$300,000 (joint tax return).

Eligibility:

The company must be aligned with (or further the academic mission of) a college or university campus "sponsor" that has been approved to join the program.

Eligible businesses include:

- A new business to NY Sate
- A business from out of state that is relocating to NY State
- An existing business in New York State that is expanding by creating new jobs (not moving existing jobs)

Brownfield Cleanup Program

In 2004, the establishment of the Brownfield Cleanup Program (BCP) provided tax credits for the remediation and redevelopment of brownfield sites in New York State. These tax credits are further enhanced within Brownfield Opportunity Areas. The BCP establishes four separate levels of remediation based on final permissible uses and the need for continued engineering controls to protect the public health, safety and welfare; projects that pursue more extensive levels of remediation are eligible for greater tax benefits. Credits cannot be issued prior to the issuance of a Certificate of Completion (COC) which certifies remediation activities have been completed per agreement with the NYSDEC. As of December 31, 2015, the program has been reformed. The extensive timeline anticipated for projects entering the BCP to achieve a COC would require the City of Auburn and project partners to move quickly to take advantage of this important source of project financing.

There are three separate tax credits available in the BCP Program:

Brownfield Redevelopment Tax Credit

The brownfield redevelopment tax credit consists of the sum of three separate credit components: (1) site cleanup, (2) groundwater cleanup, and (3) development on a brownfield site. The brownfield redevelopment tax credit is available to taxpayers who incur costs for the remediation or redevelopment of a brownfield site in New York State that is, or would become, a qualified site. Upon completion of the required remediation, the DEC would issue a written Certificate of Completion (COC) to the remedial party. The COC would include the applicable percentages used to determine the amount of the credit. The amount of the brownfield redevelopment tax credit is a percentage of the eligible costs paid or incurred to clean up and redevelop a qualified site. A greater percentage is allowed for sites that are cleaned up to a level that requires no restrictions on use and sites located in a BOA.

Remediated Brownfield Credit for Real Property Taxes

A developer who has been issued a COC for a brownfield site, or who has purchased or acquired all or part of a qualified site is allowed a remediated brownfield credit for real property taxes paid. The amount of the credit is 25 percent of the product of the taxpayer's employment factor (a percentage based on the number of persons employed on a qualified site) and the taxpayer's "eligible real property taxes."

Environmental Remediation Insurance Credit

This credit is available for premiums paid for Environmental Remediation Insurance up to the lesser of \$30,000 or 50 percent of the cost of the premiums.

Excelsior Jobs Program

Business investment within the BOA may qualify for fully refundable tax credits via the Excelsior Jobs Program (EJP). Businesses within the BOA may be eligible for three of the four EJP credits, which can be claimed over a 10-year period. To earn any of the following credits, firms must first meet and maintain the established job and investment thresholds as outlined by the New York Empire State Development Corporation, which include minimum eligibility criteria for jobs, overall investment and benefit-cost ratios.

The Excelsior Jobs Tax Credit

A credit of 6.85 percent of wages per net new job to cover a portion of the payroll cost.

The Excelsior Investment Tax Credit

The Investment Tax Credit is valued at two percent of qualified investments in tangible property, such as buildings or structural components of buildings located within New York State that have a useful life in excess of four years. This credit may be taken in tandem with the Investment Tax Credit for investments in research and development property or with brownfield tangible property credit, but not both.

The Excelsior Research and Development Tax Credit

The Research and Development Tax Credit is valued at 50 percent of the Federal Research and Development Credit, up to three percent of total qualified research and development activities conducted in New York State. To be eligible for inclusion in the EJP, firms must operate in one of seven key industries:

- Financial services data center or back office operation;
- Manufacturing;
- Software development and new media;
- Scientific research and development;
- Agriculture;
- Creation or expansion of back office operations;
- Distribution center; or
- An industry with significant potential for private sector growth and development.

Other Grant Programs

National Grid

National Grid administers a Brownfield Redevelopment Assistance Program that provides grants to fund utility-related infrastructure improvements, demolition, and other costs associated with advancing brownfield sites. The maximum allowable grant for a project is \$300,000, which may be used for up to 25% of eligible costs. Of that \$300,000, a maximum of \$25,000 can be used for Phase I and Phase II Environmental Site Assessments.

Eligible costs include, but are not limited to:

- Demolition;
- Electric and gas infrastructure improvements;
- Phase I and Phase II Environmental Site Assessments; and
- Costs associated with the local match for the Brownfield Opportunity Area Program.

In order to be eligible for funding, applicants must be:

- A municipality and/or its authorized development corporation;
- A non-profit working in tandem with the municipality; or
- The owner or developer of an eligible site with endorsement from the municipality.

Eligible sites must:

- Receive electric or gas service from National Grid; and
- Have a viable commercial or industrial end-use strategy.

NYSEG Brownfield/Building Redevelopment Program (BBRP)

NYSEG offers a maximum grant of \$500,000 for brownfield redevelopment that includes a mixed-use component. As part of the \$500,000, up to \$20,000 can be put toward feasibility and assessment studies and/or remediation efforts.

To be eligible, 50% of annual energy use at the new or re-development must come from one or more of the following business sectors:

- Manufacturing;
- Finance;
- Business services;
- Health care;
- Clean technologies;
- Craft beverage production; or
- Projects supported by the REDC.

STEP 2 Nomination Study

Community Participation APPENDIX

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

Community Involvement PLAN

CITY OF AUBURN, NY BROWNFIELD OPPORTUNITY AREA (BOA) COMMUNITY INVOLVEMENT PLAN

This effort was completed for the City of Auburn and the New York State Department of State using funds provided by the New York State Brownfield Opportunity Areas Program.

INTRODUCTION

1) Purpose of the Plan: The Community Involvement Plan (CIP) identifies a variety of forums and outreach mechanisms to engage the public and community stakeholders in the planning and revitalization process for the City of Auburn's Brownfield Opportunity Area (BOA). The CIP is a *guide* to involving the community in the planning process, <u>not</u> a checklist of required actions. Some elements of the plan may change as the planning process unfolds. Other opportunities for public engagement not identified in this plan may be identified and utilized as the dialogue between the City, consultant team and community continues throughout the process. This CIP is consistent with the Department of State Work Plan and Bergmann Associates' agreement with the City of Auburn. The CIP does not include tasks related to the development of GIS data and other non-public participation services.

2) Elements of the Plan:

- 1. City Staff Meetings
- 2. Project Advisory Committee Meetings
- 3. Project Zoning Subcommittee Meetings
- 4. Project Stakeholder and Neighborhood Outreach Sessions
- 5. Public Kick-Off Event
- 6. Public Design Workshop
- 7. Final Public Meetings
- 8. Student Engagement (STEAM)
- 9. Project Website

3) Contacts:

The primary contacts for the project and their contact information is listed below:

	Jennifer Haines, Director of Planning and Economic Development, jhaines@auburnny.gov, 315-255-4115				
City	Stephen Selvek, Senior Planner, <u>sselvek@auburnny.gov</u> , 315-255-4118				
	Renee Jensen, Community Development, rjensen@auburnny.gov, 315-253-3513				
State	Julie Sweet, NYS Department of State, <u>Julie.sweet@dos.state.ny.us</u> , (607) 721-8752				
	Kimberly Baptiste, AICP, Project Manager, <u>kbaptiste@bergmannpc.com</u> , 585.232.5135 ext. 323				
Bergmann Associates	Andy Raus, AICP, Principal Planner, <u>araus@bergmannpc.com</u> 585.232.5135 ext. 495				
	Jane Nicholson-Dourdas, AICP, Planner, jdourdas@bergmannpc.com, 315-422-5200 ext. 764				

4) Community Contact List:

- Bergmann Associates will prepare, update, and maintain a community contacts list that includes the names, addresses, telephone numbers, and/or email addresses of individuals and organizations that have an interest in becoming involved with the City's revitalization efforts.
- The list will to be used on a regular basis to notify stakeholders of upcoming outreach opportunities and meeting dates, particularly through email and electronic notifications.

5) Notifications

 Bergmann Associates will utilize MailChimp[™] to send project updates and meeting announcements to its established Community Contact List. The public will be encouraged to forward these updates to friends and other members of the community interested in the revitalization of downtown Auburn.

6) Community Participation Schedule

- See Attachment A for proposed schedule of community outreach tasks.

ELEMENTS OF THE COMMUNITY INVOLVEMENT PLAN

1. CITY STAFF MEETINGS

a) Purpose:

- The purpose of the city staff meetings are to discuss the current status of the project with key project team members.
- For the purposes of this project, City of Auburn Staff will provide direct guidance on this project and will have the greatest contact with and oversight of the consultants.

b) Membership:

• This group is composed of select City staff representing various internal departments.

c) Public Participation:

• Meetings are not open to the public for attendance.

d) Notification:

• E-mail from City of Auburn staff or Bergmann Associates.

e) Schedule:

• Meetings to be held monthly or on an as-needed basis.

2. PROJECT ADVISORY COMMITTEE MEETINGS

a) Purpose:

 The Project Advisory Committee (PAC) is charged with providing feedback and guidance for the overall revitalization vision and recommendations. The purpose of PAC meetings are to present, discuss, and receive feedback on project specifics, as well as to discuss and resolve comments resulting from review of project documents, advisory agency review, and coordination with other agencies.

b) Membership:

- This group is made up of key stakeholders, community members, and agency staff. The list of membership was prepared by the City of Auburn with DOS and Bergmann Associates providing feedback and recommendations.
- Attachment B includes a list of the committee's representatives and their contact information.

c) Public Participation:

 Meetings may be open to the public for attendance. However, in the interest of ensuring productive meetings, comments or participation from the public in meeting proceedings are at the discretion of the Advisory Committee.

d) Notification:

• City of Auburn staff or Bergmann Associates.

e) Schedule:

- Meetings to be held approximately every 8 weeks and/or in coordination with significant project milestones. Please refer to Attachment A, Project Schedule, for anticipated Advisory Committee meeting dates. Specific dates will be determined based on overall project schedule.
- Approximately eight meetings are anticipated to be scheduled over the course of the project.

3. ZONING SUBCOMMITTEE MEETINGS

a) Purpose:

• The Zoning Subcommittee is charged with providing feedback and guidance specific to the City's zoning code update. The purpose of these meetings are to present, discuss, and receive feedback on proposed zoning changes.

b) Membership:

- This group is made up of key stakeholders and City staff.
- Attachment C includes a list of the committee's representatives and their contact information.

c) Public Participation:

• Closed for working sessions.

d) Notification:

• City of Auburn staff or Bergmann Associates.

e) Schedule:

- Meetings to be held approximately every 8 weeks and/or in coordination with significant project milestones. Please refer to Attachment A, Project Schedule, for anticipated Zoning Subcommittee meeting dates.
- We anticipate Subcommittee Meeting dates will coincide with PAC meeting dates.
- Approximately seven meetings are anticipated to be scheduled over the course of the project in conjunction with the PAC meetings.

4. PROJECT STAKEHOLDER AND NEIGHBORHOOD OUTREACH MEETINGS

a) Purpose:

- To communicate and obtain information from significant stakeholders (land owners, interested parties) within BOA neighborhoods in an effort to gain insight into desired goals for the Study Area, as well as the identification of any constraints that may affect re-use potential. It is envisioned that stakeholders will be organized into groups based on similar organizational type or issues of concern.
- Understanding the diversity within the BOA, we will also facilitate neighborhood-based meetings, as needed, to ensure that all residents and property owners are engaged in the process. This may include special BOA-specific meetings, or project team members attending existing, scheduled meetings with special groups and organizations within the City.

b) Membership:

 Group and individual meetings will be held with liaisons of several Study Area groups and institutions, such as local businesses, the Business Improvement District (BID), Cayuga Economic Development Agency and Cayuga County Industrial Development Agency, large property owners, developers, neighborhood groups, Young Professionals (IGNITE), and community/volunteer organizations, such as the Auburn Farmers' Market. Additional Stakeholder Meetings may be held with other groups or individuals as the need is identified throughout the planning process.

c) Public Participation:

- Stakeholder meetings will not be open to the public.
- Neighborhood meetings, as needed, will be open to the public.

d) Notification:

• E-mail / Invitation from the City of Auburn or Bergmann Associates.

e) Schedule:

• To Be Determined.

5. PUBLIC KICK-OFF EVENT

a) Purpose:

- The Public Kick-Off Event will be the first in a series of public workshops and meetings that is intended to build momentum and excitement that carries through the planning process and into implementation. In addition to working with the residents to develop a long-term vision for the study area, the meeting (s) will help educate the community regarding the purpose and potential benefits of this project. Due to varying levels of planning expertise and interest amongst the potential participants, the process requires an educational and transparent approach to ensure an accurate understanding, and to elicit broader and more effective involvement in the planning process.
- Multiple meetings and/or special events will be scheduled in conjunction with the community "kick-off" of the project.
- To identify the desired direction, goals, and objectives of the community for the study area. This will provide a framework for the project vision and policies.
- It is anticipated that the Kick-Off event will include an educational/informational component, as well as small group interaction sessions facilitated by City and Bergmann staff.

b) Membership:

- Advisory Committee members
- Residents
- Representatives from Local Businesses & Organizations
- Project team

c) Public Participation:

- The Public Kick-Off event is open to the public for attendance and will be advertised in advance.
- Bergmann will be responsible for providing the following:
 - Presentation materials (PowerPoint, Sign-In sheet, agenda, markers, easel)
 - Posting an informational summary after each public meeting on the website
- The City of Auburn will be responsible for providing the following:
 - o Reserving the event space
 - Advertising, including public notices

d) Notification:

- The City of Auburn will be responsible for posting announcements on the City website (<u>http://www.auburnny.gov</u>) and with relevant print media (The Citizen- Auburnpub.com).
- Bergmann will post information on the project website (TBD) and will assist the City with preparing appropriate notification.
- All public notice submissions are the responsibility of the City of Auburn.
- Bergmann will develop a standardized flyer to be delivered via email, and Advisory Committee members will be encouraged to forward notifications to their respective network of stakeholders and known interested parties.
- MailChimp notification to be sent by Bergmann to established distribution list.

e) Meeting Coordination:

- Responsibility for obtaining an appropriate meeting venue and assisting, where possible, with required media technology needs lies with the City of Auburn.
- Bergmann Associates will provide all meeting materials, including printed materials, agendas, boards, sign in sheets, laptop, and projectors.
- Refreshments will be provided and coordinated by City of Auburn staff and/or Bergmann.
- Bergmann will prepare meeting summary.

f) Schedule:

Proposed schedule is identified in Attachment A.

6. PUBLIC DESIGN WORKSHOP

a) Purpose:

- The Public Design Workshop will occur after a solid understanding of existing conditions is established, market realities are known, and a vision statement is drafted.
- Interactive surveys (community character survey, placemaking survey, etc.) will be used in a large group setting to facilitate community participation in the conceptual design and physical layout of the study area.
- A brief educational primer on community design best practices in a large group setting will provide participants with a set of tools to be utilized during the design session.
- In addition, benchmark communities will be used to describe to participants how other communities have realized revitalization success in neighborhoods and on specific sites.
- Small group interactive design sessions will provide opportunities for detailed discussion amongst tables of 6-10 participants.

b) Membership:

PAC members, general public and City project team.

c) Public Participation:

- The Community Design Workshop is open to the public for attendance and will be advertised in advance.
- Bergmann will post presentation materials after each meeting on the project website.

d) Notification:

- The City of Auburn will be responsible for posting announcements on the City website (<u>http://www.auburnny.gov</u>) and with relevant print media (The Citizen- Auburnpub.com).
- Bergmann will post information on the project website (TBD) and will assist the City with preparing appropriate notification.
- All public notice submissions are the responsibility of the City of Auburn.
- Bergmann will develop a standardized flyer to be delivered via email, and Advisory Committee members will be encouraged to forward notifications to their respective network of stakeholders and known interested parties.
- MailChimp notification to be sent by Bergmann to established distribution list.

e) Meeting Coordination:

- Responsibility for obtaining an appropriate meeting venue and assisting, where possible, with required media technology needs lies with the City of Auburn.
- Bergmann Associates will provide all meeting materials.
- Refreshments will be provided by City of Auburn and/or Bergmann Associates.
- Bergmann will prepare meeting summary.

f) Schedule:

• Proposed schedule is identified in Attachment A.

7. FINAL PUBLIC MEETINGS

a) Purpose:

 The purpose of these meetings are to fulfill the State's public hearing requirements/timeframes prior to taking any SEQR action, approval of the BOA and adoption of the Zoning Ordinance update. These meetings provide opportunities for the public to contribute information and opinions that could influence decisions about the plan or future site investigation and cleanup activities.

b) Membership:

 These meetings are led by the City Auburn City Council who are advised by City staff from various internal departments.

c) Public Participation:

• Meetings are open to the public for attendance.

d) Notification:

• E-mail from the City of Auburn staff or Bergmann Associates.

e) Schedule:

• To Be Determined.

8. STUDENT ENGAGEMENT (STEAM)

a) Purpose:

 To engage STEAM students and teachers from the High School in the planning process. Students from Auburn High School will be able to directly participate and learn about brownfields, aquatic riverine systems (Owasco River) and hydrology. Classes will develop projects/studios associated with our project study area, allowing students to directly interact with STEAM professionals on our team, present their ideas and findings at public meetings or open houses and build capacity in the community.

b) Membership:

 Group meetings will be held with liaisons of the Auburn City School District (High School), as well as student sessions.

c) Public Participation:

• Meetings will not be open to the public.

d) Notification:

- City of Auburn staff or Bergmann Associates, in conjunction with school representatives.

e) Schedule:

 It is anticipated that individual tasks/assignments will be scheduled during school months (September 2015 – June 2016)

9. WEBSITE

a) Website Development:

Bergmann Associates will develop a website at the onset of the project. Initially, this will provide a
basic review of key information such as the project purpose and contact information. Over time, it will
expand to include meeting dates, work products, maps, and interactive content.

	Attachment A: Estimated Project Schedule	
	2015 2015 2015 2015 2015 2015 2015 2015	2016 Marie Linno Linke
COMPONENT 1: BDO IECT STADTUD		may June Jury Aug Jep Oct NOV
Tool: 1 6: Decine: Consister with Consultant		
Task 1.0. Floject Scopilig with Consultant		
COMPONENT 2: CAPACIT FUILDING & LARINING		
CUMPONENT 3: COMMONITE FAK ILUFATION		
Public Meetings / Hearings		
Stakeholder Meetings (2) / Neignborhood Uutreach		
Website		
COMPONENT 4: DRAFT NOMINATION		
Task 4.1 Description of the Project and Boundary		
A. Project Overview and Description		
B. Community Vision, Goals & Objectives		
C. BOA Boundary Description and Justification		
Task 4.2 Community Participation Plan and Techniques to Enlist Partners		
A. Community Participation Plan		
B. Techniques to Enlist Partners		
Task 4.3 Analysis of the Proposed BOA		
A. Community and Regional Setting		
B. Inventory and Analysis		
C. Economic and Market Trends Analysis		
D. Redevelopment Plans for Strategic Sites		
E. Zoning Revisions to Support Community Redevelopment		
F. Key Findings and Recommendations		
G. Summary Analysis, Findings, and Recommendations		
Task 4.4 Review of Strategic Brownfield Sites		
COMPONENT 5: COMPLETION/DISTRIBUTION of DRAFT NOMINATION	-	-
Task 5.1 Draft Nomination		
Task 5.2 Draft Nomination and Executive Summary		
Task 5.3 Interagency Briefing Package		
I ask 3.4 Interagency roundtable		
Tack & 1 Demonstration of Einel Nomination		
Task 6.1 Freparation for Project Advancement / Nomination Packade		
Tack 7.1 Environmental Accessment Form		
Tack 7.2 Determine Ciantinence		
Tack 8.1 MM/BE Quatarty Departs		
Task 8.2 Proiac Status Reports		
Task 8.3 Final Project Summary Report		
Task 8.4 Progress Report on Actions Taken to Advance Redevelop		
Task 8.5 Revitalization Strategy Report		

ATTACHMENT B: ADVISORY COMMITTEE MEMBERSHIP

NAME	AFFILIATION	Phone	E-MAIL
Jennifer Haines	City of Auburn Office of Planning and Economic Development	315-253-4115	jhaines@auburnny.gov
Renee Jensen	City of Auburn Office of Planning and Economic Development	315-255-4115	rjensen@auburnny.gov
Stephen Selvek	City of Auburn Office of Planning and Economic Development	315-255-4118	<u>sselvek@auburnny.gov</u> ,
William Lupien or designee	City of Auburn Engineering Department	315-255-4129	wlupien@auburnny.gov
Mike Talbot or designee	City of Auburn Department of Public Works	315-253-8354	mtalbot@auburnny.gov
Kim Baptiste	Bergman Associates	585-232-5137	kbaptiste@BERGMANNPC.com
Julie Sweet	New York State Department of State	607-721-8752	Julie.Sweet@dos.ny.gov
Tracy Verrier	Cayuga Economic Development Agency	315-252-3500	tverrier@cayugaeda.org
Arlene Ryan	Orchard Street Neighborhood Association	315-252-4434	arleneryan@roadrunner.com
Harry Warner	NYS Division of Environmental Remediation	315-426-7432	hdwarner@gw.dec.state.ny.us
Jesse Kline	Auburn BID	315-252-7874	jessekline31@msn.com.
Mark Soper	Auburn Farmers Market	315-704-8609	auburnmarket@aol.com
Meg Vanek	Executive Director of Cayuga County Tourism Office	315-499-9615	meg@tourcayuga.com
Local Developer (Joe Bartolotta)			-
Zoning Board of Appeals Representative (TBA)			-
Planning Board Representative(TBA)			-
School Representatives (TBA)			-

ATTACHMENT C: ZONING SUBCOMMITTEE MEMBERSHIP

Name	AFFILIATION	Phone	E-Mail
Stephen Selvek	City of Auburn Office of Planning and Economic Development	315-255-4118	<u>sselvek@auburnny.gov</u>
Brian Hicks	City of Auburn Office of Planning and Economic Development- Code Enforcement	315-255-4111	<u>bhicks@auburnny.gov</u>
TBD	Zoning Board of Appeals Representative		
TBD	Planning Board Representative		

STEERING COMMITTEE MEETINGS

City of Auburn Downtown & Owasco River Corridor Nomination Study (Step 2 BOA)

Project Advisory Committee Kick-Off Meeting | June 15, 2015

Meeting Attendees

Advisory Committee:

Edward Darrow, Chair, ZBA Susan Marteney, ZBA / AOPBID Arlene Ryan, Orchard St. Neighborhood Meg Vanek, Cayuga County CVB Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market

City Staff:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Bill Lupien, City Engineer Steven Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Andy Raus, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Terri Roney, Bousquet Holstein Andrew Obernesser, EDR Jane Rice, EDR Doug Gerber, EDR Christa Franzi, Camoin Associates Brian Dixon, Camoin Associates

Meeting Summary

Welcome and Introductions

Renee Jensen (City of Auburn) opened the meeting at approximately 1:15 by welcoming attendees and thanking committee members for their interest and participation. Renee briefed the committee on the BOA grant program and the City's active participation in brownfield planning and remediation. She introduced Kimberly Baptiste of Bergmann Associates as the lead consultant. Prior to starting the presentation, everyone in the room was asked to introduce themselves and describe their affiliation with the project.

Project Overview

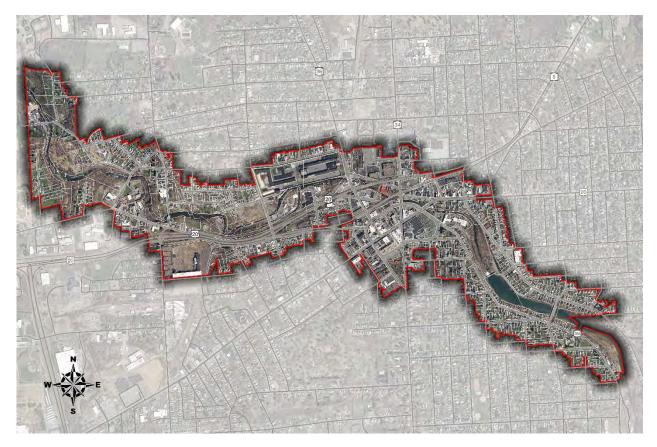
Kimberly Baptiste began the presentation by introducing the project team, and noted that Allieway Marketing, not present at the meeting, will be working with the City to develop marketing material. In addition to Bergmann Associates (prime consultant), several subconsultants will be working on the project including:

- Camoin Associates economic and market trends analysis and financial feasibility;
- EDR urban design, design standards and graphics; and
- Bousquet Holstein legal review of zoning updates and SEQRA.

Other key project partners include the New York State Department of State (project lead and financial and technical assistance) and the City of Auburn Department of Planning and Economic Development. Each member received a packet of information containing an agenda, work plan, study area map, schedule and timeline, copy of the PowerPoint, and overview of the STEM program.

Overview of the BOA Program

Kimberly provided a detailed overview of the BOA Program, noting the history of the program and scope of the Study Area (see map below). Kimberly also provided an overview of the BOA's three-step process and how each step of can be tied to future funding for redevelopment projects. She provided an in-depth explanation of what constitutes a brownfield and used images, such as a dry cleaners and upscale housing project, to describe how there are real and perceived definitions of what classifies as a brownfield. Helping to change public perceptions of brownfields is a significant part of the planning process and will be critical for the long-term success of these sites.



Kimberly described how participating in the BOA program can lead to long-term benefits for the community including business attraction and investment, identifying and securing future grants as well as positioning the City for reinvestment.

Project Elements

Kimberly presented the key components of the planning process. The first step of the process, visioning, will build on previous planning projects to avoid redundancy and ensure consistency among efforts. The vision statement will be tailored to the BOA study area and reflect the community's goals and objectives.

Additional project elements include the following:

- An inventory and analysis, including but not limited to, land use and zoning analysis, land ownership patterns, parks and open space, building inventory, historic/archaeological sites, transportation, infrastructure, and natural resources.
- Economic & Market Trend Analysis to identify strategies for redevelopment of targeted brownfield and underutilized sites.
- A hydrological analysis of the Dunn & McCarthy site (and other sites TBD) to assess the opportunities, costs and benefits of hydropower.
- Conceptual Master Plan that visually represents the vision of the project and long-term goals and objectives.
- Conceptual Site Plans for Strategic Sites and fiscal analysis of redevelopment proposals.
- Implementation strategy that identifies key action items, timeframe and funding opportunities for plan implementation.
- Zoning updates including design guidelines and/or standards for development.
- Generic Environmental Impact Statement (GEIS) which will help reduce the fiscal and time burdens for developers by eliminating a significant step in the environmental review process.

Community Participation

Kimberly presented the community engagement activities associated with the planning process. Community engagement will include the following outreach meetings and activities:

- Advisory Committee
- Zoning Subcommittee
- Stakeholder meetings comprised of local businesses, institutions and organizations
- Public Meetings & Workshops
- Unique and fun community engagement activities such as walking tours and special events
- Project Website
- Photo Contest
- Auburn City School STEAM students

Allieway Marketing will be working with the community to develop a brand and logo specific to the BOA project and study area.

Next Steps

The project schedule was briefly reviewed, noting the entire planning process was anticipated to take approximately 16-18 months. Over the summer, the Project Team will be working on the existing conditions analysis, data collection, field work, conducting stakeholder interviews, and developing the project brand.

Short-term community engagement activities will consist of a public kick-off event in September, school meetings, meetings with the BID, and stakeholder interviews.

Discussion: Let's Get Started!

Kimberly concluded the presentation with an activity to get the Advisory Committee thinking about the opportunities and challenges in the study area, as well as how each committee member would define success for the project. A summary of the committee members' responses follows below:

Opportunities

- □ Malls are becoming obsolete; opportunities to bring resources downtown
- □ Good buildings and good history of the community
- Dunn Site (compared to Kodak in Rochester)
- □ GE property (outside of the City)
- □ Bombardier site (a.k.a. Alco)
- Need for a strong local market with stores commonly found in the mall (e.g. women's clothing)
- □ Increase employment and everything else (redevelopment, housing, etc.) will follow
- □ Green Energy (wind, LED, solar, etc.)
- □ The Bombardier site is one of the most desirable industrial sites for manufacturing (access to the thruway and transportation routes, urban areas, etc.)
- Made in Auburn brand; people do not realize how much is made in the community (e.g. Auburn Leather)
- □ Adaptive reuse of the west side middle school (Portland, OR case study)
- □ Wine & Beer Trail
- Lehigh Valley Rail Roundhouse (museum, café, market)
- Owasco River
- □ Workforce training opportunities and regional economies

Challenges

- □ Perceptions of "east" versus "west"
 - West end middle school closed
 - Walgreens on west end close
- □ Ensuring that the infrastructure can support any new development
- □ Keeping people in the community
- □ Some of the private landowners are difficult to work with
- □ Remediating brownfields
- Difficult to get to some of the sites along Route 5 & 20
- Transportation network & one-way streets
- □ Wayfinding
- □ Keeping people in the community

Defining Project Success

- □ More jobs and employment opportunities
- Move from plan to implemented projects
- □ Use of existing infrastructure
- □ Decrease in crime
- □ A succession of projects in and around the study area
- □ Sites are revitalized and repurposed (i.e. school)
- Dunn & McCarthy site redeveloped
- □ Redevelopment of Alco/Bombardier site (city within a city)
- □ Quality of Life:
 - o Increase in tax base, more services
 - Improved property maintenance
 - Connectivity people powered

Additional Questions from Committee Members

- □ Will the project include insight from people outside the community (i.e. visitors)? Yes.
- □ How will residential neighborhoods be addressed in the project? Targeted engagement, such as neighborhood groups.
- □ Are pilot programs required to implement the projects identified in the implementation section?

The meeting adjourned at approximately 2:45 p.m.

Study Area Tour

The consulting team had the opportunity to tour the Study Area with City staff. This tour included the following sites (see annotated map below):

- 10 Genesee St. (Auburn Floors & Daut's Site) The row-house buildings are located on the corner of E. Genesee St. and Osborne St. The site is being redeveloped as a 3storefront commercial space with 20 residential units, conference room, and restaurant. The Auburn Floors building (10 Genesee St.) is a part of the BCP program while the Daut's site (6 Genesee St.) is not.
- 2. **Miller St. Dam Site** This site is a part of the plans for the Owasco River Greenway Trail. Parking is currently available on the east end of the site. A pedestrian bridge over the dam leads to a trail with a connection to Osborne St.
- 3. **Dunn & McCarthy Site** This site is a 7 acre site located along the Owasco River. The site was formerly a shoe factory that burned in 1994. Four acres of the site are developable as the City will retain 3 acres for the future river trail.
- 4. Wadsworth Site This site is located on the west side of the study area on Wadsworth St. The site was formerly the Henry & Allen Factory that operated from the late 1800s through 1970. The structures on the site were demolished except for a City-owned utility building associated with a nearby dam. Remnants of the buildings remain. The site is heavily wooded with limited pedestrian access. The site is included in future park and Owasco River Trail plans.
- 5. **Bombardier Transportation Site** This site is centrally located in the study area. The 200,000 square foot factory manufactured subway rail cars until 2006 when the company relocated to Plattsburgh, NY. The building is vacant and privately owned.



City of Auburn Downtown & Owasco River Corridor Nomination Study (Step 2 BOA)

Project Advisory Committee Meeting #2 | September 24, 2015

Meeting Attendees

Advisory Committee:

Jesse Kline, Auburn BID Arlene Ryan, Orchard St. Neighborhood Meg Vanek, Cayuga County CVB Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market

City Staff:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Bill Lupien, City Engineer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Andy Raus, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Jane Rice, EDR Andrew Obernesser, EDR Michael D'Nolo, Camoin Associates Brian Dixon, Camoin Associates

DOS Representative:

Julie Sweet

Meeting Summary

Welcome and Introductions

Kimberly Baptiste (Project Manager, Bergmann Associates) opened the meeting at approximately 1:10 p.m. by welcoming attendees and thanking committee members for their interest and continued participation. Prior to starting the presentation, everyone in the room was asked to introduce themselves and describe their affiliation with the project. Kimberly provided an overview of the meeting agenda which includes project updates, existing conditions analysis, and discussion of the public meeting and next steps in the process.

Project Updates

Branding. Allie Balling (Allieway Marketing) started the presentation by providing an update on the branding strategy. Allie discussed how the project team developed the brand through a 2-month process that included internal meetings with City staff and stakeholder interviews. The process started with eleven concepts (name, tagling, logo, colors) that were individually weighed, analyzed and eliminated. The resulting "Auburn Sparks" logo is reflective of the range of industries in the study area and paints a future vision for the project area and city. The brand will be synonymous with the project, study area and be incorporated into each step of the process.



Website – http://www.auburnsparks.com Kimberly provided an update on the project website which recently went live. The website is divided into 4 subsections: (1) About Auburn Sparks; (2) Get Involved; (3) Maps & Documents; (4) S.T.E.A.M – a partnership with the Auburn Central School District. The website will be updated as new information becomes available.

AECSD: STEAM Initiative. Andy Raus (Bergmann Associates) provided an update on the STEAM (Science, Technology, Engineering, Arts, Mathematics) initiative being developed in collaboration with the Auburn Central School District. The project team met with administrators and teachers from all disciplines in June to develop a plan to integrate students into the process. Students will be working with all facets of the project focused on experiential learning and engaging in real world projects and problem-solving efforts. Students from multiple disciplines – biology, technology, art, graphic design, chemistry, among others – will participate in field work, water sampling, public meetings and presentations as well as the format and graphic elements of the final product. The student component will specifically focus on the Dunn & McCarthy site.

Hydropower Analysis. Andy further presented an overview of the hydropower feasibility analysis which will focus on 3 sites in the study area and the cost-benefit analysis of utilizing this resource.

Existing Conditions Analysis: What have we learned?

Kimberly introduced the existing conditions analysis and explained how this analysis provides a framework for developing realistic future uses and redevelopment opportunities. She continued to present the existing conditions inventory which is an analysis of the project area based on the people (demographics), landscape (physical characteristics) and economic conditions (the market).

The People. This analysis focuses on population and housing trends occurring in the study area relative to the city, county, and local and regional trade area. A summary of these findings follows below.

- There are 5,151 residents in the Auburn BOA, comprising 18% of the city's population;
- The population is expected to increase by 1.6% by 2020;
- The median age is 36.7 years- slightly lower than the other statistical areas; the 20 to 34 age cohort is expected to decrease by 2020, while all other cohorts, particularly the 65+ are expected to increase by over 2%;
- The study area is primarily renter-occupied (59%) while owner occupancy is expected to continue to decrease.

The Land. The landscape analysis includes an assessment of the physical characteristics of the study area including the geographical location, land use, zoning, ownership patterns, parks, brownfields, transportation, and building assets. A summary of the land use analysis follows below.

- The project area is centrally located within two larger metro areas including Syracuse (25 miles) and Rochester (50 miles) as well as the Finger Lakes Region which attracts tourists associated with the vineyards and beverage trail;
- The project area includes 1,253 parcels and 573 acres and is located at the center of the city;
- Land uses are primarily commercial and residential, indicating the need to find a balance of uses and opportunities that support residents and visitors alike;
- Vacant land uses (12.5%) and industrial land uses (7.7%) present an opportunity for redevelopment and infill development, allowing the city to capitalize on its existing infrastructure.
- The project area is zoned primarily residential and commercial, and will be reevaluated to ensure regulations allow for the highest and best uses of properties.
- There are 13 brownfields in the project area, several which are publicly owned and vacant.
- The project area is easily accessible from a transportation perspective, and is regionally served by Routes 5 and 20, and direct access to the NYS Thruway.

- The project area contains several key buildings, many historic, that provide opportunities for redevelopment. Such buildings include Bombardier and Auburn Schine Theatre.
- There are 8 parks in the study area, and an additional 2 parks that serve over 85% of the residents in the study area. There are pockets on both ends of the study area that could be better served, but overall, the residents have good access to open space.

Andrew Obernesser (EDR) presented an overview of the existing trail conditions and potential nodes and/or trail expansion opportunities throughout the study area. The proposed trail will begin at the future Wadsworth Park, located south of the Owasco River, and continue to Emerson Park adjacent to Auburn High School. The goal of developing the trail is to develop a highly-connected system that contributes to the revitalization of the city's neighborhoods and connects residents to natural areas. S. Selvek agreed that Wadsworth Park would help fill a void at the west end of the project area.

Economic Conditions. Michael D'Nolo (Camoin Associates) presented the existing economic analysis which focuses on the market drivers in the local trade area (10 minute drive) and regional trade area (30 minute drive). The analysis also includes an assessment of household income, commuting patterns, and employment and industry trends. A summary of the findings follows below.

- Income levels in the project area are projected to increase over the next 5 years;
- There is a cohort of lower incomes in the project area, but it does not mean that all incomes are low in the BOA;
- Housing preferences are likely to occur over the next 5 years which present an opportunity for future development;
- The industrial sector is stagnant but small-scale retail is projected to grow, presenting new entrepreneurship opportunities;
- The project area is experiencing some growth, particularly in the accommodation and food services, health care and social assistance, and professional, scientific and technical services sectors.

Public Kick-Off Meeting

Kimberly solicited feedback regarding the public kick-off meeting scheduled for October 20th. The committee agreed that the Auburn Public Theatre would be the best location for the first meeting. Other locations, including West Middle School, would be a good location for future meetings.

Next Steps

The next steps in the planning process include drafting zoning updates, developing the narrative for the nomination study, stakeholder engagement, hydropower analysis, and holding public meeting #1. The next Steering Committee meeting will occur in November.

The meeting adjourned at 3:00 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.



Meeting Attendees

Advisory Committee:

Jesse Kline, Auburn BID Susan Marteney, ZBA / Tuxill House Arlene Ryan, Orchard St. Neighborhood Meg Vanek, Cayuga County CVB Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market Ed Darrow, Chair, ZBA Stephanie DeVito, Auburn BID

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Andrew Obernesser, EDR Dave Gerber, EDR

City Staff:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Bill Lupien, City Engineer Stephen Selvek, Senior Planner

Welcome and Introductions

Kimberly Baptiste (Project Manager, Bergmann Associates) opened the meeting at approximately 1:00 p.m. by welcoming attendees and thanking committee members for their interest and continued participation.

Project Updates

Kimberly reviewed the meeting agenda and provided the committee with project updates and work in progress.

AECSD: Stream Initiative On October 9, 2015 Andy Raus and Jason Babcock-Steiner, Bergmann Associates, collected macroinvertebrates and water chemistry information from two sites within the Study Area to document water quality conditions. These sites were located downstream from Washington Street and the Wadsworth site. Additionally, they measured dissolved oxygen, temperature, and water velocity/flow. Data collection sheets provided by the Finger Lakes Institute will add to the data available to students, providing a deeper understanding of water quality in the Owasco River and enhancing the experience for the Auburn school district.

STEAM in the Classroom On November 19, 2015, Kimberly, Renee, and Jim Marschner of Bergmann Associates, spoke to 200+ students regarding brownfield redevelopment and community revitalization. Students provided a unique perspective on the types of activities and community they want to live in. Responses for the type of development they would like to see include more indoor/outdoor activities, and a movie theatre. The project team encouraged them to get involved through the photo contest, public meetings, twitter feed, and as a student liaison / volunteer.

Public Workshop Over 40 people attended the first public workshop held on October 20, 2015. Community members participated in a series of visioning exercises to help identify what attributes their ideal community would have in 5 years, 10 years and beyond. The results from the workshop will serve as the foundation for developing the vision statement and goals and objectives.

Website – http://www.auburnsparks.com Kimberly provided an update on the project website. Each of the subsections have been updated with information including the photo contest and public workshop. The website will continue to be updated with new content as the project moves forward.

Photo Contest The project photo contest has been developed in conjunction with the City's Instagram page. Community members are encouraged to submit photos of the BOA to the Instagram page where selected photos may be used in final documents, presentations and marketing information. Photos will be voted on and a prize will be given for the winning photo.

Existing Conditions Report The project team has completed the existing conditions report which will be distributed to the committee by the end of the month. Topics covered in the analysis include existing land use, environmental, and socioeconomic conditions, as well as the economic market analysis and hydrological study.

Visioning

Following the project updates, Kimberly reviewed the components of visioning and provided a brief overview of the outcomes of the visioning process. Results include developing community consensus, context for consideration and adoption of long-range plans, and development of an overall vision statement for the BOA to guide future planning. The vision statement introduces the plan, and serves as a yardstick for determining which goals can best get the community moving forward. Additionally, vision statements help guide grant applications, and provide a platform for reviewing other town plans and documents.

Kimberly revisited the City's vision statement which was presented to residents at the public meeting. The City's vision statement describes the current and future character as defined by the past. In the workshop, participants worked in small groups to brainstorm their ideal community focusing on five topics including quality of life, environment, jobs & businesses, transportation and downtown. Each group prepared one "future statement" for each category. The group's ideas were developed into a word cloud for each category to identify common themes amongst the groups. Kimberly reviewed the themes for each category and asked committee members to add ideas to the list that were not discussed in the public workshop. Additional comments include:

1. Quality of Life

- Access to education
- Increase in employment
- Broad spectrum of cultural activities for all ages / throughout the day
- Vibrant downtown
- Access to local food

2. Jobs & Industry

- Farmer's Market one space that features multiple vendors / regional market approach / integrated with community events and tourism
- Workforce development / growth & training / BOCES & local college
- Jobs/amenities to draw younger population back as • adults
- Green jobs / industry



vouth

amenities opportunities 100S

Trails

retain events

Affordable Downtown

Quality west-end

safe

NOUSING neighborhoods footprint

Special

people

accessibility

arts

affordable

3. Environment

- Awareness of trails / public space / running trail / dog walking
- Riverfront access, give people a reason to come (i.e. Inner Harbor, Syracuse & Oswego Harbor)
- Recognize water as key resources

4. Transportation

- Commuter train to Syracuse
- Bus hub / regional transit to connect to other areas and draw in tourism
- Marketing campaign to get (public) ridership up
- Route to the high school and funds / affordable
- Airport access in Syracuse
- Holiday Inn Crossing to downtown (crosswalk)

5. Downtown

- Public art trail downtown
- Destination
- More stores / retail outlets
- Not many vacant storefronts other than the Nolan property
- Restaurants are doing well
- Tourism creating healthy places
- Community garden / local permaculture
- Payngo

Zoning

Kimberly provided an overview of the zoning update which is being developed concurrently with the BOA. The Zoning Subcommittee met on September 12th to have an open discussion about what is and is not working about the current zoning code. The project team is developing a zoning analysis and audit to identify which chapters need updating and to identify modifications necessary to ensure future development is consistent with the vision established in the BOA. The updated zoning will be reorganized to make it easier to interpret and administer. The proposed table of contents includes a chapter for definitions, zoning districts, regulations pertaining to all districts, sign regulations, as well as site plan and special use permit review.

Community Character Survey

Kimberly introduced the Community Character Survey (CCS) as a design exercise intended to capture the desired aesthetic that would be used as a framework for moving from conceptual planning to design guidelines and the zoning update. Jane Nicholson-Dourdas, Bergmann Associates, explained how the CCS is a series of photographs that Steering Committee members will rank on a 9-point scale in order to identify what design aesthetic is most desired in the BOA. In total, 60 images were used that depict the downtown, industrial, housing, and public landscape.



bike

friendly

narket

Svracuse

Connectisimpr

accesstane

tourism

The following are the results showing the top three images that were perceived as most and least appropriate for each category:

Downtown



7.8



7.7



7.3



2.0



2.0



2.1

Industrial



7.5



7.5











3.0

Housing & Neighborhoods



8.5







3.2

4.4

4.8



8.7



8.6



8.0



2.1



3.6



4.2

The results of the CCS will be shared at the upcoming committee meeting in February. The design workshop will focus on subarea planning and site-specific designs.

Next Steps

The next steps in the planning process include distributing the draft Nomination Study to committee members for review, zoning subcommittee meeting #2, IGNITE workshop on January 12th, Advisory Committee design workshop in February and public land use workshop in March.

The meeting adjourned at 3:00 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.



Meeting Attendees

Advisory Committee:

Susan Marteney, ZBA / Tuxill House Arlene Ryan, Orchard St. Neighborhood Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market Ed Darrow, Chair, ZBA Stephanie DeVito, Auburn BID

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Michael N'Dolo, Camoin Associates Andrew Obernesser, EDR Dave Gerber, EDR

City Staff:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Bill Lupien, City Engineer Stephen Selvek, Senior Planner

Welcome

Kimberly Baptiste (Bergmann Associates) opened the meeting at approximately 12:00 p.m. and welcomed committee members. Kimberly provided an overview of the meeting agenda which included a presentation by the consulting team and interactive design exercise.

Recap of Recent Project Progress

Kimberly reviewed the meeting agenda and provided the committee with project updates and work in progress.

IGNITE Workshop On January 12, over 18 members of IGNITE attended a workshop to learn about the BOA project and participate in a visioning exercise. Participants were asked to develop a poem designed to capture their hopes and vision for the future of Auburn. Each poem consisted of a geographic location (general or specific), followed by a series of words to describe what happens in the place, what it feels like, what it will do in the future, and a single word that summarizes the vision for that place in the year 2025. At the conclusion of the exercise, participants read each other's poems. A range of geography's were explored and included the following:

- Downtown (8)
- Bombardier (4)
- Owasco River (1)
- Waterfront (1)
- Schine Theater (1)
- Industrial (1)

Key themes resulting from the exercise include the concept of home, revitalization, pride, vibrancy, alive, and creative. The results from the workshop will help guide the vision statement and goals. **Zoning Update** Kimberly provided an update on the zoning update. The Zoning Subcommittee met on January 12th. Kimberly explained how the team has identified the challenges and opportunities within the current ordinance, and will be redeveloped to improve the interpretation and administration of the code. The project team has updated several sections of the code including the definitions, non-conformities, and administration and enforcement which will be reviewed at the next committee meeting.

CEDA Annual Luncheon On January 28, Michael N'Dolo (Camoin Associates), presented preliminary economic and market findings for the Study Area, as well as other data work Camoin Associates is developing for Cayuga County to200+ attendees including local officials, developers, business owners, and local organizations.

Key Findings Recap

Kimberly provided an overview of the Existing Conditions Analysis which was distributed to the Steering Committee in January. Topics covered in the analysis include existing land use, environmental, and socioeconomic conditions. Kimberly reviewed key findings from the report, including demographics, existing land use and zoning, publicly-owned vacant properties, and parks and open space. Doug Gerber (EDR), provided an update on the status of the Owasco River Greenway Trail development. Doug identified parts of the trail that are currently under development, and asked committee members to help identify future end uses of the trail and prioritize key nodes.

Auburn by the Numbers Michael N'Dolo (Camoin Associates) presented preliminary findings from the market analysis to help committee members understand economic and industry trends. Michael opened his presentation with an overview of redevelopment projects that have helped start the transformation process in Auburn. Current housing projects include luxury apartments, such as Logan Park Lofts and Brister Mills Lofts, which are attracting a new wave of residents to the downtown. Anticipated growth in the downtown and Auburn Sparks Study Area can be attributed to a demographic and consumer preference shift which will create an increased demand for high-end rental housing, student housing, and new-build apartments and condos that are centrally located.

The retail analysis focused on the regional trade area and identifying opportunities in the Auburn Sparks Study Area. The analysis revealed that with changing consumer preferences (online shopping), retail needs to be experiencebased with a focus on "destination style" retail. The City needs to be able to accommodate a limited number of additional small-scale retail development such as clothing stores, full service restaurants and bars, specialty food stores, and entertainment. There are additional opportunities to leverage the Finger Lakes Musical Theater Festival (FLMTF) and the Center for the Arts as well as local centers and neighborhoods. Challenges identified in the market analysis include undeveloped property of a sufficient size to accommodate major retail centers, as well as a limited demand for office space.

The last piece of the analysis included industrial opportunities. Michael emphasized that there remains a demand for modern industrial space in the form of flex space that can be easily converted for different uses. Opportunities in the Study Area include the division of larger facilities to accommodate multiple smaller users, as well as the conversion of existing structures into mixed-use.

The results of the market analysis indicate that a range of opportunities exist in the Auburn Sparks Study Area that can be realized through a series of City actions, and be self-funding in the long term. Camoin Associates completed their interviews with the business owners and developers, and expressed that there is development interest in the community.

Community Character Survey: Results and Preferences

Kimberly presented the results from the Community Character Survey (CCS) committee members participated in at the January meeting. The CCS captured the desired aesthetic that would be used as a framework for moving from conceptual planning to design guidelines and the zoning update. Kimberly reviewed the top three images that were perceived as most and least appropriate for each category, and asked members to provide feedback on the results. Ed Darrow, ZBA Chair, commented that future development is about what fits in the community and the interaction the buildings have with the public right-of-way. Some of the neighborhood images (right), for example, did not rank high in the CCS due to the limited setbacks, lack of greenspace between buildings, and connection between the development and the street. Committee members expressed the need for development with a "homier" feel and look that fits the current fabric of the City.



Design Primer: What Makes a "Great" Community?

In preparation of the design exercise, Kimberly asked committee members to think about communities other than Auburn that they consider "great". Committee members identified Niagara-on-the-Lake, Canandaigua, and Ottawa, Canada, as being places that are considered "great" due to their downtown activity, nice neighborhoods, history, and walkable environments. Kimberly provided an overview of other characteristics that contribute to a great community and strong quality of life including:

- Walkable, multi-modal options;
- Promotes human interactions through a variety of formal and informal spaces;
- Safe and accessible;
- Allows for a range of development types;
- Keeps the ground level active;
- Considers new uses for old buildings;
- Incorporates sustainable principles into the landscape.

Design Exercise: Auburn Sparks in 2035

The design exercise is an interactive, hands-on activity that allows committee members to graphically depict their ideal future for the Auburn Sparks Study Area. Committee members split into two groups and were given a set of maps that included the entire Study Area as well as previously identified strategic sites – Dunny & McCarthy, Bombardier, Wadsworth, Nolan property, Mill Street Dam/Owasco Street. The groups were given 35 minutes for group discussion and mapping, followed by the prioritization of projects and groups presentations.

Design Exercise: Questions Considered **1.** Where should growth occur?

- 2. Considering market findings, where should we focus various types of development?
- 3. How should strategic sites be redeveloped?

4. What public projects should be implemented? Think about streetscapes, parks, hydro and trail investments.5. What projects are needed to support existing residents and neighborhoods?

Group 1

The first group identified a number of projects that would help revitalize the downtown as summarized below.

- Strengthened gateways and increased connectivity between the downtown and residential neighborhood north of the BOA.
- The Bombardier site is a good redevelopment opportunity for industrial, commercial, and renewable energy manufacturing.
- The parking lot south of the site (not included in the BOA boundary) was envisioned as a potential housing development.
- Downtown is the best starting point for redevelopment.
- The historic section of the Nolan property should be retained, while the HSBC side should be redeveloped.
- Downtown should continue west along Genesee Street, tying in museums and cultural facilities, as well as a potential location for the public safety building.
- Retail/dining would be a good use along the riverfront at Osborne Street.
- Finding a permanent space for the farmers' market is also a priority, and identified a vacant lot behind the Holiday Inn as a potential site.

SPAR S SPAR S

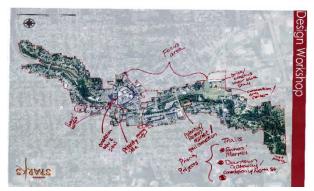


- ★The top 3 projects for Group 1 include:
 - (1) Redevelopment of the Nolan block;
 - (2) Attracting manufacturing and multiple tenants to the Bombardier property;
 - (3) Redevelopment of the Dunn & McCarthy site;
- (3A) The farmers' market.

Group 2

The second group focused on the downtown and increasing access, visibility and growing connections to the community's existing resources as summarized below.

- Continue to develop Genesee Street/Main Street east past HobNob including streetscape development, filling storefronts and making connections to the downtown.
- Develop strong gateways into the downtown, particularly on the east side of the Study Area and North Street heading into downtown.
- Streetscape enhancement and redevelopment at the North Street / Route 5/20 intersection.
- Continue to develop west of downtown along Genesee Street.
- Redevelop Bombardier as a convention / arts center, with opportunities to incorporate the large parcel/parking lot





(outside of the BOA) south of the site into future redevelopment.

- Continue to develop the trail.
- Find a permanent site for the farmers' market; possibly the lot behind the Nolan property and the Dunn & McCarthy site.
- Close Loop Road and develop a strong walkable environment with a direct connection to the waterfront.
- ★ The top 3 priority projects for Group 2 include:
 - (1) Trail development;
 - (2) Develop a permanent site for the farmers' market;
 - (3) Develop the downtown gateways and connection up North Street.



Next Steps

Next steps in the process include scheduling the second public meeting and zoning subcommittee meeting.

The meeting adjourned at approximately 2:45 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.



Meeting Attendees

Advisory Committee:

Susan Marteney, ZBA / Tuxill House Arlene Ryan, Orchard St. Neighborhood Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market Ed Darrow, Chair, ZBA Stephanie DeVito, Auburn BID Jesse Kline, Auburn BID

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Rice, EDR Andrew Obernesser, EDR Dave Gerber, EDR

City Staff:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Bill Lupien, City Engineer Stephen Selvek, Senior Planner

Welcome

Kimberly Baptiste (Bergmann Associates) opened the meeting at approximately 1:00 p.m. and welcomed committee members. Kimberly provided an overview of the meeting agenda which included a presentation of the vision, goals and objectives, the Master Plan, and strategic site redevelopment scenarios.

Recap of Recent Project Progress

Kimberly reviewed the meeting agenda and provided the committee with project updates and work in progress.

Public Workshop On March 15, over 25 community members attended a design workshop to discuss preferred development opportunities within the BOA. Participants worked in small groups on two activities. The first activity focused on the entire BOA Study Area. Participants were given a 36″x48″ map and were asked to write and draw their ideas for projects and initiatives they'd like to see undertaken in the next 10 years. All topics were included – trails, parks, new development, streetscapes, roadways, wayfinding, etc.

The second activity focused on strategic sites. Each group was given a poster for each site that had a map and stickers/labels depicting various types of development – commercial, industrial, housing – as well as community features such as bike lanes, transportation shelter, playgrounds, trails, and food carts. Participants were asked to identify the types of desired development for each site, and place a sticker to represent such use. They were able to draw on the accompanying map to further communicate their ideas.

Project Team Internal Charrette On April 6, the project team held an internal design workshop to review the feedback gathered from the Steering Committee and public workshops, and develop a draft Master Plan. The project team worked together to identify opportunities for the Auburn Sparks study area, as well as the highest and best uses for each strategic site in the context of the community vision, market findings, and urban design.

Zoning Update Kimberly provided an update on the zoning update. The Zoning Subcommittee met on March 15th. As of the date of the meeting, the project team had updated several sections of the code that were reviewed at the meeting including the definitions and supplemental regulations.

Downtown Revitalization Initiative The City of Auburn submitted an application for the Governor's Downtown Revitalization Initiative. Selected municipalities will receive \$10 million for project implementation, including \$300,000 for planning.

Vision, Goals, Objectives

Kimberly presented the draft vision, goals and objectives for the Auburn Sparks study area. The vision is intended to be forward-thinking, succinct, and recognizes Auburn's unique qualities and change. The vision supports each of the overarching goals and objectives, and will provide the momentum to move the Sparks area into the future.

Auburn Sparks Draft Vision Statement A community built on the interconnected relationships between its many natural, cultural and historic assets, and an unparalleled quality of life supported by a strong local economy and restored vibrancy in the downtown. With safe, friendly and active neighborhoods, residents are proud to call Auburn home.

Goals and Objectives Each goal will be directly linked to the vision statement, providing a clear direction for project implementation. The goals and objectives will be further developed, and be focused around the following themes:

- Goal: Synergy environment, regional, interconnected
- Goal: Play parks, trails, active transportation, active living
- Goal: Arts culture, history, public art, new development opportunities, creative economy
- Goal: Reinvention downtown, new employers, new housing, mixed use, innovation
- Goal: Kinship quality of life, special events, community, neighborhoods, family, home
- Goal: Simplicity sustainability, accessibility, water, nature

Master Plan

Kimberly presented the Master Plan which was derived from a number of stakeholders including the Steering Committee, public workshops, IGNITE, Community Character Survey, economic analysis, and development proposals. The Master Plan is an overall vision for the Auburn Sparks study area, but also encompasses specific plans for strategic sites. Common themes identified in the Master Plan include:

- Cohesive downtown
- Safe and active neighborhoods
- Strong gateways & entrance to the downtown
- Access to public green space
- Opportunities for economic growth through new and emerging industries
- "Complete Streets"



Strategic Sites

Andy Obernesser (EDR) presented the site-specific design for the strategic sites. Andy identified the assets and challenges for each site, followed by the preliminary designs and development character that support the community's vision for the space. Designs for the following sites include:

Bombardier

The Bombardier site presents opportunities for recreation and reindustrialization. The first design option includes opportunities for recreation. This design takes advantage of large structures and proximity to Greenway Trail, addresses a gap in recreational access, extends (future) recreational assets closer to Genesee Elementary, and can accommodate complementary commercial uses.

The second design option includes opportunities to reuse the building as a repurposed industrial space. This option takes advantage of large structures, industrial infrastructure, and open space, creates jobs, and responds to potential markets for flex space and agricultural economic development.



Dunn & McCarthy

The Dunn & McCarthy site design incorporates opportunities for a permanent farmers' market structure, overflow, and vendor parking, connects directly to future trail system for bike/pedestrian access, and provides opportunities to connect the Greenway trail to Cottage Place Park.

A second option includes mixed-use development that provides opportunities for neighborhood-scale retail services and amenities, provides public access to the waterfront, integrates new residential uses into the existing neighborhood, and connects the Greenway trail to Cottage Place Park.



Nolan Property

The Nolan Property is strategically located in the heart of Genesee Street. The site design includes higher-end residential, leverages waterfront location, and serves as a possible alternative permanent location for market. This option retains the existing historic buildings along the block, and is ideally located adjacent to existing goods, services, housing and entertainment.



Wadsworth Site

The vision for the Wadsworth site includes a natural area that capitalizes on its proximity to the future trail and historic resources. The redevelopment of the site would close the "recreation gap" on the west side of project area, and build on the "History's Hometown" campaign. It would also provide a direct connection to existing and proposed trails – Port Byron, Mentz, Montezuma, and Savannah.



Owasco Street

The Owasco Street site plan is designed to strengthen existing fabric of the neighborhood. There are some opportunities for single-family and small commercial redevelopment that can capitalize on the riverfront.



Next Steps

- Revision of the Master Plan & Strategic Sites based on committee input
- Flesh out revitalization "details"
- Phasing and Implementation Strategy
- Funding Strategy
- Zoning Updates to facilitate the Master Plan

The meeting adjourned at approximately 3:00 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.



Meeting Attendees

Advisory Committee:

Susan Marteney, ZBA / Tuxill House Meg Vanek, CC Office of Tourism Arlene Ryan, Orchard St. Neighborhood Tracy Verrier, CEDA David Wilczek, Auburn Farmers' Market Ed Darrow, Chair, ZBA Jesse Kline, Auburn BID

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Tom Dworetsky, Camoin Associates Andrew Obernesser, EDR Walt Kalina, EDR

City Staff:

Jenny Haines, Director of Planning and Economic Development Bill Lupien, City Engineer Stephen Selvek, Senior Planner

Welcome

Kimberly Baptiste (Bergmann Associates) opened the meeting at approximately 1:00 p.m. and welcomed committee members. Kimberly provided an overview of the meeting agenda which included a presentation of the zoning code update, master plan update, advancing strategic sites, public arts study, and next steps in the planning process.

Zoning Update

Jane Nicholson-Dourdas, Bergmann Associates, provided an update on the draft zoning revisions. The Zoning Subcommittee has been meeting on monthly since January. Jane explained that a significant part of planning for the BOA is the zoning update which will ensure that future development is consistent with what is envisioned in the plan. Each meeting has focused on a different sections of the code that were updated and reviewed by the committee. The committee has completed reviewing drafts of the definitions, supplemental regulations, site plan review, and administration 8 enforcement. The board is currently reviewing permitted uses, bulk and use standards, and design standards. The final section to be updated is signage. In addition to the code update, the project team is updating the zoning map which has been amended to better reflect future potential for each area.

Downtown District

Andy Obernesser, EDR, presented the framework for developing the Downtown District. He prefaced that the section is still being organized, and will be working with the zoning subcommittee to finalize how this section will be formatted. Andy reviewed the purpose of zoning and why we should be concerned with zoning and form. He provided examples of different styles and forms of development, noting that your code will direct what developers have to do to get through the process. We want to make sure that the guidelines are strong enough that you will get the desired outcome.

The zoning update will include specific provisions and design standards for the Downtown District. The downtown is the physical and cultural center of the community, where development has the greatest impacts on character, identity and value. The update will be formed as a hybrid code, regulating use and character, and improving the user-

friendliness of the document. The Downtown District will differ from the city-wide code as it will contain regulations for the ground floor and upper levels to ensure development keeps with the context of a traditional main street.

Andy provided an overview of how the sections may be organized. He noted that a set of standards applicable to all buildings will be required for all types of development, followed by building-specific standards. The project team has identified 7 building types in the district including:

- Civic and institutional
- Multi-story commercial/office
- Main Street mixed-use
- Mid-rise / High-rise
- Small shopfront/storefront
- Commercial franchise & branch office
- Attached multiple residence

Each building type will contain a table that identifies street frontage, building height and sense of enclosure, form, frontage elements, roof types, and transparency. The committee discussed the use of solar panels in the downtown and how this may impact roof types. The project team will look into how this may fit into the overall ordinance.

Master Plan

Kimberly continued the discussion with a presentation of the updated Master Plan which was amended based on feedback from the committee. Kimberly noted that a significant part of the plan includes public realm improvements. A series of renderings were developed to show how public realm improvements can positively impact the character of the gateways and streetscapes. Renderings included traffic calming and landscaping at key gateways including the intersection of Washington Street and Route 5/20 and Route 5/20 and Clark Street, as well as public art including murals along the prison wall.

Advancing Strategic Sites

Tom Dworetsky, Camoin Associates, presented an overview of developing a financial analysis and how it is determined if a project will be feasible or the gap needed to be filled if it is not feasible. Tom reviewed the financial pro formas for each project based on the proposed site plans.

Dunn & McCarthy

The Dunn & McCarthy site design includes mixed-use development that provides opportunities for neighborhoodscale retail services and amenities, provides public access to the waterfront, integrates new residential uses into the existing neighborhood, and connects the Greenway trail to Cottage Place Park. The financial pro forma indicates that depending on enrollment in the Brownfield Cleanup Program (BCP), the potential funding gap could be between \$2 -\$4 million with a total redevelopment cost of \$11.5 million.

Bombardier

The Bombardier site presents opportunities for recreation and reindustrialization. The first design option includes opportunities for recreation. This design takes advantage of large structures and proximity to Greenway Trail, addresses a gap in recreational access, extends (future) recreational assets closer to Genesee Elementary, and can accommodate complementary commercial uses. The results of the pro forma indicate a total redevelopment cost of \$25.5 million.

The second design option includes opportunities to reuse the building as a repurposed industrial space. This option takes advantage of large structures, industrial infrastructure, and open space, creates jobs, and responds to potential markets for flex space and agricultural economic development. The redevelopment scenario is estimated to be

approximately \$16.7 million. As in the case with Dunn & McCarthy and the first Bombardier redevelopment scenario, the townhouse developments offset the cost.

Nolan Property

The Nolan Property site design leverages its waterfront location, and serves as a possible alternative permanent location for market. This option includes closing Loop Road and redeveloping the site as a public year-round market, brewery, and visitors center. The redevelopment of the site is estimated to cost approximately \$2.5 million, as it is anticipated that the Consolidated Funding Application (CFA) submitted by the City will cover the visitors center and market.

1-7 State Street

Through the planning process, 1-7 State Street was identified as being a strategic site that has the potential to fulfill the demand for increased public space and add significant value to State Street. The 0.17 acre site reverted back to City ownership in 2015. The City conducted an extensive public outreach and visioning process, resulting in public support for arts, cultural, and open space amenities. The market analysis further supports the site as a cultural amenity space. Kimberly presented examples of other communities that have capitalized on the public arts movement including ARTWalk in the City of Rochester – an urban art trail that centers on public spaces within the Neighborhood of the Arts (NOTA). As a result of public and private funding, the revitalized NOTA neighborhood has seen a 61% increase in housing prices, as well as improved safety.

Public Arts Study

Kimberly provided an overview of the Public Arts Study that will be commencing in September. The City is undertaking the study in an effort to develop a streamlined and consistent review process for art installations, as well as define an art district boundary and the type of work that the City would like to attract. The scope of work includes an advisory committee, case study research, boundary delineation, and developing policies and procedures for the City to adopt through a public arts ordinance.

Next Steps

- Advancing the zoning update
 - Implementation Strategy
 - Project Description
 - Phasing
 - Planning Level Costs
 - Roles and Responsibilities
 - Funding Resources

The meeting adjourned at approximately 3:00 p.m.

ZONING SUBCOMMITTEE MEETINGS

City of Auburn Downtown & Owasco River Corridor Nomination Study (Step 2 BOA)

Zoning Subcommittee Meeting #1 | September 24, 2015

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Andy Raus, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Andrew Obernesser, EDR

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee to the first meeting at approximately 3:15 p.m. The purpose of this meeting was to allow the committee to have an open discussion on what is working, not working, and proposed changes to the current code. A summary of this discussion follows below.

What are some challenges with the existing code?

- Definitions are confusing and leave too much room for interpretation
- R-4 district needs evaluation
- Parking based on minimums, not always common sense
- Turnover of P districts to R-1 is generally not appropriate
- Supplemental regulations are very narrow in nature
- Need to address unique non-conformities
- SOB's (adult uses)
- Downtown guidelines were never codified, have no teeth
- Lots of area and significant use variances
- City does not require a strong hardship case (on paper they do, not in practice)
- Signage is huge issue
 - o Difference between what code and ZBA allow
 - Better definitions of LED / Changeable copy / flashing signs
- Section 305-82i on porches, open for interpretation
- Assess front yard parking regs from 2013. Do they conflict within themselves?
- Little works well. Often searching for loopholes.
- Make sure we address and consider the tourism industry-related uses such as accommodations, rentals, breweries, etc.

• Air BNB / short term single family rentals (find example code language)

What works well?

•

• Like the diversity and number of their districts.

What are some needs and opportunities with a code update?

- Important design considerations:
 - o Pedestrian circulation
 - o Screening and landscaping
 - o Vehicular entries and curb cuts
 - o Stormwater management
 - o Needs clarity
 - Allow for some level of staff approvals of applications
- More clearly define Planning Boards role
- Need to improve overall review process
- Consider changing Board composition to 5 plus 2 alternates
- Better training (and required training) for PB and ZBA
- Generally, need to make sure code supports traditional development

Auburn Sparks Zoning Subcommittee Meeting #2 | January 12, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner Ed Darrow, Chair, Zoning Board of Appeals Stephanie DeVitor, Auburn BID / Zoning Board of Appeals

Project Team Members:

Kimberly Baptiste, Bergmann Associates Andy Raus, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Andrew Obernesser, EDR

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee to the second meeting at approximately 3:00 p.m. The purpose of this meeting was to receive board feedback regarding challenges and opportunities with the current ordinance, review the zoning map and districts, and to review the zoning analysis and recommendations.

Zoning Ordinance Discussion

Kimberly reviewed a list of the challenges and opportunities previously identified by board members in the September 24th meeting:

- Definitions
- R-4 District
- Parking
- Turnover of P district to R-1
- Supplemental regulations are very narrow
- Unique non-conformities
- Adult uses
- Downtown guidelines not codified
- Area and use variances
- City does not require a strong hardship case
- Signage
 - Code vs ZBA
 - Better definitions
- Section 305-82i on porches
- Front yard parking regulations
- Tourism industry-related uses

- Air B&B / short-term rentals
- Training for Planning Board and ZBA
- Support traditional development
- Incentive zoning
- Site plan review process
- Outdoor seating
- Design considerations:
- Pedestrian circulation
 - Screening and landscaping
- Vehicular entries and curb cuts
- Stormwater management
- Diversity and number of districts
- Planning Board's role and composition
- Overall review process
- Staff approvals of applications
- Little works well

Kimberly asked board members for additional input and feedback on topics that may have not been covered in the previous meeting. A summary of additional items that need attention with the zoning update include the following sections:

- Accessory structures 10% of the volume of the principal structure, how is volume determined?
- Dish antenna's mounting and location in residential areas
- RPV trailers granny trailers
- Residential off-street parking
- Clarification of driveway and dustless surface definitions
- Setback of driveway from the property line
- Ponding; runoff from driveway onto neighboring property
- Usable open space of R1A R-2; should be the same size 200 minimum
- Placement of porches, decks and patios
- Signs:
 - o banners and attention getting devices
 - o definitions
 - o flashing signs
 - o obstruction of devices
- Too much emphasis on content of signs, rather than placements, size, etc.

Zoning Map and Districts

Kimberly continued the discussion with a focus on the zoning map and districts. She asked board members to specifically think about how the downtown district will be defined both by its physical borders and land uses. Board members expressed the need to look at land uses that extend beyond the Auburn Sparks Study Area including west along Genesee Street, as well as north past the correctional facility and along State Street. The northern side of State Street has the character of a traditional downtown, and is interested in retaining the character while differentiating the area from today's downtown. Kimberly suggested exploring the option of using a Form Based Code for the downtown district to allow for multiple subareas to account for differences within the district.

Additional comments regarding the zoning districts include clarification of borders and buffers between districts, as well as the purpose and intent of the historic resources protection district; public uses and institutions district, and overlay districts, such as the §305-34.1 Logan Street Residential and Mixed-Use Overlay District. Committee members expressed the need to reduce the number of overlay districts, and would like to see regulations addressed directly in the code.

Zoning Analysis and Recommendations

Kimberly concluded the meeting with a review of the zoning audit developed to identify sections of the current zoning chapter in need of updating and to identify modifications necessary to ensure future development is consisted with the vision outlined in the Comprehensive Plan (2009), the Auburn Sparks study area, and changing land use patterns.

The analysis was developed in two sections. The first section is a table listing the current sections of the zoning chapter and recommendations specific to each section. The second part includes a proposed Table of Contents which reflects structure reorganization of the Code to account for ease of use and generally accepted best practices.

Kimberly reviewed each section of the code and associated recommendations for that particular section. General recommendations include updating the definitions, developing quantitative standards for each established district,

and revising the administrative review process. The Committee agreed that an overall reorganization of the code and update of the regulations will help make it easy for City staff and private sector to interpret and implement.

Next Steps

The project team will start reorganizing the code based on input and feedback received from the committee and stakeholders. The next several meetings will focus on updating content specific to each section which will follow the design workshop.

The meeting adjourned at 4:30 p.m.



Auburn Sparks Zoning Subcommittee Meeting #3 | March 15, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals

<u>Project Team Members:</u> Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee to the third meeting at approximately 3:00 p.m. The purpose of this meeting was to review the draft definitions and supplemental regulations that have been updated based on board feedback.

Definitions

The project team reorganized the Zoning ordinance to include all definitions in one article. Previously, definitions were located throughout the code, making it difficult to navigate and enforce. Definitions are now included in Article II. New definitions were incorporated into the existing definitions and highlighted for committee members to review. It was also recommended that several definitions be removed or further clarified to ensure consistency with the remainder of the code.

Supplemental Regulations

Kimberly continued the discussion with a focus on the supplemental regulations that are developed for specific uses and applicable to some or all districts. The Committee reviewed the following new supplemental regulations:

- accessory dwelling units
- accessory uses and structures
- adult uses
- bed and breakfast

- buffer areas
- conversions
- corner and through lots
- dog kennels
- drive-through establishments
- farmers' market
- food carts and food trucks
- fences, walls and other structural screening elements; and
- garage sales

Next Steps

The project team will update the definitions and supplemental regulations based on meeting feedback. The next several meetings will focus on updating content specific to these sections.

The meeting adjourned at 5:00 p.m.



Auburn Sparks Zoning Subcommittee Meeting #4 | May 17, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals Stephanie DeVito, Zoning Board of Appeals

Meeting Summary

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Jane Rice, EDR Andrew Obernesser, EDR Doug Gerber, EDR

Welcome and Introductions

Jane Nicholson-Dourdas (Bergmann) welcomed the Zoning Subcommittee to the fourth meeting at approximately 3:00 p.m. The purpose of this meeting was to focus on defining the downtown zoning district and code development.

Presentation

Defining the Downtown District: Methodology

Andy Obernesser, EDR, started the presentation with an overview of the methodology used for revising the downtown district. This includes a review of the existing Downtown Design Guidelines in the context of the Community Character Survey results, as well as prioritizing character elements. Andy explained that once these elements are identified, we can then develop language that allows the City to apply these standards.

Andy explained that the next step in the process is defining a boundary where the City wants these standards to apply. In addition to reviewing the current Commercial zoning district (C-2), we will analyze the transition areas, BID boundary and downtown Study Area to help define where the new downtown district will be located.

Once the downtown boundary has been confirmed, new form-based standards for the downtown district will be developed. This will include coordinating the structure of the downtown district with the City-wide zoning revisions, reviewing options for integrating design considerations into (or in addition to) the zoning code via a

new base district, overlay district, or stand-along guidelines, or form-based code or hybrid code with a formbased emphasis. The district boundary will be amended as necessary to fit the final downtown district code.

Defining the Downtown District: Design Elements

To identify the preferred design aesthetic, Andy used the images from the Community Character Survey that ranked the highest and lowest. The images that ranked the highest had common design elements that make great places and spaces that should be encouraged through design standards. These elements include:

- Compatible building height proportions height, width and setbacks;
- Graduated fenestration (how much a building exterior is covered with openings, such as windows and doors, and how the transparency changes as you move upwards from the ground floor)'
- Multiple stories with compatible floor heights;
- Vertical and horizontal articulation (how the space is split up between floors)
- Compatible materials;
- Transparent, active storefronts at ground level; and
- Recessed entries.

Andy reviewed the images that received the lowest scores and discussed what design elements they have in common.

- Single-story, single purpose structures;
- Undifferentiated rooflines or expanses; and
- Arcade entries.

Defining the Downtown District Boundary

The next step in the process is to discuss where these principles will apply, and where the downtown begins and ends. Andy asked committee members to think about where they experience, or want to experience, transitions in form, scale, character, identity, use, landmarks, amenities, activity, and density. Andy focused on transition areas along the eastern and western edge of Genesee Street, entry into the downtown from North Street and South Street, the Route 5/20 arterial, and Route 38 / State Street. The committee reviewed each of the transition zones and the character of the area to define the boundary. The draft boundary will be reviewed and updated as necessary as the code is developed.

Next Steps

The project team will draft the new downtown district boundary, as well as draft and confirm the structure of the downtown district based on feedback from the meeting.

The meeting adjourned at 4:30 p.m.





Zoning Subcommittee Meeting #5 | May 31, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee. The purpose of this meeting was to review sections of the draft Zoning Code Update. The Committee met on the following sections:

- Table of Contents
- Definitions
- Supplemental Regulations
- Site Plan Review Process
- Administration and Enforcement

Bergmann will take the comments received and make the appropriate edits.



Auburn Sparks Zoning Subcommittee Meeting #6 | June 22, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals Stephanie DeVito, Zoning Board of Appeals

<u>Project Team Members:</u> Kimberly Baptiste, Bergmann Associates

Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Discussion

Kimberly welcomed the Zoning Subcommittee to the sixth meeting at approximately 3:00 p.m. The purpose of this meeting was to complete the review of the Supplemental Regulations, Site Plan Review, Nonconformities, and the Administration & Enforcement chapter.

The committee continued their review of the Supplemental Regulations, specifically focusing on off-street parking and projections into yards. Definitions were amended to differentiate between decks, porches, patios, and terraces.

The committee further reviewed the process for Site Plan Review. New provisions were developed for major and minor site plans, and thresholds were clearly defined for both types of site plans. In addition to establishing procedures for Planning Board members, the application process was clarified and streamlined.

The committee completed a review of the Nonconformities and Administration & Enforcement chapters.



Auburn Sparks Zoning Subcommittee Meeting #7 | July 19, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Renee Jensen, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals Stephanie DeVito, Auburn BID / ZBA

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Terri Roney, Bousquet Holstein

Meeting Summary

Discussion

Next Steps

The meeting commenced at approximately 1:00 p.m. Kimberly started the meeting with a review of the current districts in the BOA and asked committee members to think about the vision for each district and how it will function in the future. The committee reviewed each district and identified opportunities to consolidate districts and reorganized district boundaries.

The proposed Downtown District was also examined in the context of the Auburn Business Improvement District (BID). It was suggested that due to a challenging review process to amend the BID boundary, the Downtown District can help include those businesses and properties that may otherwise not be included in the BID.

The committee further reviewed parcels along Clark Street, and proposed expanding the commercial (c) district to the other side of Clark Street along Route 5/20 which is currently zoned industrial. The committee agreed this district is more commercial than industrial, which is important considering surrounding uses are residential.

The project team provided a sample permitted use table that shows blank columns for the proposed districts, and sample bulk and use table. The project team will amend the draft zoning map which will serve as a foundation for completing the permitted use table.

The meeting adjourned at 3:15 p.m.



Auburn Sparks Zoning Subcommittee Meeting #8 | August 3, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Renee Jensen, Senior Planner Ed Darrow, Chair, ZBA

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Discussion

Next Steps

The meeting commenced at approximately 1:00 p.m. The purpose of the meeting was to focus on proposed districts in the BOA. Committee members reviewed the proposed zoning map that included four new districts: Downtown District, Central Corridor District, Flex Industrial District, and High Density / Mixed-Use Residential District. The committee agreed that there were minimal differences in the districts, and the vision and intent for the corridor is consistent. The BOA map will be amended to combine the Central Corridor, Flex Industrial, and Mixed-Use Districts.

The Steering Committee started their review of the permitted use table which will indicate what uses are permitted, accessory, allowed by Special Use Permit, or prohibited in each district. The committee completed their review of permitted uses for the proposed Downtown District and Central Corridor District. They further reviewed definitions and proposed additional uses including makerspace, urban agriculture, tow trucks and operations, and taxi dispatch stands.

The steering committee will continue the review of the permitted use table at the August 18th meeting.

The meeting adjourned at 3:15 p.m.



Auburn Sparks Zoning Subcommittee Meeting #9 | August 18, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Terri Roney, Bousquet Holstein

Meeting Summary

Discussion

The meeting commenced at approximately 3:10 p.m.

The purpose of the meeting was to continue the discussion of permitted uses in each of the proposed BOA districts. The committee reviewed the permitted use table for the two residential and commercial districts in the BOA. The board worked together to determine how each use would function in the district, and if it was appropriate for the vision of the district. The project team clarified definitions and supplemental regulations where necessary.

The steering committee will complete the permitted use table on their own. The results will be combined and discussed at the next meeting to be held in September.

The meeting adjourned at 5:15 p.m.



Auburn Sparks

Zoning Subcommittee Meeting #10 | September 19, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Brian Hicks, Code Enforcement Officer Ed Darrow, Chair, Zoning Board of Appeals

Project Team Members:

Kimberly Baptiste, Bergmann Associates Andy Obernesser, EDR

Discussion

The Committee revised the geography and standards of the downtown zoning district in order to achieve the desired form of compact, urban development along Main Street. Standards applicable throughout the entire district and standards applicable to building types were reviewed and discussed including:

- Building form
- Façade design
- Frontage types
- Awnings and canopies
- Streetscape and pedestrian amenities
- Screening walls, fences, and gates
- Parking
- Pedestrian movement
- Landscaping



Auburn Sparks Zoning Subcommittee Meeting #11 | October 18, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Stephen Selvek, Senior Planner Renee Jensen, Community Development Coordinator Stephanie DeVito, Auburn BID

<u>Project Team Members:</u> Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Discussion

The meeting commenced at approximately 3:00 p.m.

The Committee reviewed bulk and area standards for three BOA districts including the single-family, single- twoand multiple-family, and Central Corridor districts. The Committee worked together to determine how the lot requirements for each use would function in the district, and if it was appropriate for the vision of the district. The Committee agreed that it was appropriate to use the existing regulations as a base and amend as necessary.

The Project Team will revise the bulk and area standards based off the information provided in the meeting, and will forward to the Committee for their review prior to the next meeting.

The meeting adjourned at 5:00 p.m.

Zoning Subcommittee Meeting #12 | November 17, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Welcome and Introductions

The meeting commenced at approximately 1:15 p.m.

Kimberly welcomed the Zoning Subcommittee. The purpose of this meeting was to review sections of the draft Zoning Code Update. The Committee met on the following sections:

- Bulk and Use Tables
- Signage

Bergmann prepared a PowerPoint presentation that covered the City's existing sign regulations, the different approaches to sign regulation and the types of signs that can be regulated. Following the presentation, the Committee Members took a visual preference survey to better define the types of signs that they want to see and regulate in their City. See attached presentation and visual survey results for further detail.

Bergmann will take the comments received and make the appropriate edits.

The meeting adjourned at 3:15 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.

Zoning Subcommittee Meeting #13 | December 7, 2016

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee. The purpose of this meeting was to review sections of the draft Zoning Code Update. The Committee reviewed the bulk and use tables and provided comments on the proposed uses and restrictions.

Bergmann will take the comments received and make the appropriate edits.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.

Zoning Subcommittee Meeting #14 | April 4, 2017

Meeting Attendees

Advisory Committee:

Jenny Haines, Director of Planning and Economic Development Renee Jensen, Community Development Planner Brian Hicks, Code Enforcement Officer Stephen Selvek, Senior Planner

Project Team Members:

Kimberly Baptiste, Bergmann Associates Meagan Aaron, Bergmann Associates

Meeting Summary

Welcome and Introductions

Kimberly welcomed the Zoning Subcommittee at 3 PM. The purpose of this meeting was to review sections of the draft Zoning Code Update. The Committee reviewed the full draft of the Zoning Code and provided comment on regulating tiny houses and murals.

Bergmann will take the comments received and make the appropriate edits.

The meeting concluded at 5 PM.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.

ARTS SUBCOMMITTEE MEETINGS

Meeting Summary

City of Auburn, Downtown and Owasco River Corridor BOA Public Arts Subcommittee Meeting #1 | September 14, 2016

Attendees

Steering Committee Members

Jenny Haines, City of Auburn Renee Jensen, City of Auburn Stephen Selvek, City of Auburn Pete Cramer, Auburn Permaculture / ABC Mitch Maniccia, Seward House / ABC Jesse Kline, Auburn BID Audrey Iwanicki, Sculptor Sustan Talbot, Artist Donna Lamb, Schweinfurth Art Center Sue Waby, Finger Lakes Cooperative

Consulting Team

Kimberly Baptiste, Bergmann Associates Mark Johns, Bergmann Associations Jane Nicholson-Dourdas, Bergmann Associates

Welcome & Introductions

Kimberly Baptiste welcomed the group at 11:00 a.m. Following introductions, Kimberly provided a brief overview of the BOA process and how the Arts & Cultural Plan is being developed through the BOA grant. Kimberly explained that the purpose of the first meeting is to gather thoughts about how the best approach to developing a public arts ordinance for the City, that defines process, procedures and criteria. Additionally, the agenda included a review of the following topics:

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- Review of the Scope of Work
- Value of Public Art
- Learning from other Communities (Case Studies)
- Discussion
- Next Steps

Scope of Work: Arts & Cultural Plan

Kimberly began the presentation by reviewing the overall goals and objectives for the plan. The goals include:

- Developing a consistent review process;
- Establishing criteria to guide permitting;
- Establishing design criteria for installations;
- Identify parties responsible for the internal review process; and
- Identify locations, boundary, or districts for public art.

Value of Public Art

Kimberly provided a brief overview of the importance of public art and the need to develop a plan to ensure the community has a consistent and objective process. In addition to occurring in the public realm, public art comes in all forms and styles, engages the public, and celebrates the community's diversity. The benefits of public art are far reaching; opening a dialogue amongst community members, enhancing the quality of life in a community, strengthening the public realm, and spurring economic development.

Kimberly explained how many communities are designating public arts districts which are defined geographic areas intended to promote and support a range of arts and cultural activities.

Kimberly asked committee members if they would like to see the City focus public art in a targeted area, and if so, what area is most appropriate. Boundary considerations included:

- Downtown core possibly with a 1-mile radius
- South Street Historic District
- East Hill
- Tubman House
- State Street
- City Parks
- Along the Riverfront Trail (Seneca Falls example)

Learning from Other Communities

Kimberly continued the discussion with an overview of the different approaches to planning for public art. To start the discussion, Kimberly turned the presentation over to Jane Nicholson-Dourdas, Bergmann Associates, to present case studies of how other communities approach public art planning.

Jane noted that the purpose of presenting the case studies is to provide a range of examples. Jane provided an overview of each of the following communities:

St. Paul, Minnesota | Public Art Ordinance

A partnership between the City, District Councils, and Public Art Saint Paul. The Ordinance consists of several key documents including the Guidelines, Technical Document, and supplemental Public Arts Idea List. Artists submit their applications to the City for review by the DPW, Public Art Saint Paul and the District Council. Criteria include the installation's impact on public safety and artistic quality.



Syracuse, New York | Public Art Ordinance

An Ordinance established in 2007 to create a Public Art Commission and streamlined application review process. The Ordinance consists of three sections: Public Art Application, Public Art Coordinator, and Public Art Commission.



Ithaca, New York | Public Art Ordinance

In 1999, the Common Council established the Public Art & Design Commission, a revision to the 1992 Ordinance which shifted the focus to planning for public art. The updated Ordinance tasks the PAC with developing and implementing the public art plan, developing criteria for art selection, and advising the Common Council on all proposals for the display of art. Guidelines were developed for acquisitions, donations, and on-loan works of art. Responsibilities are shared among several City departments including the Common Council, Planning, City Attorney, DPW, and IT.

Wake Forest, North Carolina | Public Art Program & Commission

The Wake Forest Public Art Program and Commission was established through a partnership between the Town and local non-profit art organizations. Town staff serve as a liaison to the Commission who is responsible for approving the selection of public art. Criteria for selection include safety and maintenance, ADA accessibility, as well as department and community support.

Fredericksburg, Virginia | Public Art Policy

A Public Art Policy was developed in 2013 to provide consistent and objective policies for the installation and management of art work in the public right-of-way and other public spaces. The policy document outlines the requirements for public art, including forms of acceptable art, criteria, selection of artists, maintenance, and acquisition. The City developed policy statements for the selection criteria that provides artists with direction yet flexibility in their submissions.

Washington, D.C. | Uptown Arts Mixed-Use Overlay

The City established the Uptown Arts Mixed-Use Overlay District as part of the City's Zoning Ordinance. The purpose of the overlay was to provide for additional flexibility for artsrelated uses, as well as developer incentives for establishing additional art-related uses. The results of this overlay district have been an increase in adaptive reuse, increased presence and integration of the arts, as well as strong design character and a unique sense of place in the U-Street corridor.

The case study analysis demonstrates the range of approaches to planning for public art which can take the form of a plan, program, ordinance, development regulation, or combination of programs and policies.

Kimberly noted that the case studies showed a range of different criteria that could be developed in Auburn's ordinance. Examples range from artistic quality and merit, safety and durability to materials and ability to fit into the surrounding environment and context of the site.









Discussion

Kimberly opened the discussion and asked committee members which elements they liked about the different approaches and what may work for the City of Auburn. The committee discussed how the City may approach guidelines and criteria, process and administration, and public participation. Below is a summary of this discussion:

Guidelines & Criteria

- Public Right of Way versus on Private Property how do we address and differentiate?
- How are donations handled?
- Would prefer to see more stringent criteria
- Artists should be required to show how their work meets criteria and their knowledge base, but process should not eliminate emerging artists
- Durability
- Materials
- Safety
- ADA
- Ownership
- Maintenance big topic that must be addressed and considered. Bergmann to follow up with City DPW.
- Need to define public art in order to develop guidelines and criteria
- Include definitions to ensure consistent interpretation and administration
- Identify guidelines for temporary works of art and art events

Administration & Process

- Like idea of establishing new commission Public Arts Commission
- Commission should have representation from artist community
- Planning and DPW need to have a role
- Arts Commission should only review art in public right of way, zoning better approach for private property
- Think about art on private property similar to regulating signage

Public Participation

- Process should be transparent
- Need public buy in and support
- Should be an opportunity for public feedback and comment
- More engagement, more ownership from public
- Build public/neighbor notification into the process

Additional Considerations

- Keep in mind multiple audiences resident and visitor
- Auburn has national exposure leverage that
- Auburn Art Trail
- Needs to be a distinction between temporary and permanent installations
- In the future, would be good to have a budget set aside for a call for artists (if City is really serious about promoting)

Next steps in the process include developing recommendations for guidelines and criteria, as well as identification of the proposed boundary. The meeting adjourned at 12:45 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.

Meeting Summary

City of Auburn, Downtown and Owasco River Corridor BOA Public Arts Subcommittee Meeting #2 | October 18, 2016

Attendees

Steering Committee Members

Jenny Haines, City of Auburn Renee Jensen, City of Auburn Stephen Selvek, City of Auburn Kim Bauso, City of Auburn Mitch Maniccia, Seward House / ABC Jesse Kline, Auburn BID Audrey Iwanicki, Sculptor Sustan Talbot, Artist Donna Lamb, Schweinfurth Art Center Sue Waby, Finger Lakes Cooperative

Consulting Team

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Welcome & Introductions

Kimberly Baptiste welcomed the group at 1:00 p.m. Following introductions, Kimberly provided a brief overview of the meeting agenda including a discussion of the draft arts Ordinance, proposed boundary, and murals on private property.

Draft Arts Ordinance

Jane Nicholson-Dourdas provided an overview of each section of the Ordinance. The Committee provided feedback on elements that should be incorporated as outlined below.

Section 1 | Purpose

This section outlines the purpose of the Ordinance as it relates to public art within the City.

Section 2 | Applicability

The applicability section specifies that the Ordinance applies to all publicly-owned lands within the City of Auburn.

Section 3 | Definitions

Jane reviewed each of the definitions and asked Committee members to identify missing terms. The Committee identified additional terms including "Temporary Art", "Permanent Art", and "Abandoned".

Section 4 | District Boundaries

The Committee reviewed the draft district boundary map that was developed following the first meeting. The Committee agreed that the boundary should not be parcel-specific, but rather an outline or bubble diagram of priority areas. Priority areas should include the general vicinity of the downtown south to Seward Park, as well as the medians along Route 20 entering from the east, and the public parks. The map will be revised to include these areas.



Section 5 | Design Criteria

Jane reviewed the eight design criteria that will be used by the Public Art Commission to determine if a piece of art will be approved or denied. Criteria includes:

- Artistic merit and quality
- Intentionality of the artist
- Local significance and site-specificity
- Representation of a variety of styles and tastes
- Unrestricted public viewing
- Safety and durability
- Installation and maintenance of work
- Compatibility with established patterns of use at the site

Section 6 | Approval Process

This section outlines the steps for submitting a public art application and the department responsible for processing and distributing the application to the Public Art Commission. The City noted that a department has not been identified yet as the responsible agency for administering the process. Options could include the Department of Public Works, Recreation, or Planning and Economic Development.

Section 7 | Establishment of the Public Art Commission

The Public Art Commission (PAC) will be a newly formed board that is responsible for the approval or denial of a public art application. In addition, the PAC will be responsible for reviewing and updating the Arts & Cultural Plan, as well as selecting a jury for specific art acquisitions, such as a competition or selective RFP.

The Committee suggested that the Mayor appoint the first members of the newly established PAC, and subsequent members would be selected by a majority vote of the PAC. The Committee also wanted to inquire if members of the PAC had to be residents of the City, or if there were options to expand the membership to the County.

This section further outlines provisions for officers, compensation of members, meetings, and conflicts of interest.

Section 8 | Public Art Guidelines / Regulations

This section outlines how the City will acquire art including formal requests through an open request for qualifications, curated pool of artists, a blind request for proposals, or by direct invitation. The City may also acquire art through donations or unsolicited offers, as well as temporary on-loan items.

Additional guidelines were developed for the siting of public art, as well as procedures for installation and maintenance. The Committee recommended developing specific guidelines for identifying who is responsible for installing a piece of artwork and differentiating between permanent and temporary artwork.

Section 9 | Appeals Process

The appeals process was developed to ensure that the public art application process, review, and criteria are followed. The process is intended to be based on process issues only, such as conflict of interest or failure of the PAC to make a decision based on the established review criteria only. The Committee agreed that an appeals process is not necessary, as the PAC will have the opportunity to work with artists to ensure the artwork meets the required criteria.

Section 10 | De-Accession Policy and Procedure

The Ordinance outlines procedures for removing permanent works of public art whether acquired by direct purchase or through donation. The Ordinance specifies that the Commission should recommend removing a permanent piece of artwork if it meets one or more of the criteria included in the draft.

Next steps in the process include revising the draft Ordinance and proposed boundary.

The meeting adjourned at 3:00 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.

Meeting Summary

City of Auburn, Downtown and Owasco River Corridor BOA Public Arts Subcommittee Meeting #3 | November 17, 2016

Attendees

Steering Committee Members

Jenny Haines, City of Auburn Renee Jensen, City of Auburn Stephen Selvek, City of Auburn Kim Bauso, City of Auburn Dia Carabajal, City Council Robby McCormick, City Council Jeff Dygert, City Manager Pete Cramer, Auburn Permaculture Mitch Maniccia, Seward House / ABC Jesse Kline, Auburn BID Audrey Iwanicki, Sculptor Donna Lamb, Schweinfurth Art Center

Consulting Team

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates

Welcome & Introductions

Kimberly Baptiste welcomed the group at 3:00 p.m. Kimberly provided a brief overview of the meeting agenda including a discussion of the revisions to the draft arts Ordinance.

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Draft Arts Ordinance

Kimberly and Jane walked the Committee through each section of the Ordinance. The Committee provided feedback on elements that should be incorporated to specific sections as outlined below.

Section 2 | Applicability

The applicability section should specify which publicly-owned lands within the City of Auburn the Ordinance will apply to, such as sidewalks and all city-owned property.

Section 3 | Definitions

The Committee reviewed each of the definitions, and asked for clarity on "Abandoned", "Routine Maintenance", and "Public Art Plan".

Section 4 | Design Criteria

The Committee reviewed each of the design criteria that will be used by the Public Art Commission and any future jury in the approval process. Committee members asked to include cultural diversity in Subsection D - Representation of a variety of styles and tastes in the collection.

Section 5 | Approval Process

This section outlines the steps for submitting a public art application and the department responsible for processing and distributing the application to the Public Art Commission. The Committee asked to include application requirements for 3D artwork, as well as a detailed maintenance schedule. The City agreed that the Manager's Office should be the receipient of all public art applications, and be responsible for reviewing and forwarding the application to the Public Art Commission. The Committee wants to include provisions that state that a failure to act by the Commission does not result in a default approval.

Section 6 | Establishment of the Public Art Commission

The Committee suggested adding a line stating the the Commission has the authority to establish a jury, advisory group, or consult with artists when considering an application or piece of public art. Terms of membership will also be defined as to stagger terms, as well as the ability to have members of the community serve as at-large, non-voting members of the Commission. The Committee further discussed appointments to the Board, and agreed that the Mayor would approve the members of the first term, chairperson, and vice chairperson. Members of the Committee agreed that each member of the Commissions should abide by the City Code of Ethics, and to include a statement in the Ordinance.

Section 7 | Public Art Guidelines / Regulations

This section outlines how the City will acquire art including formal requests through an open request for qualifications, curated pool of artists, a blind request for proposals, or by direct invitation. The Committee agreed that there needs to be clear policies on who will be responsible for routine maintenance and emergency response.

Next steps in the process include revising the draft Ordinance and discussing art on private property. Kimberly recommended that the next meeting include the project team attorney to help identify the legalalities of regulating art on private property.

The meeting adjourned at 4:30 p.m.

Meeting Summary

City of Auburn, Downtown and Owasco River Corridor BOA Public Arts Subcommittee Meeting #4 | December 7, 2016

Attendees

Steering Committee Members

Jenny Haines, City of Auburn Renee Jensen, City of Auburn Stephen Selvek, City of Auburn Mitch Maniccia, Seward House / ABC Jesse Kline, Auburn BID Audrey Iwanicki, Sculptor Sustan Talbot, Artist Donna Lamb, Schweinfurth Art Center Ed Darrow, ZBA

Consulting Team

Kimberly Baptiste, Bergmann Associates Jane Nicholson-Dourdas, Bergmann Associates Terri Roney, Bousquet Holstein Natalie Hempson, Bousquet Holstein

Welcome & Introductions

Kimberly Baptiste welcomed the group at 3:10 p.m. Kimberly provided a brief overview of the meeting agenda including a discussion of the legal process for regulating art on private property, as well as revisions to the draft arts Ordinance.

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Regulating Art on Private Property

Terri Roney, Bousquet Holstein, stated that regulating art / murals on private property was about the health, safety, and welfare of the art. From a legal perspective, art cannot be regulated on private property without crossing into first amendment rights. She stated that the best way to go about this is to incorporate a section into the sign law that regulates business content, such as a mural that includes the name of a business, which would then be governed by the zoning law. The Committee questioned if a recent proposal of Harriett Tubman would fall under a commercial message. Legally, if it advertises a specific business or organization, it will be regulated by signage, but the proposal does not fit into that category. It was recommended that we incorporate language into the proposed sign law that regulates commercial messages.

Draft Ordinance

Terri reviewed the draft Ordinance and had recommended additions and revisions. She discussed adding an appeals process into the draft which is necessary when you have discretionary review by a decision-making body, such as a ZBA or Planning Board. If there is no appeals process, the City is open to an Article 78 which serves as the legal process for challenging a decision of an administrative agency (Planning Commission) in court. She further asked the Committee to consider who the process would appeal to, and suggested it be the

City Council as they are responsible for identifying membership. The Committee questioned whether an appeal could go to the Planning Board, as they have experience with the review process and are not elected officials.

Kimberly asked the Committee to remember that an appeal can only be made on three merits:

- The decision was based on something other than the established review criteria;
- The required information or other pertinent supporting material was not used during the review process; and/or
- Conflict of interest procedures were not followed.

This criteria is specific to process, and does not allow for an appeal to be filed if an artist is not satisfied with the decision of the Commission.

In addition to the appeals process, the Committee discussed adding language into the zoning code about hate crime / hate language. The attorney will draft language to be incorporated into the update that gives the City a degree of authority over hate language.

The meeting adjourned at 4:15 p.m.

This project was prepared for the City of Auburn and the New York State Department of State with funds provided through the Brownfield Opportunity Area Program.



Meeting #5 - April 4, 2017

Meeting Summary

1. Welcome

Kimberly welcomed attendees and noted this would be the final, formal Public Arts Committee Meeting associated with the BOA Project.

2. Discussion

Final Public Arts Ordinance

Kimberly distributed copies of the final Arts Ordinance and highlighted key changes resulting from discussion at the last committee meeting. Attendees were asked if they had any additional thoughts or changes. There were no additional changes or modifications. The City noted that this would be presented for adoption by the end of the year.

Review of Public Arts Plan Framework document

Kimberly also distributed copies of the Public Arts Plan that describes and summarizes key findings from this process, as well as an outline of information that should be included in a full Public Arts Plan for the City, when funding becomes available. Kimberly walked through the document section by section. No significant questions or concerns were noted.

3. Next Steps

Jenny Haines noted the City OPED was trying to put the Public Art Plan into their annual budget and additional information would be known in the coming weeks. She also reiterated the Public Arts Ordinance would be presented to Council for adoption by the end of the year.

All attendees were thanked for their time, energy and input into the Ordinance and Public Arts Plan overview.

PUBLIC MEETINGS

meeting summary

Auburn Sparks!

Community Workshop | October 20, 2015

Meeting Location

Hilton Garden Inn 74 State Street, Auburn 6:00 – 8:00 p.m.

Meeting Attendees

See attached sign in sheets

Mayor's Welcome

The City of Auburn Mayor, Michael Quill, welcomed residents to the meeting at approximately 6:15 p.m. Mayor Quill explained the importance of long-term planning and investment in the process to help create a healthy and vibrant Auburn. Following his remarks, Mayor Quill turned the presentation over to Jenny Haines (City of Auburn Planning & Economic Development) who introduced Bergmann Associates as the lead consulting firm on the project. Jenny provided a brief overview of the City's role in the process, and explained how the public involvement is a key part of developing the plan. Jenny turned the presentation over to Kimberly Baptiste (Project Manager, Bergmann Associates).

Introduction to Auburn Sparks!

Kimberly welcomed the group to the first of a series of public meetings and thanked everyone for participating in the process. Kimberly started the presentation with an introduction of the Project Team including City staff, Project Advisory Committee members, NYSDOS as the funder of the project, NYSDEC as a technical advisor, and the project consultants including Bergmann Associates, Camoin Associates, and EDR who were in attendance. Additional project team members include Bousquet Holstein, serving as the team's legal adviser and Allieway Marketing, who was responsible for public relations branding.

Project Overview

Kimberly presented an overview and framework of the BOA program which is intended to help propel area-wide planning and community revitalization efforts. Kimberly noted the term "BOA" does not reflect the positive vision for the community, and a new name – Auburn Sparks! –was developed to capture the momentum and active nature of this planning process. Moving forward, the plan and project will be referred to as Auburn Sparks!

Kimberly presented the key elements of the planning process, noting that it buildings on significant work already completed by the city. Key aspects highlighted include:

- Vision, Goals and Objectives which Kimberly explained the group will be working on following the presentation;
- Inventory & Analysis;
- Market Analysis;
- Redevelopment Plans;
- Feasibility Studies;
- Master Planning;

- Zoning Updates & Design Guidelines;
- Generic Environmental Impact Statement to incentivize and encourage development; and
- Marketing and Branding.

Kimberly explained that in order to plan for the future, we need to understand where we are today. This will be accomplished through an assessment of the city's existing conditions both physical and economic. The results of this analysis will lay the framework for developing short- and long-term goals, recommendations, and strategies.

Community Involvement

Kimberly encouraged residents to stay continuously engaged through the planning process. The project team has developed multiple avenues for participation including:

- Project Website: <u>http://www.auburnsparks.com</u>
- Photo contest (via project website)
- Public events (next date TBD)
- Collaboration with the Auburn Enlarged Central School District (S.T.E.A.M. students science, technology, engineering, arts, mathematics)

Small Group Exercise

Attendees of the meeting had the opportunity to engage in a visioning exercise to help identify what attributes their ideal community would have in 5 years, 10 years and beyond. To develop a future vision, Kimberly asked participants to think about what type of community they would like to see in the future-from where they would live, to the places they would shop and means of getting from home to work or school.

Participants worked in small groups to brainstorm their ideal community focusing on five topics: quality of life, environment, jobs & businesses, transportation and downtown. Additionally, each group was asked to prepare one positive, declarative "future statement" about the study are for each of the topics. A representative from each group presented the statements in front of the larger group. The "future statements" for each group are noted below.



Group 1:

- Environment: Auburn is clean and sustainable.
- Quality of Life: Our neighborhoods are safe, friendly and active.
- Downtown: We have a cohesive downtown that is a hub for activities for residents, businesses, and visitors.
- Jobs & Industry: Jobs are plentiful and diverse, leveraging our regional resources and strengths.
- Transportation: Various methods of transportation are available and accessible to residents, commuters, businesses and visitors.



Group 2:

- Environment: Leave it better than we found it.
- Quality of Life: Life of quality.
- Downtown: The place to live, work and play.
- Jobs & Industry: Employment hub offering a diverse, sustainable spectrum of job opportunities.
- Transportation: Safe, accessible and connective system that is usable by multiple generations.

Group 3:

- Environment: Public green space and clean water are a great environmental mix.
- Quality of Life: Building off the integrity of our best assets while still attracting development that fills the gaps (youth, employment.)
- Downtown: Layers of activities and uses- creating a place for people of all ages to enjoy.
- Jobs & Industry: Attracting and retaining quality jobs that utilize our unique, immobile assets.
- Transportation: Improving connectivity across nodes and between local and regional destinations.

Group 4:

- Environment: Anchored by its river, Auburn has a strong natural resource that people use for relaxation and communing with nature.
- Quality of Life: Auburn is known as being a safe place, with strong economic vitality, with job opportunities and respectful of the environment.
- Downtown: Downtown promotes an inclusive presence for all demographics while remaining safe and visually appealing.
- Jobs & Industry: Auburn has ignited a creative economy including the performing and visual arts, historic natural resources, and farm to table businesses that bolsters an innovative jobs and business industry.
- Transportation: Auburn has an innovative concept for mass transportation within the community as well as into and out of the community from regional transportation centers.

Group 5:

- Environment: Access to maintained green space.
- Quality of Life: Destination to live, work and play.
- Downtown: Vibrant, safe, and culturally bright hub.
- Jobs & Industry: Support the thriving travel and tourism industry.
- Transportation: Hub for specialty transportation.

Next Steps

At the conclusion of the presentation, Kimberly encouraged participants to visit the website regularly for updates and future events. The next public meeting will be held in the winter of 2016.

The meeting adjourned at 8:30 p.m.



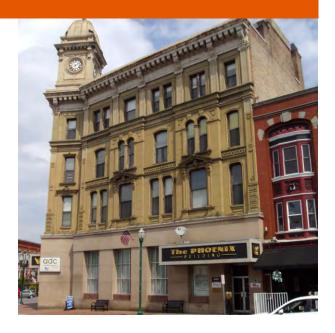






tonight's agenda

- Welcome
- Project Overview
- Creating Auburn SPARKS
- How to Get Involved
- Small Group Visioning
- Next Steps





the project team

- NYS Department of State
- NYS Department of Environmental Conservation
- City of Auburn Department of Planning & Economic Development
- Project Advisory Committee
- Stakeholders and Members of the Public

CONSULTANT TEAM MEMBERS

- Bergmann Associates
- EDR
- Camoin Associates
- Bousquet and Holstein
- Allieway Marketing



what is a BOA?



what is a BOA?

BOA = Brownfield Opportunity Area

- a state funding program
- provides financial and technical assistance
- area-wide planning efforts
- supports community revitalization

let's call it what it really is!





promoting Auburn's assets











Sparking Kinship for Residents







Sparking Creativity in the Culinary Arts



Sparking Reinvention in Industry





project purpose

- Identify strategies for business attraction (industry, downtown, tourism)
- Add predictability to site redevelopment
- Ensure future plans reflect vision of the community
- Identify funding resources & pursue grants
- Identify project "champions"



setting the stage

The planning phase of the project will identify strategies to leverage existing resources and opportunities to ensure the long-term economic, social and environmental wellbeing of the City of Auburn.

PLANNING PROCESS: JUNE 2015 – OCTOBER 2016

project background

- Owasco River Greenway Trail Project Phase 1 (2014)
- EPA Brownfield Assessment Phase 1 & 2
- EPA Brownfield Site Market Analysis (selected sites; 2014)
- EPA Brownfield Redevelopment Plan (selected sites; 2014)
- Cayuga County Vehicular Wayfinding System (2013)

- Building a Sustainable Future: City of Auburn Comprehensive Plan (2010)
- Cayuga County Economic Development Strategic Plan (2011)
- Retail Site Assessment (2007)
- Downtown Design Guidelines (1996)

SPARS

key elements of Auburn SPARKS

- Vision, Goals & Objectives
- Inventory & Analysis
- Market Analysis
- Site Specific Redevelopment Plans
- Master Plan
- Zoning Updates & Design Guidelines
- Generic Environmental Impact Statement
- Marketing and Branding Strategy



understanding where we are today....

Existing Land Uses	Dunn and	Market Realities
Parks and Open Space	McCarthy Cu	Itural Amenities
Land Ownership	Downtown Real Estate Trends	
Zoning	Natural Resources	Infrastructure
Connectivity	Transportation Bombardier Corridors Hydropower	

...lays the framework for tomorrow

Vision

Long-term Goals

Actions

Implementation



a roadmap to revitalization





get information anytime

Welcome to Auburn Sparks www.auburnsparks.com #auburnsparks About Auburn Sperka

enter our photo contest

Share your visual expressions of what Auburn means to you



Submit your photos at: www.auburnsparks.com

come to future public events



support the city's future leaders

- Experiential learning program focused around City / School District collaboration
- Increase awareness in STEAM
 - Humanities
 - Biology
 - Earth Science
 - Physics
 - Graphic Design







8/9/2017

A VISION WITHOUT A PLAN IS JUST A DREAM.

A PLAN WITHOUT A VISION IS JUST DRUDGERY.

BUT A VISION WITH A PLAN CAN CHANGE THE WORLD.

city's vision statement

Auburn's historic significance guides a city that champions a culture of creativity and civic engagement.

why is visioning important?

Generates a common goal

Offers the possibility for fundamental change

Provides a sense of control over future

Gives community something to move toward

Generates creative thinking and shared ideas

thinking about Auburn's future

Where would people live?

What kind of a house would you live in?

In their free time, where would people go and what would they do? Where would people work?

How would people get to work and school?

Where would you shop?

Where does the City's energy come from?

small group exercise

Brainstorm what your ideal community would look like in 10 to 20 years...



Quality of Life



Environment



Jobs & Business





Transportation

Downtown

small group exercise

- Approximately 10 minutes per "topic"
- As a group, prepare one positive, declarative one-sentence "future statement" about the study area. Make the statement present tense.

Example: You can walk safely at night. There are lots of trails. My children will stay in Auburn because of the great jobs.

- Pick one person from each group to read the one-line "future statements" to the larger group
- Listen for similarities....and differences



reach out with questions and ideas!

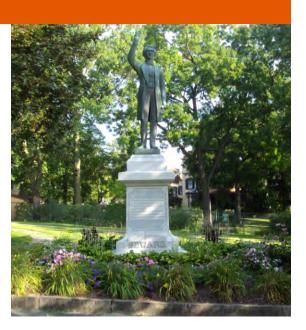
Jennifer Haines, City of Auburn jhaines@auburnny.gov

Kimberly Baptiste, Bergmann Associates kbaptiste@bergmannpc.com

http://www.auburnsparks.com

what's coming up...

- Student Engagement
- Stakeholder Interviews
- Existing Conditions
- Market Analysis
- Draft Vision Statement
- Redevelopment Opportunities
- Public Workshop #2 Winter 2016



City of Autors Towntows & Zmasco Biver Corridor Study

SIGN IN SHEET

Community Workshop | October 20, 2015

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Community Workshop | October 20, 2015

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Community Workshop | October 20, 2015

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workshop summary

Auburn Sparks!

Community Workshop | March 15, 2016

Workshop Location

Hilton Garden Inn 74 State Street, Auburn 6:00 – 8:00 p.m.

Workshop Attendees

See attached sign in sheets

Welcome & Visual Preference Survey

Members of the Project Team welcomed participants as they signed into the workshop and asked them to participate in a Visual Preference Survey (VPS) before the start of the presentation. Participants used stickers to identify images they most preferred and least preferred for the downtown and neighborhoods. Each area included a series of images and description of best practices.



Neighborhoods

Most Preferred:



Least Preferred:



Downtown

Most Preferred:



Least Preferred:



Introductions & Presentation

Kimberly welcomed the group to the second Auburn Sparks public workshop and thanked everyone for participating in the process. Kimberly started the presentation with an introduction of the Project Team including City staff, Project Advisory Committee members, NYSDOS as the funder of the project, NYSDEC as a technical advisor, and the project consultants including Bergmann Associates, Camoin Associates, and EDR who were in attendance. Additional project team members include Bousquet Holstein, serving as the team's legal adviser and Allieway Marketing, who was responsible for public relations branding.

Project Overview

Kimberly presented an overview and framework of the BOA program which is intended to help propel areawide planning and community revitalization efforts. Kimberly introduced Auburn Sparks! and the focus area, noting that revitalization efforts will have a cumulative effect that extend beyond the BOA boundary. The Project Team has been actively involved in community outreach activities to develop a strong understanding of the downtown and its neighborhoods. This has included four project advisory committee meetings, zoning subcommittee meetings, public meetings, the IGNITE workshop, stakeholder interviews, and the CEDA luncheon.

Key Findings Recap

Kimberly presented the key findings associated with the existing conditions analysis. Topics covered in the analysis include existing land use, environmental, and socioeconomic conditions. Kimberly provided an overview of population trends and demographics, existing land use and zoning, publicly-owned vacant properties, and parks and open space.

Auburn by the Numbers

Michael N'dolo (Camoin Associates) presented preliminary findings from the market analysis to help members of the public understand economic and industry trends. Michael provided an overview of redevelopment projects that have helped start the transformation process in Auburn. Anticipated growth in the downtown and Auburn Sparks Study Area can be attributed to a demographic and consumer preference shift which will create an increased demand for high-end rental housing, student housing, and new-build apartments and condos that are centrally located.

The retail analysis focused on the regional trade area and identifying opportunities in the Auburn Sparks Study Area. The analysis revealed that with changing consumer preferences (online shopping), retail needs to be experience-based with a focus on "destination style" retail. The City needs to be able to accommodate a limited number of additional small-scale retail development such as clothing stores, full service restaurants and bars, specialty food stores, and entertainment. There are additional opportunities to leverage the Finger Lakes Musical Theater Festival (FLMTF) and the Center for the Arts as well as local centers and neighborhoods. Challenges identified in the market analysis include undeveloped property of a sufficient size to accommodate major retail centers, as well as a limited demand for office space.

The last piece of the analysis included industrial opportunities. Michael emphasized that there remains a demand for modern industrial space in the form of flex space that can be easily converted for different uses. Opportunities in the Study Area include the division of larger facilities to accommodate multiple smaller users, as well as the conversion of existing structures into mixed-use.

The results of the market analysis indicate that a range of opportunities exist in the Auburn Sparks Study Area that can be realized through a series of City actions, and be self-funding in the long term.

What makes a "Great" Community?

In preparation of the design workshop exercise, Kimberly asked participants to think about communities other than Auburn that they consider "great". Participants identified Saratoga Springs and Skaneateles as being places that are considered great for their amenities, neighborhoods and range of activities. Kimberly provided an overview of other characteristics that contribute to a great community and strong quality of life including:

- Walkable, multi-modal options;
- Promotes human interactions through a variety of formal and informal spaces;
- Safe and accessible;
- Allows for a range of development types;
- Keeps the ground level active;
- Considers new uses for old buildings;
- Incorporates sustainable principles into the landscape.





Small Group Exercise

Following a trivia ice breaker, participants had the opportunity to engage in a design exercise to graphically depict the desired vision for the future of Auburn Sparks. Participants worked in small groups to provide guidance on preferred end uses, locations and types of new development, parks and trails priorities, streetscape projects, public investments, and transportation enhancements.

Part I: The Study Area

Participants worked in small groups on two activities. The first activity focused on the entire BOA Study Area. Participants were given a 36"x48" map and were asked to write and draw their ideas for projects and initiatives they'd like to see undertaken in the next 10 years. All topics were included – trails, parks, new development, streetscapes, roadways, wayfinding, etc. Results from each group are outlined below.

Group 1:

- Gateway development
- Cottages along Osborne Street
- Convert the fire/police station into a visitor center
- Bike racks downtown
- Green space on the corner of Loop Road
- Boutique hotel/condo/retail above Bank of America building
- Remove mounds on Exchange Street
- Welcome sign needed coming into City from the east
- Need space for coffee shop & bakery

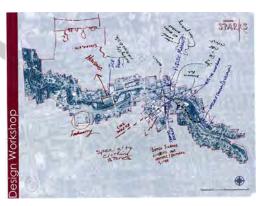
Group 2:

- Industry at the Bombardier site
- Specialty clothing stores
- Better signage
- Linking our historic/cultural sites
- Close Loop Road
- Upscale housing development along Owasco Street
- Dunn & McCarthy Site housing, ice rink
- Indoor or all season public market

Group 3:

- Downtown parking study
- N. Street / S. Street gateway
- Expand traffic controls difficult pedestrian crossings
- Gateway aesthetic improvements coming in on Route 20 from the West
- Retail for Dunn & McCarthy
- Develop West Downtown
- Owasco Park end of trail system, connection to downtown; farmers' market like Ithaca







Part II: Strategic Sites

The second activity focused on five strategic sites including:

- Bombardier
- 9 Owasco Street
- Dunn & McCarthy
- The Nolan Property
- Wadsworth Street

Each group was given a poster for each site that had a map and stickers/labels depicting various types of development – commercial, industrial, housing – as well as community features such as bike lanes, transportation shelter, playgrounds, trails, and food carts. Participants were asked to identify the types of



desired development for each site, and place a sticker to represent such use. They were able to draw on the accompanying map to further communicate their ideas. Results from each group and site are outlined below.

Group 1:

1. Bombardier

- Brewery / Distillery & Aquarium ("Drink like a fish")
- BMX/Sketboard Park / Rollerskating
- Climbing Wall
- IKEA
- Bikestore
- WonderWorks
- Harvey Davidson Store

2. 9 Owasco Street

- Lighting & Walkways
- Cleaned-up & open

3. Dunn & McCarthy

- Public waterpark / sprayground
- Townhouses along riverfront / gated community public playground (i.e. Logan Loft)
- Improved playground on adjacent Cottage Place Park

4. Nolan Property

- Keep historic storefronts remove old bank property on the corner
- Westside of Nolan building would become the storefront, landscaped corner
- Mixed-use, residential and retail
- Close Loop Road, use backside of property for food trucks, farmers' market, biking pop up farmers' market if the space is open

5. Wadsworth Street

- Hidden forest, fishing, walking, paths, picnic areas, mill interpretation, lighting, increase access
- Townhouses or rowhouses along Conoga Street





Group 2:

1. Bombardier

- Subdivide the property into smaller industrial spaces
- Rail distribution to inland harbor in Dewitt; agricultural products, etc.
- Indoor recreation center

2. 9 Owasco Street

• Upscale housing development

3. Dunn & McCarthy

- Ice arena
- Prison Brewery
- Transportation shelter
- Formal bike path

4. Nolan Property

- Housing along Loop Road
- Mixed Use
- Trail along Loop Road
- Formal mixed use building on corner bank property

5. Wadsworth Street

- Mixed use
- Park

Group 3:

1. Bombardier

- Casino
- Jobs, pay taxes
- Make use of central location and agriculture; cold storage for apples, produce; re-distribution would take advantage of FLRR transportation (2x/day)

2. 9 Owasco Street

- Fishing
- Housing w/ beautiful views
- Lazy river
- Recreation needs assessment

3. Dunn & McCarthy

- Cultural prison museum
- Transportation hub







ker to draw and highlight other id

• Enough residential

4. Nolan Property

- Enclosed farmers' market
- Keep views to the water
- Public waterfront

5. Wadsworth Street

- Bike trail with interpretive elements
- Natural
- Historic/ruins/industry
- Open

Next Steps

At the conclusion of the presentation, Kimberly encouraged participants to visit the website regularly for updates and future events, and to continue to promote the Auburn Sparks photo contest.

The workshop adjourned at 8:15 p.m.







the project team

- NYS Department of State
- NYS Department of Environmental Conservation
- City of Auburn Department of Planning & Economic Development
- Project Advisory Committee
- Stakeholders and Members of the Public

CONSULTANT TEAM MEMBERS

- Bergmann Associates
- EDR
- Camoin Associates
- Bousquet and Holstein
- Allieway Marketing



promoting Auburn's assets



Sparking Simplicity Downtown



Sparking Play on the Waterfront



Sparking Kinship for Residents



Sparking Inspiration in the Creative Arts



Sparking Creativity in the Culinary Arts



Sparking Reinvention in Industry



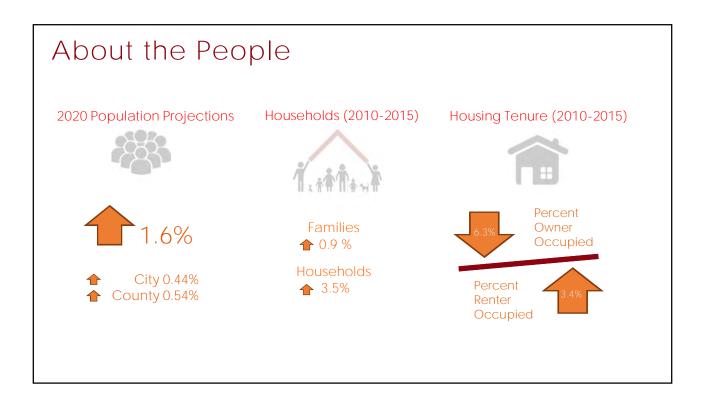
engagement activities

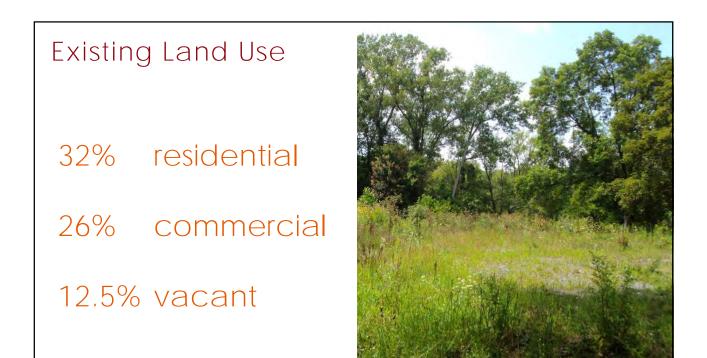
- Four (4) Project Advisory Committee Meetings
- Zoning Subcommittee Meetings
- Public Meeting #1
- IGNITE Workshop
- Stakeholder Interviews
- CEDA Luncheon



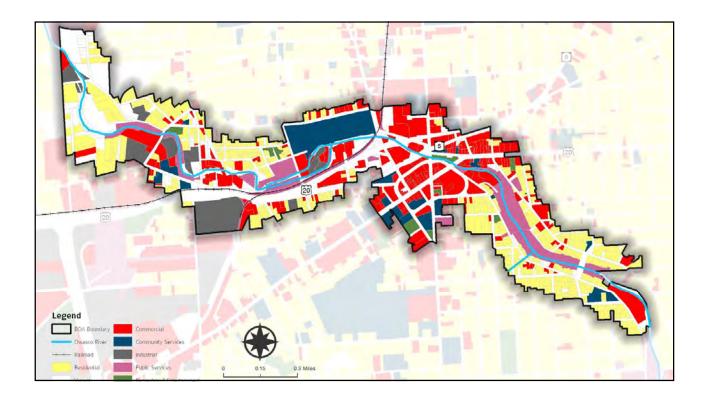
understanding where we are today			
Existing Land Uses	Dunn and	Market Realities	
Parks and Open Space		Cultural Amenities	
Land Ownership	Downtown Real Estate Trends		
Zoning	Natural Resources	Infrastructure	
Connectivity	Transportation Corridors	ombardier Hydropower	

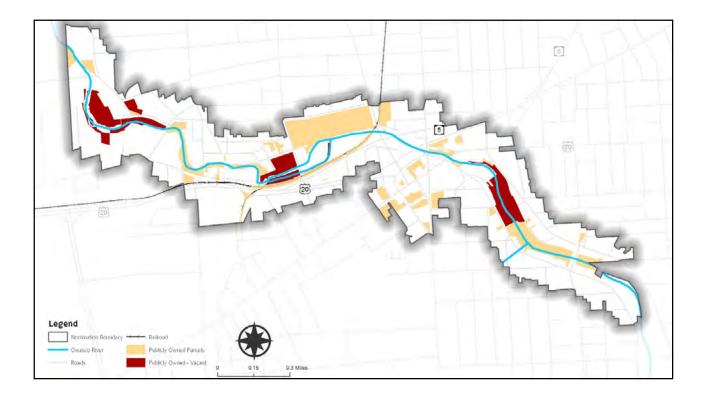


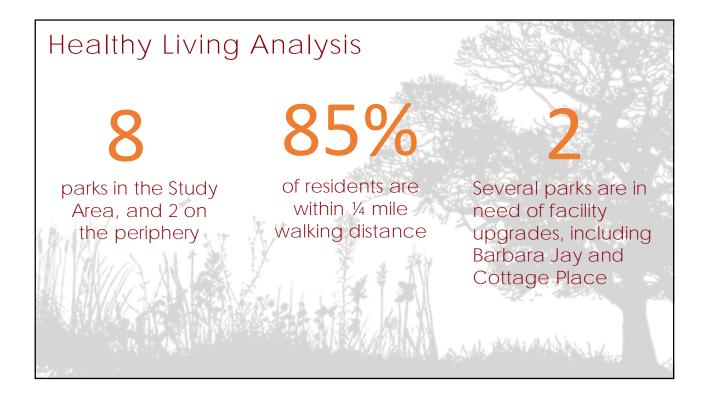


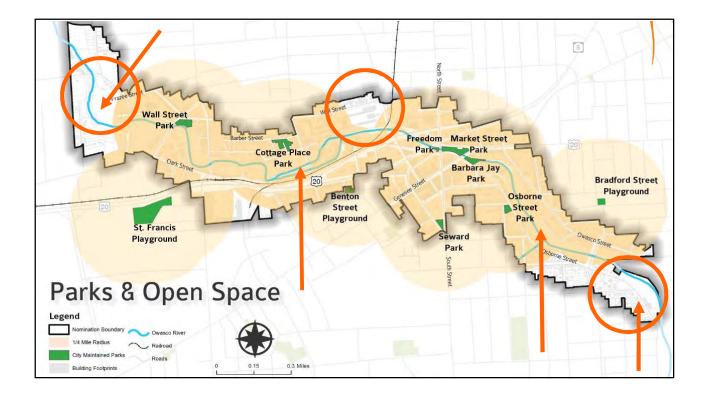


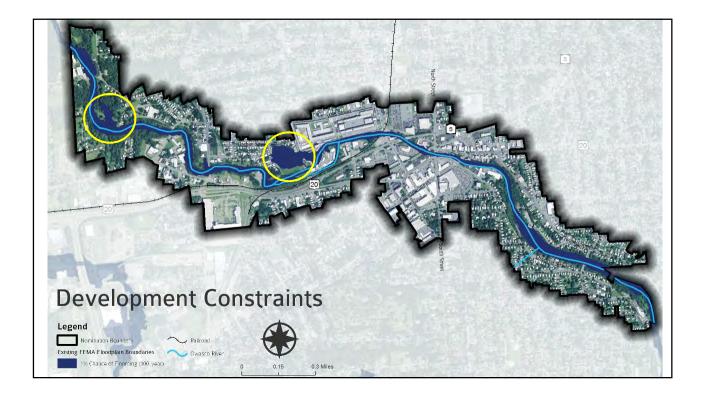
42 Wadsworth Street - 11.8 acre Vacant Site

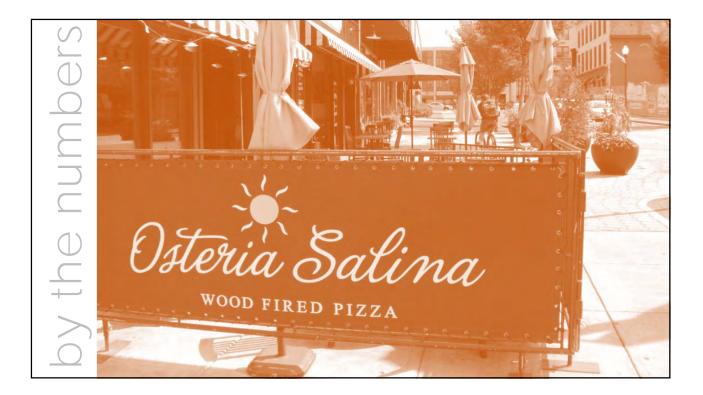


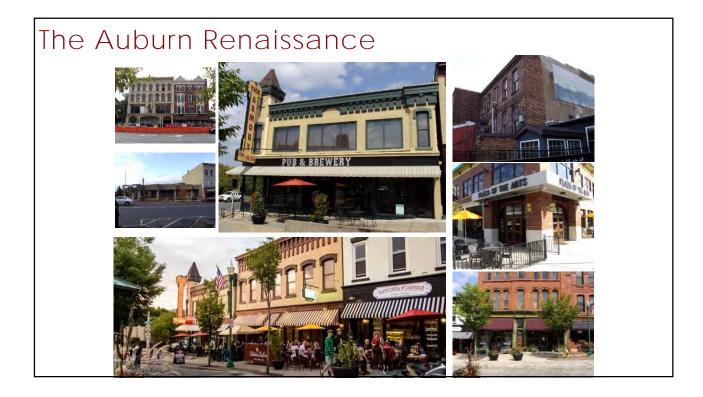






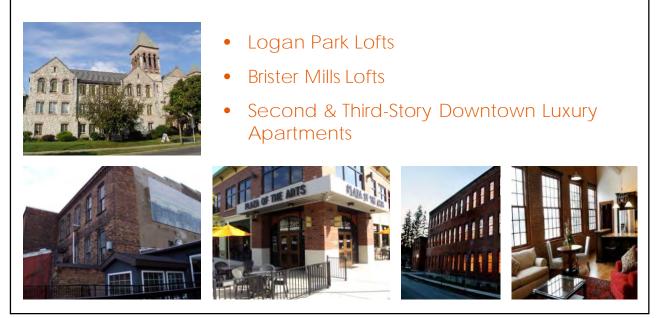




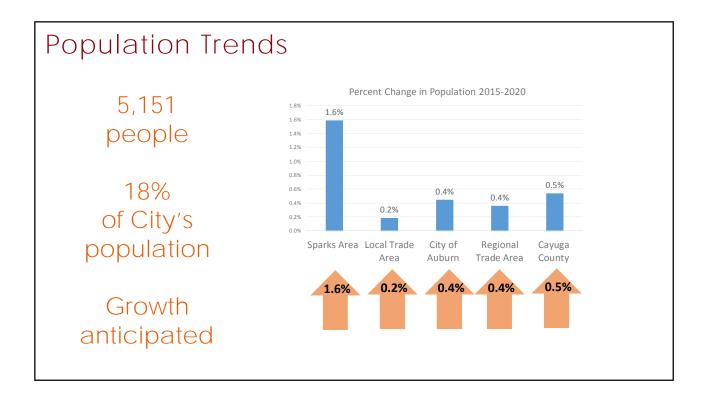


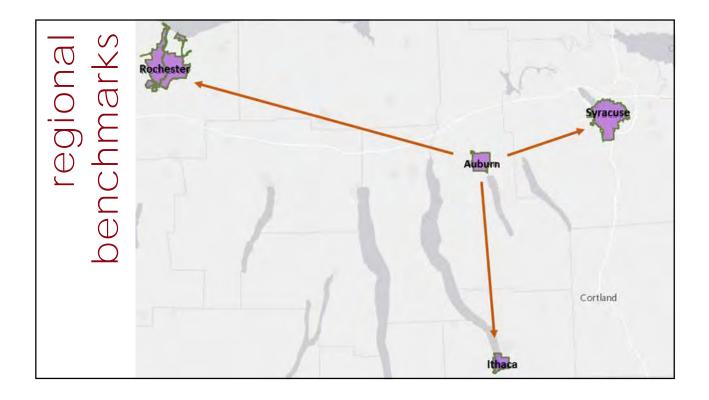
What's new in Auburn	
A.T. Walley & Co.	Wild for Yogurt
The Counter	Beautiful Things
Good Shepherd's Brewing Co.	Dance Hall Antiques
Maggie's at Riverbend	Downtown Books & Coffee
Mesa Grande	Finger Lakes Art Coop
Moondog's Lounge	The Flower Shop
Moro's table	RX City
Osteria Salina & Bambino's Bistro	Thirsty Pug Craft Beer Market
Prison City Pub & Brewery	And a number of new
3 Leaf Tea	massage, yoga, salons and other wellness businesses
Underground	

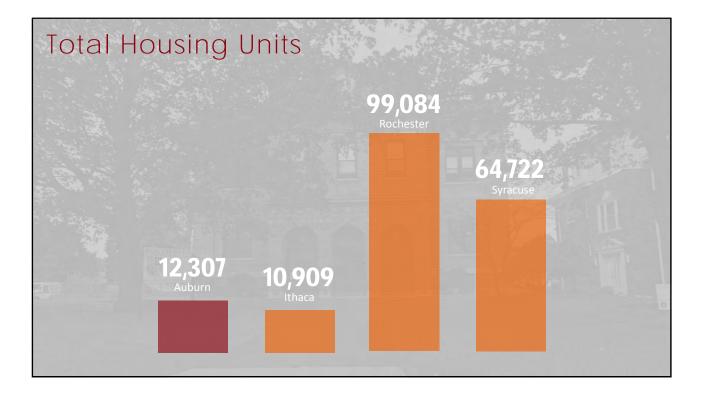
Things Are Happening in Auburn

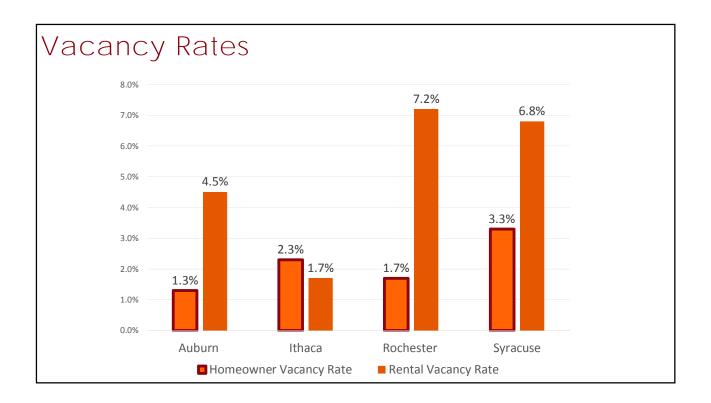












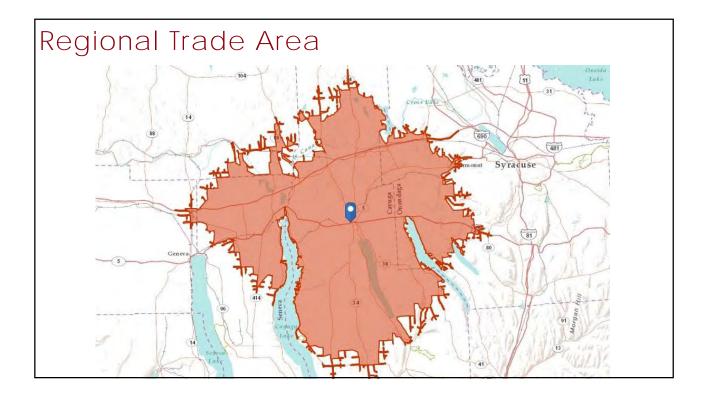




Housing Opportunities to Consider

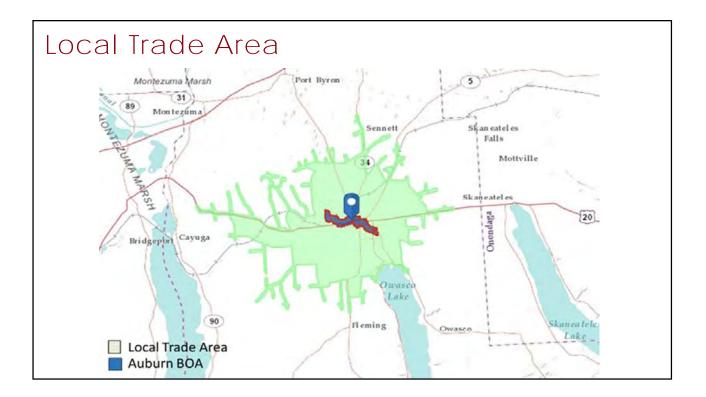
- High-End Rental Housing
- Student Housing
- New-Build Apartments and Condos
- Reintegration of Waterfront Housing Developments
- Dunn and McCarthy (residential combined with other uses)
- Inducing Other Types of Development





Regio	ona	al Retail Ma	rket A	Analy	'sis		
0			nal Trade Area Sales S	5			
	NAICS	Industry Group	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap		Number of Businesses
	441	Motor Vehicle & Parts Dealers	\$236,081,411	\$163,005,544	-\$26,924,133	-5.4	82
	4411	Automobile Dealers	\$209,952,852	\$243,182,640	-\$33,229,788	-7.3	42
	4412	expected amount	\$12,210,252	\$8,646,552	\$3,563,700	17.1	20
	4413	Au spent by consumers	S \$13,918,307	\$11,176,352	\$2 po	sitive "ga	p" 20
	442	Fu at retail	\$27,646,162	\$23,079,375		eans dolla	
	4421	Fue establishments	\$13 6/1 110	\$6 154 315	07	leaving t	ha 13
	4422			at stores	-\$2 are	•	.ne 20
	443	Electionics a Appliance Stores	🚽 🛛 in th	e region	\$31	region	19
	444	Bldg Materials, Garden Equip. & Supply	\$36,757,287	\$17,506,391	\$19,250,896	35.5	47
	4441	Bldg Material & Supplies Dealers	\$30,819,963	\$11,380,411	\$19,439,552	46.1	34
	4442	Lawn & Garden Equip & Supply Stores	\$5,937,324	\$6,125,979	-\$188,655	-1.6	13
	445	Food & Beverage Stores	\$217,379,156	\$202,289,940	\$15,089,216	3.6	77
	4451	Grocery Stores	\$189,736,134	\$185,039,436	\$4,696,698	1.3	46
	4452	Specialty Food Stores	\$10,441,834	\$3,084,684	\$7,357,150	54.4	19
	4453	Beer, Wine & Liquor Stores	\$17,201,189	\$14,165,820	\$3,035,369	9.7	12

		Regional Trade	Area Opportuni	ties		
N	AICS	Industry Group	Retail Gap	25% Recapture	Average Sales per Business in Upstate NY	Potential
	4412 Other Mot	or Vehicle Dealers	\$3,563,700	\$890,925	\$693,391	1.3
	4413 Auto Parts	s, Accessories & Tire Stores	\$2,741,955	\$685,489	\$781,664	0.9
	4421 Furniture	Stores	\$7,486,804	\$1,871,701	\$875,879	2.1
	4441 Bldg Mate	rial & Supplies Dealers	\$19,439,552	\$4,859,888	\$1,035,676	4.7
20	4451 Grocery S	tores	\$4,696,698	\$1,174,175	\$3,062,462	0.4
	4452 Specialty	Food Stores	\$7,357,150	\$1,839,288	\$219,676	8.4
	4453 Beer, Win	e & Liquor Stores	\$3,035,369	\$758,842	\$1,084,153	0.7
	4481 Clothing S	itores	\$1,053,668	\$263,417	\$961,599	0.3
1	4483 Jewelry, L	uggage & Leather Goods Stores	\$4,871,117	\$1,217,779	\$370,139	3.3
	4511 Sporting	Goods/Hobby/Musical Instr Stores	\$7,746,000	\$1,936,500	\$389 085	5.0
	4531 Florists		\$964,305	\$241,076	Bass Pro	Shops 4
	4532 Office Sup	oplies, Stationery & Gift Stores	\$1,654,994	\$413,749		
10	4541 Electronic	Shopping & Mail-Order Houses	\$92,552,030	\$23,138,008		0
	7221 Full-Service	e Restaurants	\$21,382,748	\$5,345,687	11 ICIUC 09/9,101	.5
	7222 Limited-Se	ervice Eating Places	\$11,514,514	\$2,878,629	\$796,566	3.6



	Local Trad	e Area Opportunit	ies		
NAICS	Industry Group	Retail Gap	25% Recapture	Average Sales per Business in Upstate NY	Number of Potential Businesses†
4411	Automobile Dealers	\$10,540,787	\$2,635,197	\$6,843,133.70	0.39
4412	Other Motor Vehicle Dealers	\$1,306,273	\$326,568	\$693,390.66	0.47
4421	Fumiture Stores	\$1,250,890	\$312,723	\$875,879.10	0.36
4441	Bldg Material & Supplies Dealers	\$5,151,612	\$1,287,903	\$1,035,675.92	1.24
4452	Specialty Food Stores	\$1,779,459	\$444,865	\$219,675.80	2.03
4481	Clothing Stores	\$11,069,733	\$2,767,433	\$961,599.08	2.88
4483	Jewelry, Luggage & Leather Goods Stores	\$1,661,037	\$415,259	\$370,139.43	1.12
4532	Office Supplies, Stationery & Gift Stores	\$397,739	\$99,435	\$170,986.12	0.58
4539	Other Miscellaneous Store Retailers	\$1,286,617	\$321,654	\$465,517.06	0.69
4541	Electronic Shopping & Mail-Order Houses	\$30,332,875	\$7,583,219	\$3,360,237.67	2.26
4542	Vending Machine Operators	\$444,938	\$111,235	\$470,693.09	0.24
7223	Special Food Services	\$2,463,580	\$615,895	\$973,150.44	0.63

More Data!

- Changing Consumer Preferences Online Shopping!
- Retail Needs to be an "Experience"
- Leveraging FLMTF and Center for the Arts
- Local Centers, Neighborhoods

Retail Opportunities to Consider

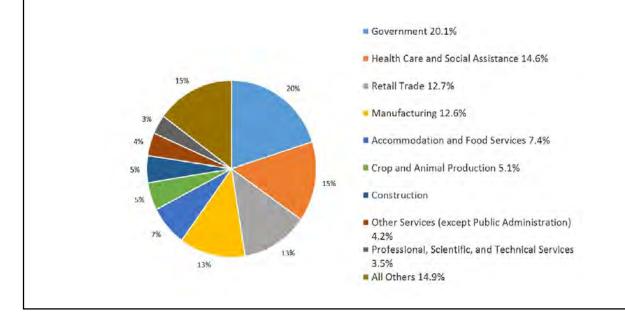
- Ability to accommodate a limited number of additional small-scale retail development
 - ✓ clothing stores
 - ✓ full service restaurants and bars
 - ✓ specialty food stores
 - ✓ entertainment
- Potential "destination style" retail

Constraints

- Undeveloped property of sufficient size to accommodate major retail centers
- Challenging market for office space



Regional jobs by Sector, Cayuga County



1	Growth Trends in Industrial Space Using	Industries, Ca	ayuga County	/	
NAICS	Description	2005 Jobs	2015 Jobs	Change	% Change
3111	Animal Food Manufacturing	0	14	14	
3112	Grain and Oilseed Milling	<10	28	-	
3113	Sugar and Confectionery Product Manufacturing	33	31	(2)	(6%)
3115	Dairy Product Manufacturing	<10	<10	-	-
3116	Animal Slaughtering and Processing	<10	0	-	
3118	Bakeries and Tortilla Manufacturing	126	95	(31)	(25%)
3121	Beverage Manufacturing	29	38	9	31%
3371	Household and Institutional Furniture and Kitchen	18	<10	-	-
3372	Office Furniture (including Fixtures) Manufacturing	0	26	26	
3379	Other Fumiture Related Product Manufacturing	23	0	(23)	(100%)
3391	Medical Equipment and Supplies Manufacturing	16	37	21	131%
3399	Other Miscellaneous Manufacturing	85	85	0	0%
4921	Couriers and Express Delivery Services	27	<10	-	
4922	Local Messengers and Local Delivery	<10	<10	-	· ·
1000	Total	3738	3716	-22	-0.59%

Cayuga County's Largest Employers

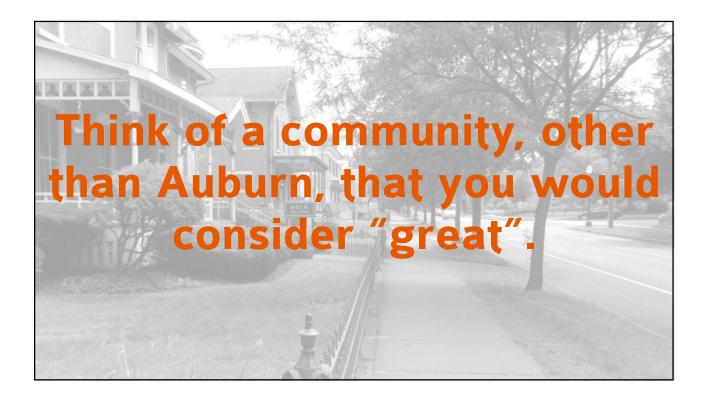
Company	City	Employment Count
Auburn Memorial Hospital	Auburn	767
Department of Corrections	Auburn	700
Department of Corrections	Moravia	525
Auburn Enlarged School District	Auburn	444
Cayuga Onondaga BOCES	Auburn	400
Wal-Mart Stores Inc	Auburn	400
County of Cayuga	Auburn	375
Xylem	Auburn	338
Wegmans Food Markets Inc.	Auburn	320
Cayuga Community College	Auburn	300
TRW Automotive Inc.	Auburn	300
Nucor Steel Auburn Inc.	Auburn	290
Union Springs Central School	Union Springs	250
Bass Pro Inc	Auburn	238

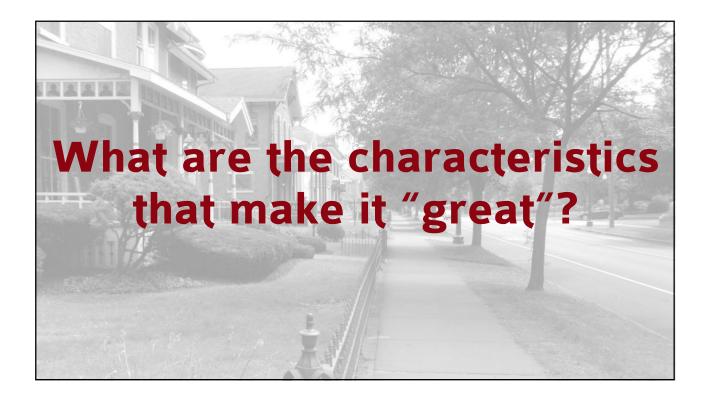


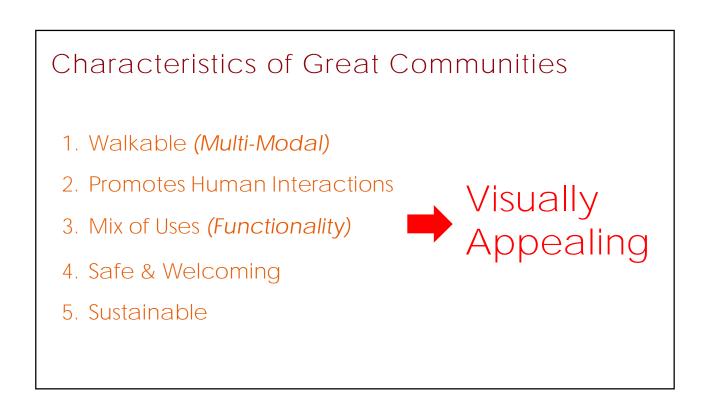


- Conversion of existing structures into mixed use
- Dunn and McCarthy Site: "Cayunity" proposal to create public gathering space with mix of public-oriented uses









Great Communities...



... consider all modes of transportation



Public Transportation

Great Communities...



...welcome and invite

Great Communities...

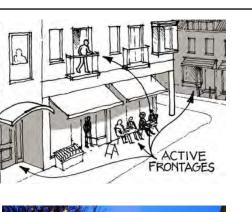


...ensure people are comfortable in their surroundings.



and, consider safety in design.

- Natural surveillance
- Windows overlooking sidewalks
- Transparent vestibules
- Pedestrian lighting





Great communities...



... offer a variety of formal and informal spaces to create opportunities for human interaction.

Great communities...



...provide areas for outdoor seating, increasing the odds of the "chance encounter".



Great Communities... keep the ground level activated.

- Residential and office uses above retail, entertainment, restaurant
- Consider local needs for retail and services
- Maintain strong relationship to neighborhood



Great Communities... ensure their historic building stock remains relevant.

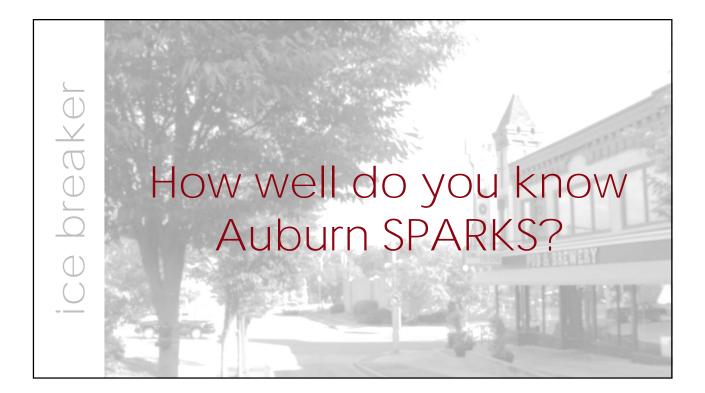
- Retain existing structures for new uses, when appropriate
- Preserve character and history

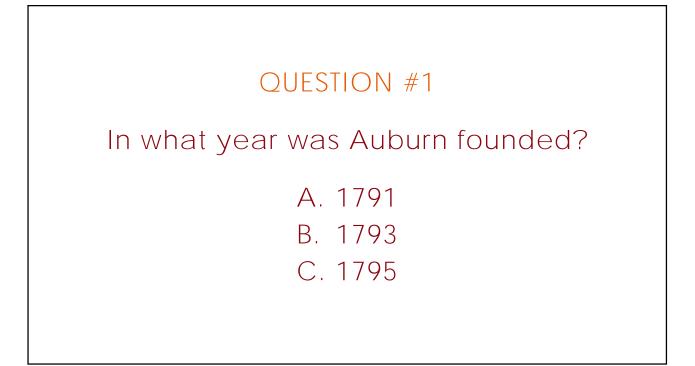


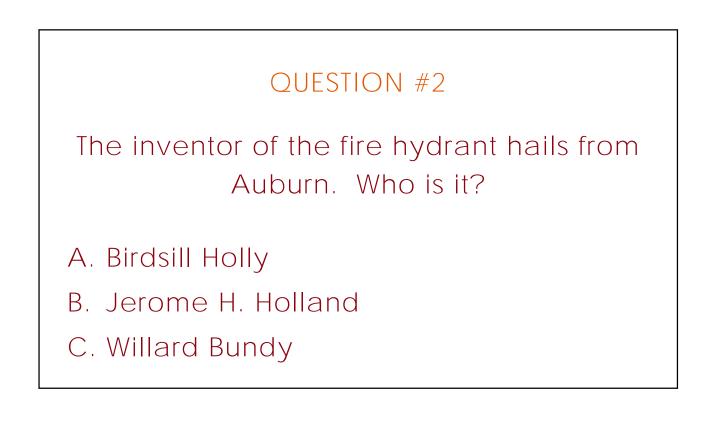
Great communities... incorporate sustainability in design.

- Storm water management
- Flood hazard mitigation
- Streetscapes
- Alternative energy
- Scenic views









QUESTION #3

A nationally recognized urban planner grew up in Auburn, was recognized as one of the "Top 100 Urban Thinkers" and later became the Mayor of Ventura, California. Who is he?

- A. Joe Simitian
- B. Kevin Lynch
- C. William Fulton

QUESTION #1

In what year was Auburn founded?

B. 1793

QUESTION #2

The inventor of the fire hydrant hails from Auburn. Who is it?

A. Birdsill Holly

QUESTION #3

A nationally recognized urban planner grew up in Auburn, was recognized as one of the "Top 100 Urban Thinkers" and later became the Mayor of Ventura, California. Who is he?

C. William Fulton



Design exercises: Why?

Graphically depict desired vision for the future of Auburn SPARKS

Provide guidance on:

- Preferred end uses
- Locations and types of new development
- Parks and trail priorities
- Streetscape projects
- Public investments
- Transportation enhancements



Design exercise: Reimagine Auburn SPARKS

Part 1:

Think about entirety of study area.

Write and draw your ideas for projects and initiatives you'd like to see undertaken in next 10 years on the large maps.

All "topics" are on the table – trails, parks, new development, streetscapes, roadways, wayfinding, etc.

Design exercise: Questions to Consider

Part 1 (25 minutes):

- 1. Considering market findings, where should we focus various types of development?
- 2. What public projects should be implemented? Think about streetscapes, parks, hydro and trail investments.
- 3. What projects are needed to support existing residents and neighborhoods?
- 4. What are other key sites downtown? What projects need to support downtown?

Design exercise: Strategic Sites

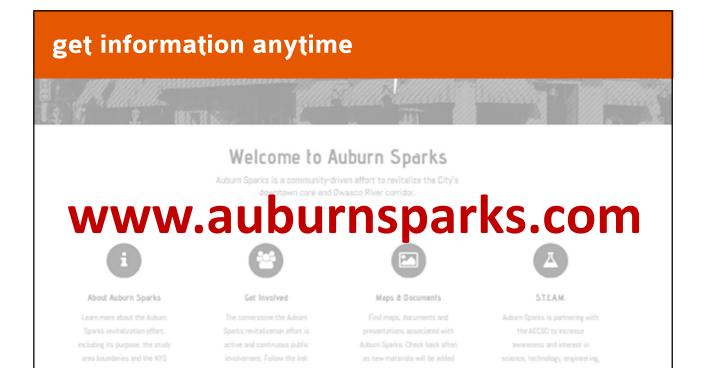
Part 2 (20 minutes):

Think about your preferred uses for strategic sites.

Discuss which images best represent the type of development you think is most appropriate.

Be an urban planner. Draw the buildings and site improvements you'd like to see!





enter our photo contest

Share your visual expressions of what Auburn means to you



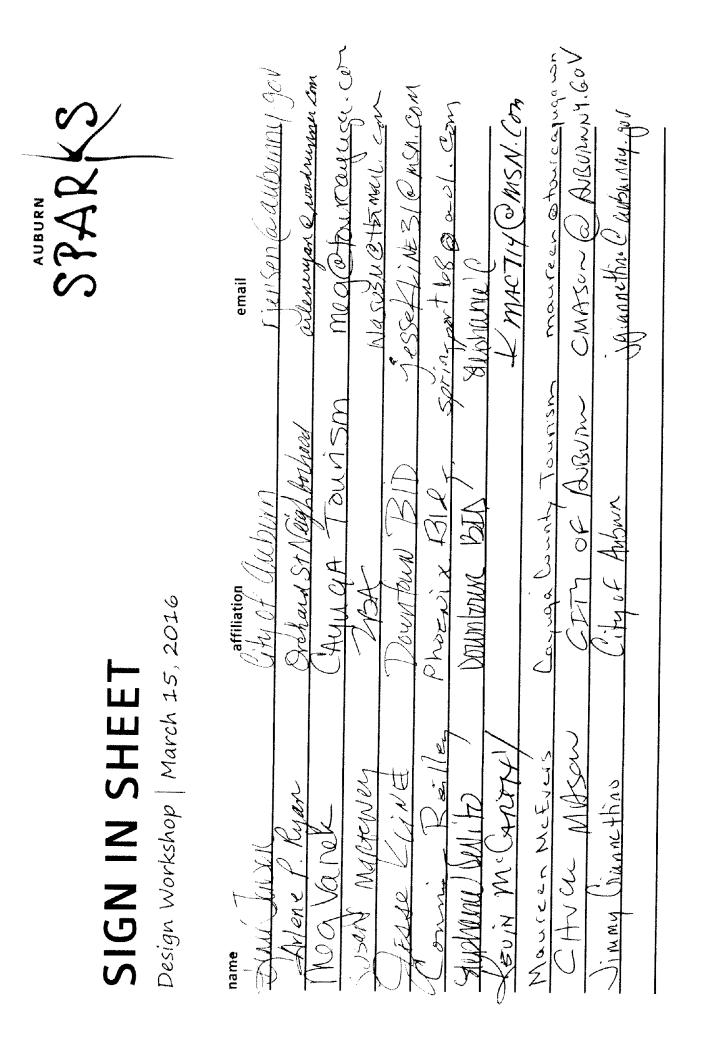
Submit your photos at: www.auburnsparks.com

reach out with questions and ideas!

Jennifer Haines, City of Auburn jhaines@auburnny.gov

Kimberly Baptiste, Bergmann Associates kbaptiste@bergmannpc.com

http://www.auburnsparks.com



STUDENT ENGAGEMENT

Involving Student's in the City's Brownfield Opportunity Area Planning Process

Project Goals:

- Create model program for City / School District collaboration.
- Increase awareness and interest in science, technology, engineering and math (STEM).
- Align real-world projects with the Auburn Enlarged City School District mission to grow capacity and opportunity for students to get involved in STEM-related activities.
- Build long-term capacity and awareness within the residents of Auburn.

Learning Opportunities for Students:

Through class-developed projects/studios specific to the BOA study area, students will have the opportunity to directly interact with the STEM professionals, present their ideas and findings at public meetings and build capacity in the community.

BROWNFIELDS

Work with Environmental Engineers to understand how brownfield information and data is collected and interpreted to inform future land use planning.

Potential Activities:

- Guided bus tour of brownfield sites to learn about the curbside assessment process
- In-class session to discuss data gathering and how information is used in planning
- Provide literature to classroom teachers for further instruction
- Teacher-defined research project specific to brownfield assessment

ECOLOGY AND AQUATIC RIVERINE SYSTEMS

Work with Biologists to work within stream education stations to better understand water quality and overall riverine conditions.

Potential Activities:

- Set up sampling stations at four locations mouth of outlet, upstream from the dam, downstream from the dam and in a naturalized area
- Conduct sampling in Fall and Spring (Fall session with Bergmann, Spring session through classroom instruction)
- Collect water and macro invertebrate samples
- Provide database for students to input data and run statistics over time

HYDROPOWER

Work with Water Resource engineers to conduct a preliminary feasibility assessment for hydropower at the Dunn & McCarthy site, including a review of previous hydro investigation reports and site visits.

Potential Activities:

- Site visit to working and potential hydropower station locations with Water Resource engineer
- In-classroom learning opportunities and literature distribution
- Research paper, facilitated by classroom instructor, analyzing power output for multiple locations

STEP 2 Nomination Study

Strategic Site Profiles

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.



2-38 Wadsworth Street

Background Information

Owner: City of Auburn

Size: 3.4 acres

Current Use: combined sewer overflow facility

Zoning: C (general commercial)

\$

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- One curb cut onto Wadsworth St.
- Informal access to Owasco River
- Site contains off-road pedestrian trail
- 200 feet to nearest CENTRO bus stop

Adjacent Uses: vacant, residential, industrial

Buildings: one, single-story brick structure

Notable Site Features: several dam ruins along the banks of the Owasco River

(V)

Environmental and Land Use History

Presence of Contaminants:

- Listed on the Petroleum Bulk Storage database
- Oil spill closed as of 2009

Possible Future Environmental Actions:

Investigate shallow fill material if excavation is required for site development

Former Uses: Wadsworth & Son Scythe Factory

Redevelopment Opportunities

Use Potential: open space

Possible Amenities:

- Increased access to waterfront
- Key node along Owasco Greenway Trail



2-38 Wadsworth Street



Background Information

Owner: Bombardier Alco Power Inc.

Size: 15.7 acres

Current Use: vacant

Zoning: I (industrial park district)

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- Curb cuts onto Orchard and Columbus Streets
- Just off Route 5 & 20
- Railroad spur on eastern portion of site
- Multiple CENTRO bus stops on Columbus

Adjacent Uses: commercial

Buildings: approximately 90,000 square feet of existing industrial building space

Environmental and Land Use History

Presence of Contaminants:

- Listed on the Petroleum Bulk Storage database
- Listed as a Large Quantity Generator of hazardous wastes
- 12 known spills of contaminants including freon, lube oil, and chlorofluoromethane

Possible Future Environmental Actions:

- Perform a subsurface investigation to evaluate soil and groundwater
- Perform a hazardous waste/contaminated materials survey

Former Uses: Bombardier Transportation Factory

Redevelopment Opportunities

- **Use Potential:**
 - Infill redevelopment
 - Commercial and retail space



Hwy 5

Orchard St

151 Orchard Street

WIG



Background Information

Owner: City of Auburn

Size: 7.5 acres

Current Use: combined sewer overflow facility

Zoning: C (general commercial)

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- Curb cuts onto West and Venice Streets
- Access to the Owasco River
- CENTRO bus stop at the corner of Washington and West Streets

Adjacent Uses: residential, commercial, near Auburn Correctional Facility

Buildings: one, small, single-story structure

Environmental and Land Use History

Presence of Contaminants:

- Two closed oil spills, both meeting NYSDEC Cleanup Standards
- Large amount of hard fill material stored on the site for road construction projects

Possible Future Environmental Actions:

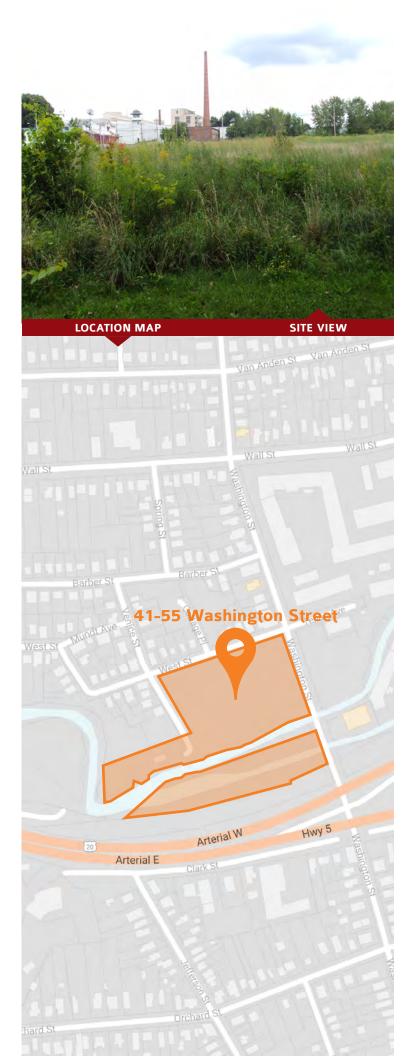
- Determine if further investigation of soil/fill is required based on future site use
- Consider a soil cap

Former Uses: Dunn & McCarthy Shoe Factory

Redevelopment Opportunities

Use Potential:

- Housing
- Commercial
- Enhanced open space



SITE 1-7 State Street

Background Information

Owner: City of Auburn

Size: 0.17 acres

Current Use: vacant

Zoning: C2 (central commercial district)

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- Pedestrian access from State Street
- On-street parking in front of site on State
- 250 feet to nearest CENTRO bus stop

Adjacent Uses: commercial

Buildings: no structures

Notable Site Features: located on the vibrant and active State Street commercial corridor

Environmental and Land Use History

Presence of Contaminants:

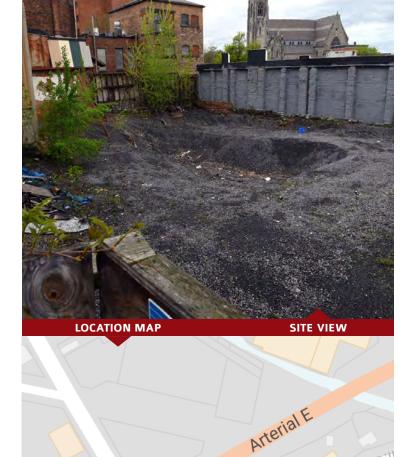
- Demolition of the structure left some asbestosand lead-containing materials at the site
- Soil and groundwater samples did not detect or were below NYSDEC standards for contaminants

Possible Future Environmental Actions:

- Groundwater will be re-sampled due to sampling error
- Former Uses: Kalet Department Store

Redevelopment Opportunities

Use Potential: public green space



1-7 State Street

GeneseeSt

ArterialE

Clark St

GeneseeSt

SITE 41 Genesee Street

Background Information

Owner: Nolan Block, LLC

- Size: 0.04 acres
- Current Use: vacant
- Zoning: C2 (central commercial district)

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- Pedestrian access from Genesee Street
- On-street parking in front of site on Genesee and rear parking lot access from Loop Road
- 200 feet to nearest CENTRO bus stop

Adjacent Uses: commercial

Buildings: one, three-story apartment building

Environmental and Land Use History

Presence of Contaminants:

- No known contaminants

Possible Future Environmental Actions:

- Investigate possible presence of lead based paint or asbestos-containing materials
- Former Uses: Nolan's Shoes

Redevelopment Opportunities

Use Potential: mixed-use commercial space





SITE 9 Owasco Street

Background Information

Owner: City of Auburn

Size: 9.6 acres

Current Use: Mill Street Dam Hydropower Station and combined sewer overflow facility

Zoning: R2 (single-, two-, and multiple-family residential)

Infrastructure, Accessibility, and Buildings

Existing Infrastructure: gas, electric, water, sewer

Proximity to Transportation Networks:

- Vehicular access from Miller and Osborne Streets
- Access to Owasco River
- 250 feet to nearest CENTRO bus stop

Adjacent Uses: residential, commercial, public services

Buildings: two, single-story buildings

Environmental and Land Use History

Presence of Contaminants:

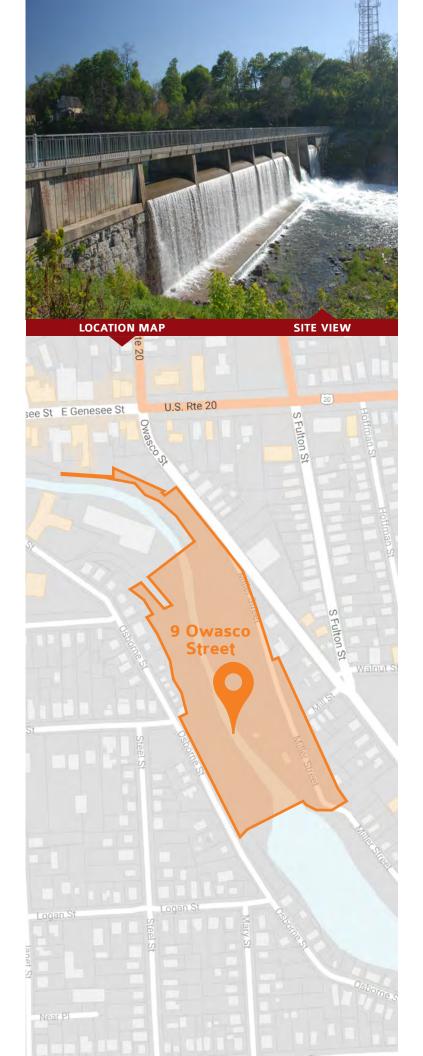
- Select SVOCs and metals exceed NYSDEC threshold concentration
- Subsurface contamination at adjoining property may impact groundwater

Possible Future Environmental Actions:

- Investigate possible presence of lead based paint or asbestos-containing materials in demolition debris
- Former Uses: textile mill

Redevelopment Opportunities

- Use Potential:
 - Open space
 - Connectivity to Owasco River Greenway Trail



STEP 2 Nomination Study

APPENDIX C

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

Auburn Market and Trends Analysis

January, 2016

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Socioeconomic Profile

1. Demographic and Socioeconomic Overview

The Table 1 compares basic demographic indicators for the Auburn Sparks Area, the Local Trade Area, the City of Auburn, the Regional Trade Area, Cayuga County, and the State of New York. The data revealed several noticeable trends:

- The Auburn Sparks Area, in percentage terms, is expected to grow faster in population than all other compared geographies except for the State of New York.
- The total number of households in the Auburn Sparks Area is expected to increase more in percentage terms than any of the other compared geographies.
- The median age in the Auburn Sparks Area is 36.7, which is less than any of the referenced geographies.
- The Auburn Sparks Area has a relatively low median income level of \$29,800 per household as compared to Cayuga County's \$52,522. Along with the City of Auburn, the Auburn Sparks Area is expected to receive the highest percentage gain in median income.

Table 1: Basic Demographics

Basic Demographics								
Population								
	2015	2020	Change 2015-2020	% Change 2015-2020				
Auburn Sparks	5,151	5,233	82	1.6%				
Local Trade Area	33,897	33,960	63	0.2%				
City of Auburn	27,953	28,078	125	0.4%				
Regional Trade Area	107,424	107,812	388	0.4%				
Cayuga County	81,077	81,515	438	0.5%				
NY	19,704,032	20,119,871	415,839	2.1%				
		Households	;					
	2015	2020	Change 2015-2020	% Change 2015-2020				
Auburn Sparks	1,618	1,664	46	2.8%				
Local Trade Area	14,462	14,582	120	0.8%				
City of Auburn	12,003	12,135	132	1.1%				
Regional Trade Area	43,894	44,267	373	0.8%				
Cayuga County	32,365	32,731	366	1.1%				
NY	7,476,368	7,650,474	174,106	2.3%				
Average Household Size								
	2015	2020	Change 2015-2020	% Change 2015-2020				
Auburn Sparks	2.2	2.19	(0.01)	-0.5%				
Local Trade Area	2.18	2.17	(0.01)	-0.5%				
City of Auburn	2.14	2.12	(0.02)	-0.9%				
Regional Trade Area	2.36	2.35	(0.01)	-0.4%				
Cayuga County	2.37	2.36	(0.01)	-0.4%				
NY	2.56	2.55	(0.01)	-0.4%				
Median Age								
	2015	2020	Change 2015-2020	% Change 2015-2020				
Auburn Sparks	36.7	37.2	0.5	1.4%				
Local Trade Area	41.4	41.7	0.3	0.7%				
City of Auburn	39.6	40.2	0.6	1.5%				
Regional Trade Area	43.5	44.3	0.8	1.8%				
Cayuga County	42.6	43.6	1.0	2.3%				
NY	38.7	39.5	0.8	2.1%				
	Ме	dian Household	Income					
	2015	2020	Change 2015-2020	% Change 2015-2020				
Auburn Sparks	\$ 29,800	\$ 35,361	\$ 5,561	19%				
Local Trade Area	\$ 46,210	\$ 51,937	\$ 5,727	12%				
City of Auburn	\$ 40,625	\$ 48,156	\$ 7,531	19%				
Regional Trade Area	\$ 54,369	\$ 59,547	\$ 5,178	10%				
Cayuga County	\$ 52,522	\$ 56,670	\$ 4,148	8%				
NY	\$ 58,048	\$ 66,766	\$ 8,718	15%				
Source: ESRI								

Chart 1 shows the distribution of household income for the comparison geographies. The City of Auburn and the Auburn Sparks Area have the largest portion of households in the <\$15,000 range. About 16% of the Auburn Sparks Area's households have income levels in the \$15,000-\$24,999 range, which is the highest of the comparison geographies. The Auburn Sparks Area has a much lower percentage of households in the upper income brackets of \$75,000+ relative to the other geographies.

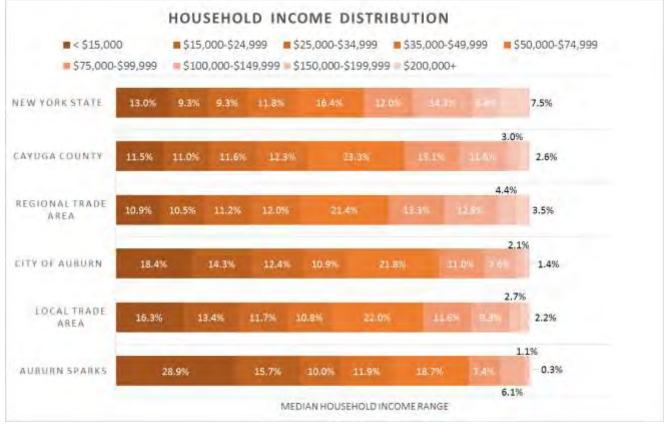


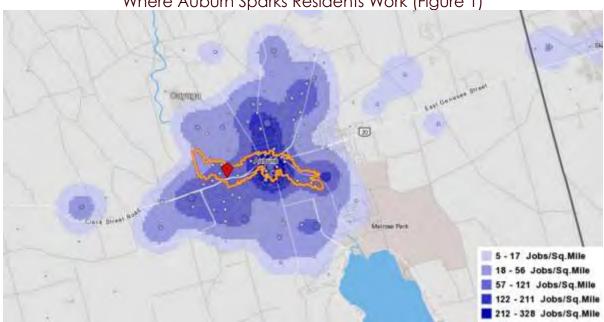
Chart 1: Household Income Distribution

Source: ESRI

Note: Reginal Trade Area and Local Trade Area defined in the Retail Market Analysis section.

2. Commuting Patterns

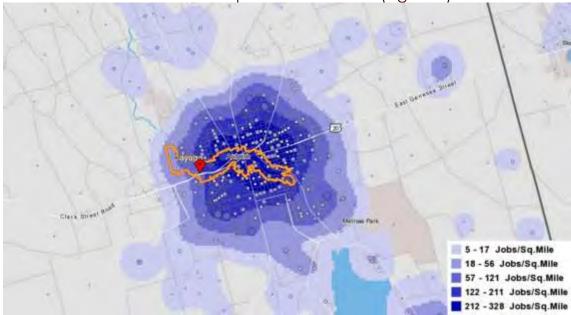
The following figures illustrate where residents that live in the Auburn Sparks Area work, and conversely, where individuals that work at businesses in the Auburn Sparks Area live. The majority of Auburn Sparks residents work within or just outside the Auburn Sparks Area, in either downtown Auburn, along North Street, or within the Auburn City limits. Some residents also travel east to Skaneateles and Syracuse.





Source: CES OnTheMap

Individuals that work in the Auburn Sparks Area primarily reside in the City of Auburn with some traveling from the surrounding communities of Seneca Falls, Port Byron, Skaneateles, and Syracuse.



Where Auburn Sparks Workers Live (Figure 2)

Source: CES OnTheMap

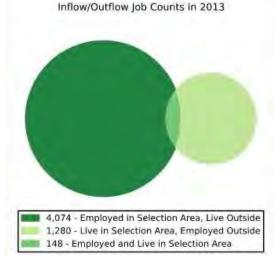
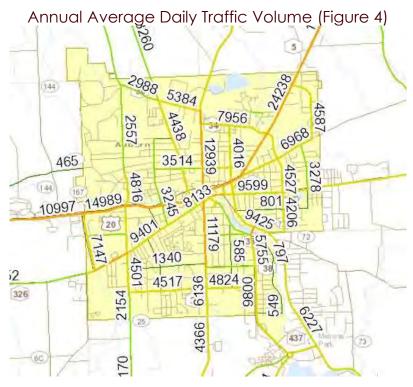


Figure 3 Source: CES OnTheMap

There is a significant amount of cross-commuting (i.e. Auburn Sparks residents leaving the neighborhood for work while many non-residents travel into the Sparks Area for their job). Only about 150 of the individuals that work in the Auburn Sparks Area also reside in the neighborhood. About 1,280 people that live in the Auburn Sparks Area work outside of the neighborhood and about 4,074 workers come into the Auburn Sparks Area but reside elsewhere.

Figure 4 (below) provides average daily traffic volumes for the main travel corridors in and around the Auburn Sparks Area. Parts of North Street average between 11,179 and 12,939 counts a day, and E. Genesee Street averages 8,133 to 9599 counts per day. On the southeast portion of the Auburn Sparks Area, North Division Street gets an average of about 4,816 counts a day and RT–38A gets about 9425 counts daily.



Source: NYS DOT Traffic Data Viewer - http://gis.dot.ny.gov/tdv/

Different types of retailers have different requirements for traffic count thresholds. In general, local convenience stores such as gas stations require at least 10,000 to 15,000 average daily trips with strong local foot traffic support. Specialty, destination-style retailers tend to rely less on traffic counts.

3. Industry Employment

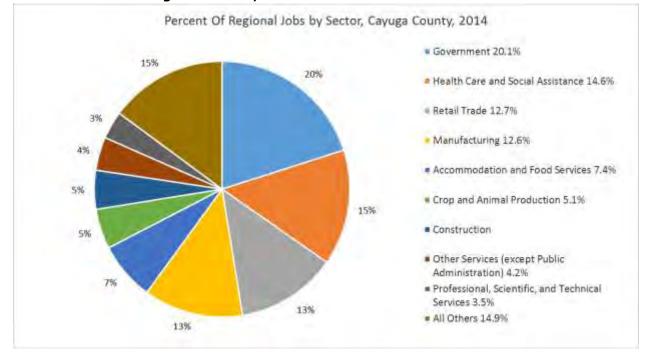


Chart 2: Percent of Regional Jobs by Sector

Existing employment levels and projections by industry sector are evaluated to identify the relative size of industries in an area's economy and any expected change in employment levels within industries.

The largest industry by employment in Cayuga County is Government, which employs over 5,500 workers. Health Care and Social Assistance is the next largest employment sector, with over 4,000 workers, followed by Retail Trade with over 3,600 workers. Manufacturing is the fourth largest industry in the County.

Table 2 shows the projected employment change by industry from 2014 to 2024 and average annual earnings per worker (EPW) for 2014. The industries are listed in order by the anticipated number of jobs gained by 2024. Health Care is projected to add 541 jobs and remain the largest employment sector over the next 10 years.

Other industry sectors that are expected to experience significant job growth over the next decade include Professional Scientific, and Technical Services, Manufacturing, Accommodations and Food Services and Construction. Industries expected to lose a significant number of jobs include Crop and Animal Production, Information, and Retail Trade.

	Projected Change in Employment	by Industry.	Cayuga Cou	inty		
						2014 Avg.
NAICS	Description	2014 Jobs	2024 Jobs	Change	% Change	Earnings
				-	-	Per Job
62	Health Care and Social Assistance	4,240	4,781	541	13%	\$44,269
54	Professional, Scientific, and Technical Services	1,018	1,374	356	35%	\$72,417
31	Manufacturing	3,649	3,893	244	7%	\$65,075
72	Accommodation and Food Services	2,136	2,341	205	10%	\$16,706
81	Other Services (except Public Administration)	1,224	1,381	157	13%	\$21,569
23	Construction	1,424	1,542	118	8%	\$51,198
56	Administrative and Support and Waste Management and Remediation Services	647	762	115	18%	\$25,829
42	Wholesale Trade	712	782	70	10%	\$72,909
71	Arts, Entertainment, and Recreation	516	581	65	13%	\$21,946
52	Finance and Insurance	448	506	58	13%	\$58,250
55	Management of Companies and Enterprises	137	155	18	13%	\$49,899
53	Real Estate and Rental and Leasing	208	215	7	3%	\$29,297
21	Mining, Quarrying, and Oil and Gas Extraction	13	13	0	0%	\$57,905
99	Unclassified Industry	38	38	0	0%	\$33,893
48	Transportation and Warehousing	812	807	(5)	(1%)	\$53,705
90	Government	5,815	5,802	(13)	(0%)	\$81,199
61	Educational Services	484	468	(16)	(3%)	\$29,569
44	Retail Trade	3,687	3,654	(33)	(1%)	\$29,552
22	Utilities	79	37	(42)	(53%)	\$119,148
51	Information	217	162	(55)	(25%)	\$39,728
11	Crop and Animal Production	1,467	1,290	(177)	(12%)	\$33,671
	Total	28,972	30,586	1,614	6%	\$50,418

Table 2: Projected Change in Employment by Industry

Source: ESRI

4. Cayuga County Major Employers

Table 3 lists the 15 largest employers in Cayuga County, and an estimated number of employees, in which Auburn is home to 13 of the 15 largest employers in the county. The largest employer is the Auburn Memorial Hospital, a community hospital delivering a full range of acute, outpatient and preventative care services for Cayuga County and the surrounding Finger Lake region. The second largest employer is the Department of Corrections in Moravia, a company that is responsible for the confinement and habilitation of individuals under custody. The third largest is the Department of Corrections in Auburn, which is located in the Auburn Sparks Area.

Cayuga County's Overall 15 Largest Employers					
Company	City	Employment Count			
Auburn Memorial Hospital	Auburn	767			
Department of Corrections	Moravia	700			
Department of Corrections	Auburn	525			
Auburn Enlarged School District	Auburn	444			
Cayuga Onondaga BOCES	Auburn	400			
Wal-Mart Stores Inc	Auburn	400			
County of Cayuga	Auburn	375			
Xylem	Auburn	338			
Wegman's Food Markets Inc	Auburn	320			
Cayuga Community College	Auburn	300			
TRW Automotive Inc	Auburn	300			
Nucor Steel Auburn Inc	Auburn	290			
Union Springs Central School	Union Springs	250			
Bass Pro Inc	Auburn	238			
Owens-Brockway Glass Container	Auburn	210			

Table 3: Cayuga County's Overall 15 Largest Employers

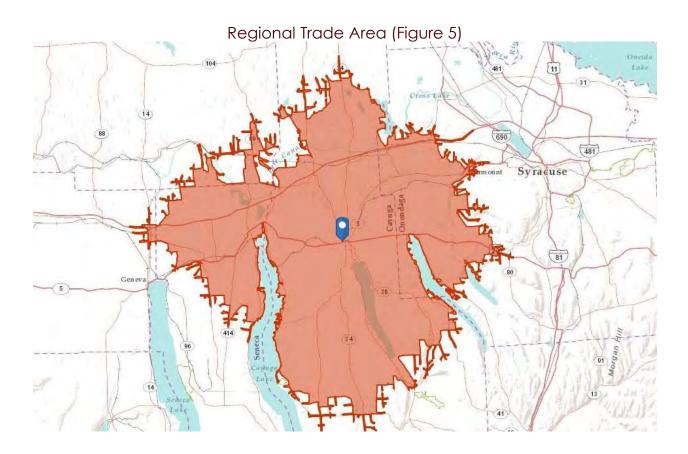
Source: Cayuga Economic Development Agency

Retail Market Analysis

The Retail Market Analysis provides initial insight into the types of retail businesses that might be a good fit for the Auburn Sparks Area as local officials begin the process of defining a vision and discussing the redevelopment potential for specific sites.

1. Regional Retail Trade Area

Two retail trade areas have been delineated for the analysis. The first is the regional trade area, which includes the areas within a 30-minute drive of the Auburn Sparks Area. Customers living in this area may travel significant distances to Auburn to purchase certain large-ticket and specialty items. As shown in the map below (figure 5), the regional trade area includes most of Cayuga County, west Onondaga County, north Seneca County, and a small portion of Wayne County.



Retail Market Demographics

To begin the retail market analysis, it is essential to have a solid understanding of the demographic and socioeconomic conditions of the consumer population. A distribution of the regional trade area's 2015 population and projected 2020 population is provided in Chart 3 (below).

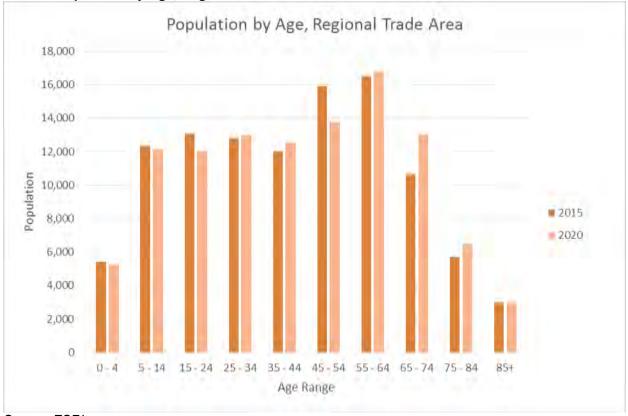


Chart 3: Population by Age, Regional Trade Area

Source: ESRI

In 2015, the population of the regional trade area was about 107,000. By 2020, the population is expected to increase by about 400 residents. The largest population segment in the trade area is the 55–64 age cohort, which has a population of 16,500.¹ By 2020, this segment will increase. Note that all of the 55+ population segments are expected to grow in population by 2020, while those under 55 years of age are expected to shrink or grow only normally. These trends indicate an overall aging of the population of the regional trade area.

The median household income in the regional trade area in 2015 was \$54,369 and is expected to increase to \$59,547 by 2020. Household income distribution for 2015 and 2020 in the regional trade area is illustrated in Chart 4 (below). Overall, household income is expected to increase. The number of households in the income brackets less than \$50,000 are expected to decrease while those in the \$50,000 + range will increase.

Currently, the most represented income bracket is the \$50,000-\$74,999 range, with about 9,000 households. While this bracket will still be the largest by 2020, the \$15,000-\$24,999 range will show the greatest change in absolute terms, with a decline of about 1,200

¹ Note that some of the age ranges are 5-year ranges and others are 10-year ranges.

households. The bracket with the greatest absolute increase will be the \$75,000-\$99,999 range, which will add 900 households.



Chart 4: Household by Income, Regional Trade Area

Source: ESRI

Retail Leakage/Surplus Analysis

Table 4 shows existing retail sales ("supply") in the regional trade area compared to retail potential ("demand"). Supply is calculated by summing all product sales reported for an area by local businesses. Demand is calculated by estimating total purchases by local residents of various categories of goods. The difference between retail sales demand and supply is referred to as the retail gap.

The demand for goods and services that is not being met locally is referred to as sales leakage, shown in the following tables as a positive retail gap. The leakage occurs because consumers make purchases at establishments located outside the defined trade area. For example, there were approximately \$5.8 million in sales in the Electronics & Appliance Stores category in the regional trade area; however, residents of the trade area spent about \$37.4 million at electronic stores. This indicates that \$31.6 million was spent on electronics by trade-area residents outside the trade area. This spending is considered leakage.

Table 4

	Regional	Frade Area Sales	s Surplus & Leaka	ge		
NAICS	Industry Group	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
441	Motor Vehicle & Parts Dealers	\$236,081,411	\$263,005,544	-\$26,924,133	-5.4	82
4411	Automobile Dealers	\$209,952,852	\$243,182,640	-\$33,229,788	-7.3	42
4412	Other Motor Vehicle Dealers	\$12,210,252	\$8,646,552	\$3,563,700	17.1	20
4413	Auto Parts, Accessories & Tire Stores	\$13,918,307	\$11,176,352	\$2,741,955	10.9	20
442	Furniture & Home Furnishings Stores	\$27,646,162	\$23,079,375	\$4,566,787	9.0	34
4421	Furniture Stores	\$13,641,119	\$6,154,315	\$7,486,804	37.8	13
4422	Home Furnishings Stores	\$14,005,042	\$16,925,060	-\$2,920,018	-9.4	20
443	Electronics & Appliance Stores	\$37,416,561	\$5,801,844	\$31,614,717	73.2	19
444	Bldg Materials, Garden Equip. & Supply	\$36,757,287	\$17,506,391	\$19,250,896	35.5	47
4441	Bldg Material & Supplies Dealers	\$30,819,963	\$11,380,411	\$19,439,552	46.1	34
4442	Lawn & Garden Equip & Supply Stores	\$5,937,324	\$6,125,979	-\$188,655	-1.6	13
445	Food & Beverage Stores	\$217,379,156	\$202,289,940	\$15,089,216	3.6	77
4451	Grocery Stores	\$189,736,134	\$185,039,436	\$4,696,698	1.3	46
4452	Specialty Food Stores	\$10,441,834	\$3,084,684	\$7,357,150	54.4	19
4453	Beer, Wine & Liquor Stores	\$17,201,189	\$14,165,820	\$3,035,369	9.7	12
4464461	Health & Personal Care Stores	\$93,128,117	\$66,566,580	\$26,561,537	16.6	50
4474471	Gasoline Stations	\$105,718,381	\$195,132,919	-\$89,414,538	-29.7	17
448	Clothing & Clothing Accessories Stores	\$82,535,855	\$106,807,138	-\$24,271,283	-12.8	91
4481	Clothing Stores	\$61,319,112	\$60,265,444	\$1,053,668	0.9	58
4482	Shoe Stores	\$11,216,907	\$41,412,975	-\$30,196,068	-57.4	17
4483	Jewelry, Luggage & Leather Goods Stores	\$9,999,835	\$5,128,718	\$4,871,117	32.2	16
451	Sporting Goods, Hobby, Book & Music Stores	\$25,430,647	\$20,121,240	\$5,309,407	11.7	54
4511	Sporting Goods/Hobby/Musical Instr Stores	\$22,217,055	\$14,471,055	\$7,746,000	21.1	44
4512	Book, Periodical & Music Stores	\$3,213,592	\$5,650,185	-\$2,436,593	-27.5	10
452	General Merchandise Stores	\$125,011,799	\$182,588,826	-\$57,577,027	-18.7	20
4521	Department Stores Excluding Leased Depts.	\$51,656,243	\$54,534,387	-\$2,878,144	-2.7	10
4529	Other General Merchandise Stores	\$73,355,557	\$128,054,439	-\$54,698,882	-27.2	10
453	Miscellaneous Store Retailers	\$35,399,101	\$42,108,552	-\$6,709,451	-8.7	140
4531	Florists	\$2,770,072	\$1,805,767	\$964,305	21.1	21
4532	Office Supplies, Stationery & Gift Stores	\$7,163,896	\$5,508,902	\$1,654,994	13.1	35
4533	Used Merchandise Stores	\$3,832,027	\$4,677,132	-\$845,105	-9.9	25
4539	Other Miscellaneous Store Retailers	\$21,633,107	\$30,116,751	-\$8,483,644	-16.4	59
454	Nonstore Retailers	\$133,630,009	\$55,077,045	\$78,552,964	41.6	35
4541	Electronic Shopping & Mail-Order Houses	\$112,792,251	\$20,240,221	\$92,552,030	69.6	7
	Vending Machine Operators	\$2,119,700	\$15,543,087	-\$13,423,387	-76.0	7
	Direct Selling Establishments	\$18,718,058	\$19,293,736	-\$575,678		21
	Food Services & Drinking Places	\$120,138,604	\$96,105,838	\$24,032,766		162
7221	Full-Service Restaurants	\$61,126,793	\$39,744,045	\$21,382,748	21.2	61
7222	Limited-Service Eating Places	\$45,507,875	\$33,993,361	\$11,514,514	14.5	62
7223	Special Food Services	\$9,469,290	\$14,411,099	-\$4,941,809	-20.7	5
7224	Drinking Places - Alcoholic Beverages	\$4,034,647	\$7,957,333	-\$3,922,686	-32.7	33
	· · · · · · · · · · · · · · · · · · ·					

*The sales for the Bass Pro Shops in Auburn are included in NACIS code 452 - Other General Merchandise Stores, and not NACIS code 451 -Sporting Goods, Hobby, Book & Music Stores.

Source: ESRI

Sales leakage is generally viewed as an opportunity to capture unmet demand in a trade area by opening new or expanding existing businesses within the trade area and potentially the Auburn Sparks Area. However, not all retail categories that exhibit leakage within a particular trade area are a good fit for the region or the neighborhood for which the study is being conducted. The 4-digit NAICS industry groups experiencing the most sales leakage from the regional trade area include:

- Electronic Shopping & Mail-Order Houses
- Full-Service Restaurants
- Bldg Material & Supplies Dealers
- Limited-Service Eating Places
- Sporting Goods/Hobby/Musical Instr Stores²

The retail potential for additional stores within the Auburn Sparks Area is analyzed later in this report and identifies which industries have sufficient sales leakage to potentially support additional retail outlets.

Conversely, if the supply of goods sold exceeds trade area demand, it is assumed that nonresidents are coming into the trade area to spend money, creating a sales surplus. A sales surplus is shown as a negative retail gap in the sales surplus and leakage table. There are two likely reasons a sales surplus condition would exist. First, a cluster of competing businesses offering a similar good or product may be located within the trade area, creating a specialty cluster that draws spending by households from outside the trade area. Second, a sales surplus may indicate a saturated retail market, where supply exceeds demand. Industries in the regional trade area that have a large sales surplus compared to their total sales include:

- Gasoline stations
- Other general merchandise stores³
- Automobile Dealers
- Shoe Stores
- Vending Machine Operations

² The sales for the Bass Pro Shops are included in NACIS code 452 – Other General Merchandise Stores, and not NACIS code 451 - Sporting Goods, Hobby, Book & Music Stores.

³ The sales for the Bass Pro Shops are included in NACIS code 452 – Other General Merchandise Stores, and not NACIS code 451 - Sporting Goods, Hobby, Book & Music Stores.

As mentioned above, industry sectors with leakage can be good markets to pursue in that residents are currently going outside of the trade area to make purchases. A new business or an expansion by an existing business could potentially capture some of the spending by those residents. Alternatively, an industry with a surplus could indicate a niche market that the trade area could capitalize on and create an identity around.

Retail Use Feasibility

This analysis will help the City of Auburn to target businesses that will be successful by capturing a large enough portion of the current sales leakage to be profitable. While the table in the previous section identifies a number of industry sectors that are experiencing leakage, it does not necessarily mean that new businesses locating in the Auburn Sparks Area would be successful. The following section identifies which of the industries with leakage may have enough sales to warrant opening a new store or expanding existing stores. The analysis assumes that 25% of existing leakage in each category can potentially be recaptured by new businesses. The actual recapture rate for each category will vary and depends on existing amenities, travel patterns, and consumer affinity towards certain stores or brands.

The table below (Table 5) identifies the industries that are experiencing sales leakage from the regional trade area and the number of new businesses that could be theoretically supported in each category if 25% of the sales leakage is recaptured and the news businesses have similar annual sales as the Upstate New York average for stores in each category.

	Regional Trade Area Opportunities							
NAICS	Industry Group	Retail Gap	25% Recapture	Average Sales per Business in Upstate NY	Number of Potential Businesses†			
7221	Full-Service Restaurants	\$21,382,748	\$5,345,687	\$979,151	5.5			
4441	Bldg Material & Supplies Dealers	\$19,439,552	\$4,859,888	\$1,035,676	4.7			
7222	Limited-Service Eating Places	\$11,514,514	\$2,878,629	\$796,566	3.6			
4421	Furniture Stores	\$7,486,804	\$1,871,701	\$875,879	2.1			
4452	Specialty Food Stores	\$7,357,150	\$1,839,288	\$219,676	8.4			
4483	Jewelry, Luggage & Leather Goods Stores	\$4,871,117	\$1,217,779	\$370,139	3.3			
4451	Grocery Stores	\$4,696,698	\$1,174,175	\$3,062,462	0.4			
4412	Other Motor Vehicle Dealers	\$3,563,700	\$890,925	\$693,391	1.3			
4453	Beer, Wine & Liquor Stores	\$3,035,369	\$758,842	\$1,084,153	0.7			
4413	Auto Parts, Accessories & Tire Stores	\$2,741,955	\$685,489	\$781,664	0.9			
4532	Office Supplies, Stationery & Gift Stores	\$1,654,994	\$413,749	\$170,986	2.4			
4481	Clothing Stores	\$1,053,668	\$263,417	\$961,599	0.3			
4531	Florists	\$964,305	\$241,076	\$171,865	1.4			

Table 5: Regional Trade Area Opportunities

* Equal to 25% of the retail gap

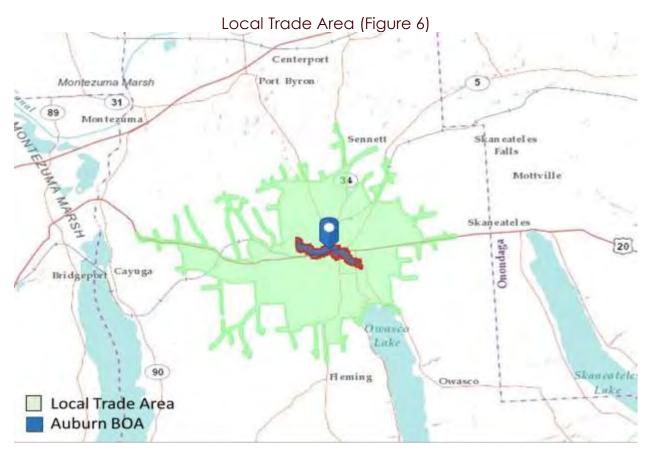
† Equal to recapture divided by upstate average sales per business

Source: ESRI, Camoin Associates

Based on the analysis of sales leakage, it appears that there is significant demand in the regional trade area for Specialty Food Stores; Full-Service Restaurants, and Building Material & Supplies Dealers.

2. Local Retail Trade Area

A second retail trade area was delineated to assist in determining the local consumer demand of residents living in and around the Auburn Sparks Area. This trade area was defined generally as the area within a ten-minute drive of Auburn Sparks. The trade area includes the City of Auburn, and sections of each of its neighboring towns. Analysis within this trade area serves to identify the types of retail for which there is unmet local demand.



Retail Market Demographics

In 2015, the population of the local trade area was 33,897. A majority of the population (54%) was concentrated in the 25–64 age range. About 28% of the population was under 25, while another 20% was 65 and over. Through 2018, the 65–74 cohort is expected to undergo the greatest increase (18%), while the 45–54 cohort is expected to experience the greatest decrease (-10%). The overall population of the local trade area is expected to decrease by 137 residents (-36%).

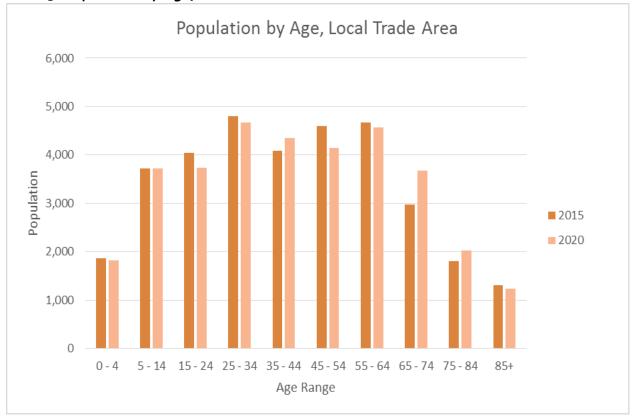


Chart 5: Population by Age, Local Trade Area

In 2015, about 22% of households in the local trade area had an annual household income in the \$50,000-\$74,999 range, representing the greatest share of households. Households with incomes below \$15,000 were the second largest cohort, comprising 16% of all households. The number of households in the six lowest income cohorts is expected to increase by 2020, while the number of households with incomes above \$75,000 is expected to decrease.

Source: ESRI Business Analyst

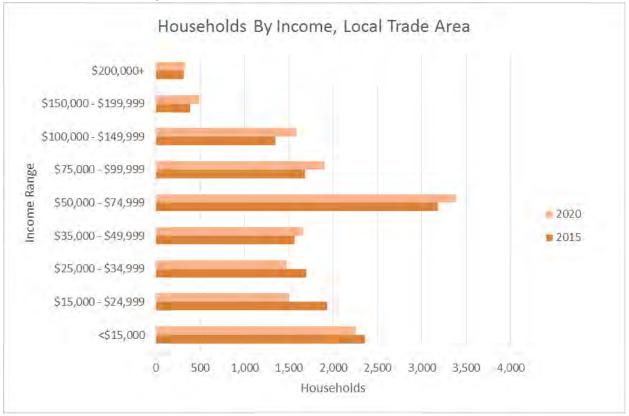


Table 6: Households by Income, Local Trade Area

Retail Leakage/Surplus Analysis

Retail sales at local trade areas businesses and retail demand by trade area residents are summarized in the table below (Table 6). Overall, about one third of retail industry categories are experiencing a sales surplus, meaning that local demand is being met and these businesses are attracting customers from outside the local trade area. Retail industries at the 4-digit NAICS code level experiencing the greatest sales surplus include:

- Grocery Stores
- Other General Merchandise Stores⁴
- Department Stores Excluding Leased Depts.
- Home Furnishings Stores
- Direct Selling Establishments

Source: ESRI Business Analyst

⁴ The sales for the Bass Pro Shops are included in NACIS code 452 – Other General Merchandise Stores, and not NACIS code 451 - Sporting Goods, Hobby, Book & Music Stores.

For other goods and services, local residents make their purchases outside the trade area. Industry sectors experiencing the greatest leakage out of the local trade area include:

- Electronic Shopping & Mail-Order Houses
- Clothing Stores
- Automobile Dealers
- Bldg Material & Supplies Dealers
- Specialty Food Stores

	Local T	rade Area Sales S	Surplus & Leakage	1		
NAICS	Industry Group	Demand (Retail Potential)	Supply (Retail Supply)	Retail Gap	Leakage/Surplus Factor	Number o Business
441	Motor Vehicle & Parts Dealers	\$62,739,570	\$55,054,179	\$7,685,391	6.5	
4411	Automobile Dealers	\$55,993,910	\$45,453,123	\$10,540,787	10.4	
4412	Other Motor Vehicle Dealers	\$2,996,322	\$1,690,049	\$1,306,273	27.9	
4413	Auto Parts, Accessories & Tire Stores	\$3,749,338	\$7,911,007	-\$4,161,669	-35.7	
442	Furniture & Home Furnishings Stores	\$7,451,206	\$14,125,796	-\$6,674,590	-30.9	
4421	Furniture Stores	\$3,725,091	\$2,474,201	\$1,250,890	20.2	
4422	Home Furnishings Stores	\$3,726,115	\$11,651,595	-\$7,925,480	-51.5	
443	Electronics & Appliance Stores	\$10,071,397	\$3,002,288	\$7,069,109	54.1	
444	Bldg Materials, Garden Equip. & Supply Stores	\$9,142,435	\$5,663,300	\$3,479,135	23.5	
4441	Bldg Material & Supplies Dealers	\$7,660,142	\$2,508,530	\$5,151,612	50.7	
4442	Lawn & Garden Equip & Supply Stores	\$1,482,293	\$3,154,770	-\$1,672,477	-36.1	
445	Food & Beverage Stores	\$59,370,211	\$147,329,079	-\$87,958,868	-42.6	
4451	Grocery Stores	\$51,895,994	\$140,450,695	-\$88,554,701	-46.0	
4452	Specialty Food Stores	\$2,860,423	\$1,080,964	\$1,779,459	45.1	
4453	Beer, Wine & Liquor Stores	\$4,613,795	\$5,797,421	-\$1,183,626	-11.4	
464461	Health & Personal Care Stores	\$24,939,078	\$35,718,517	-\$10,779,439	-17.8	
474471	Gasoline Stations	\$28,698,392	\$84,607,758	-\$55,909,366	-49.3	
448	Clothing & Clothing Accessories Stores	\$22,673,840	\$10,919,469	\$11,754,371	35.0	
4481	Clothing Stores	\$16,911,051	\$5,841,318	\$11,069,733	48.7	
4482	Shoe Stores	\$3,103,295	\$4,079,694	-\$976,399	-13.6	
4483	Jewelry, Luggage & Leather Goods Stores	\$2,659,494	\$998,457	\$1,661,037	45.4	
451	Sporting Goods, Hobby, Book & Music Stores	\$6,869,084	\$14,877,780	-\$8,008,696	-36.8	
4511	Sporting Goods/Hobby/Musical Instr Stores	\$5,973,926	\$9,872,921	-\$3,898,995	-24.6	
4512	Book, Periodical & Music Stores	\$895,158	\$5,004,859	-\$4,109,701	-69.7	
452	General Merchandise Stores	\$33,977,170	\$119,095,130	-\$85,117,960	-55.6	
4521	Department Stores Excluding Leased Depts.	\$14,045,075	\$22,110,109	-\$8,065,034	-22.3	
4529	Other General Merchandise Stores	\$19,932,095	\$96,985,020	-\$77,052,925	-65.9	
453	Miscellaneous Store Retailers	\$9,396,444	\$8,028,419	\$1,368,025	7.9	
4531	Florists	\$699,911	\$702,732	-\$2,821	-0.2	
4532	Office Supplies, Stationery & Gift Stores	\$1,913,830	\$1,516,091	\$397,739	11.6	
4533	Used Merchandise Stores	\$1,046,324	\$1,359,834	-\$313,510	-13.0	
4539	Other Miscellaneous Store Retailers	\$5,736,379	\$4,449,762	\$1,286,617	12.6	
454	Nonstore Retailers	\$35,706,558	\$11,194,230	\$24,512,328	52.3	
	Electronic Shopping & Mail-Order Houses	\$30,332,875	\$0	\$30,332,875	100.0	
	Vending Machine Operators	\$580,668	\$135,730	\$444,938	62.1	
	Direct Selling Establishments	\$4,793,015	\$11,058,500	-\$6,265,485	-39.5	
	Food Services & Drinking Places	\$32,499,158	\$40,454,666	-\$7,955,508	-10.9	
	Full-Service Restaurants	\$16,551,308	\$18,324,099	-\$1,772,791	-5.1	
	Limited-Service Eating Places	\$12,292,650	\$16,755,853	-\$4,463,203	-15.4	
	Special Food Services	\$2,538,895	\$75,315	\$2,463,580	94.2	
	Drinking Places - Alcoholic Beverages	\$1,116,305	\$5,299,399	-\$4,183,094	-65.2	
	J	÷.,,	++,+,000	÷.,,	50.2	

Table 6: Local Trade Area Sales Surplus & Leakage

*The sales for the Bass Pro Shops in Aubum are included in NACIS code 452 - Other General Merchandise Stores, and not NACIS code 451 - Sporting Goods, Hobby, Book & Music Stores.

Source: ESRI

Retail Use Feasibility

While the Table 6 shows that the majority of industry categories are experiencing some degree of sales leakage, in most cases the amount of leakage is too low to support additional businesses. The Specialty Food Stores and Clothing Stores categories may be an exception; this analysis suggests that at least two stores could be supported if 25% of the sales leakage was recaptured. Overall, residents of the Auburn Sparks Area and the City of Auburn benefit from a well-served retail market.

Table 7: Local Trade Area Opportunities

	Local Trade Area Opportunities						
NAICS	Industry Group	Retail Gap	25% Recapture	Average Sales per Business in Upstate NY	Number of Potential Businesses†		
4411	Automobile Dealers	\$10,540,787	\$2,635,197	\$6,843,133.70	0.39		
4412	Other Motor Vehicle Dealers	\$1,306,273	\$326,568	\$693,390.66	0.47		
4421	Furniture Stores	\$1,250,890	\$312,723	\$875,879.10	0.36		
4441	Bldg Material & Supplies Dealers	\$5,151,612	\$1,287,903	\$1,035,675.92	1.24		
4452	Specialty Food Stores	\$1,779,459	\$444,865	\$219,675.80	2.03		
4481	Clothing Stores	\$11,069,733	\$2,767,433	\$961,599.08	2.88		
4483	Jewelry, Luggage & Leather Goods Stores	\$1,661,037	\$415,259	\$370,139.43	1.12		
4532	Office Supplies, Stationery & Gift Stores	\$397,739	\$99,435	\$170,986.12	0.58		
4539	Other Miscellaneous Store Retailers	\$1,286,617	\$321,654	\$465,517.06	0.69		
4542	Vending Machine Operators	\$444,938	\$111,235	\$470,693.09	0.24		
7223	Special Food Services	\$2,463,580	\$615,895	\$973,150.44	0.63		

* Equal to 25% of the retail gap

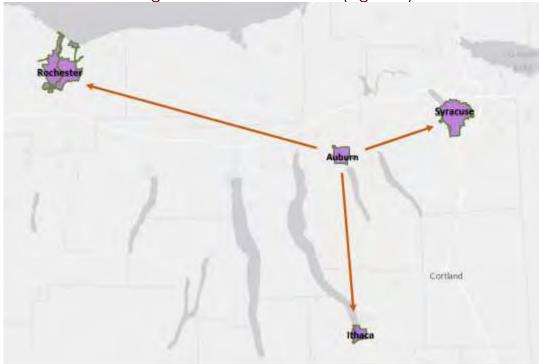
† Equal to recapture divided by upstate average sales per business

Source: ESRI, Camoin Associates

Residential Market Analysis

1. Regional Benchmarks

For the analysis of the residential and industrial real estate market, the City of Auburn is benchmarked against the cities of Syracuse, Ithaca, and Rochester. These cities were chosen for their proximity and size relative to the City of Auburn. In addition, each of the benchmark cities contains higher education institutions that attract significant student populations who contribute to the local economy.



There are 12,300 housing units in the City of Auburn, which makes it the second smallest of the benchmark cities in terms of the size of its housing stock. Rochester has 99,084 housing units, making it the largest of the benchmark cities and Ithaca the smallest with 10,909 housing units.

Regional Benchmark Cities (Figure 7)

Table 8: Housing Occupancy

Housing Occupancy						
Housing Occupancy	Auburn	Ithaca	Rochester	Syracuse		
Total Housing Units	12,307	10,909	99,084	64,722		
Occupied Housing Units	11,248	9,944	86,418	55,429		
Vacant Housing Units	1,059	965	12,666	9,293		
Homeowner Vacancy Rate	1.3%	2.3%	1.7%	3.3%		
Rental Vacancy Rate	4.5%	1.7%	7.2%	6.8%		
Source: Census 2013						

With a homeowner vacancy rate of 1.3% and a rental vacancy rate of 4.5% (based on 2013 figures), Auburn has the lowest homeowner vacancy rate and the second lowest rental vacancy rate among the benchmark cities, only by a small margin. Typically, vacancy rates of 10% or below are ideal for a healthy market.

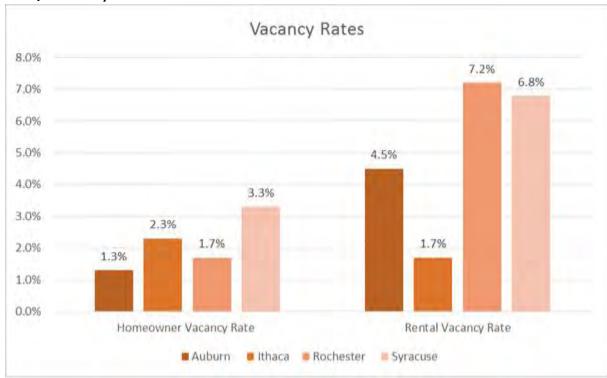


Chart 7: Vacancy Rates

Median rent paid in the City of Auburn was \$639 per month in 2013, which was the lowest of the benchmark cities. The larger cities, Syracuse and Rochester, had median rents just above Auburn's whereas the smaller city, Ithaca, was several hundred dollars above Auburn's median rent.

Source: Census 2013

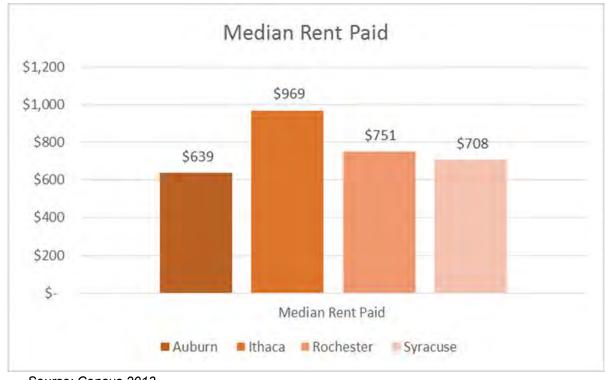
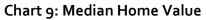
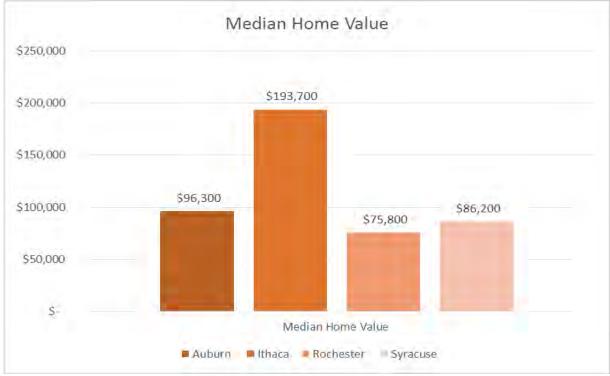


Chart 8: Median Rent Paid

Source: Census 2013

Median home values in Auburn were \$96,300 as of 2013, which was the second highest of the benchmark cities. Similar to trends surrounding median rent, median home value in Auburn is comparable to Syracuse (\$86,200) and Rochester (\$75,800). Median home value in the Auburn Sparks Area is lower than the city as a whole at \$85,403.





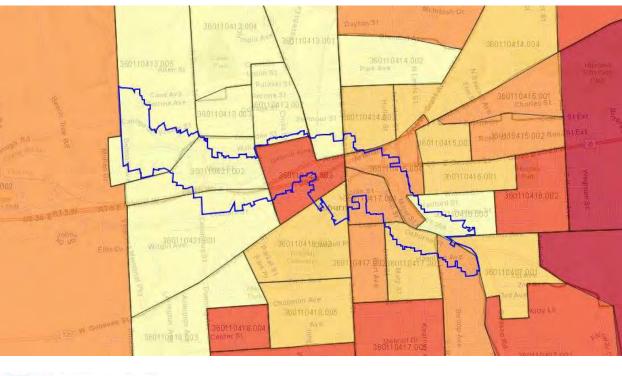
Source: ESRI Business Analyst, Census 2013

2. Auburn Sparks Area Residential Real Estate

The Auburn Sparks Area is considered a sub-market of Auburn's housing market. The Auburn Sparks Area sub-market consists of approximately 1,781 housing units. In 2015, about 31.7% of housing units were owner-occupied and 59.1% were renter occupied. The percent of vacant housing units in the Auburn Sparks Area is moderate, reaching 9.2% in 2015 and projected to increase to 9.5% by 2020 (includes owner-occupied and rental units).⁵

The following figure (Figure 8) codes the block groups of the Auburn Sparks Area by median home value. As shown, homes with the lowest median home value are located in the western portion of the study area and homes with relatively greater median home values are located in the central portion of the study area.

⁵ Source: ESRI Business Analyst



Median Home Value by Block Group, 2015 (Figure 8)

	\$181,874	to	\$208,823		
	\$126,808	to	\$181,873		
	\$105,192	ţo	\$126,807		
	\$84,964	to	\$105,191		
	\$72,222	to	\$84,964		
Source: ESRI Business Analyst					

Industrial Market Analysis

The Industrial Market Analysis provides an overview of recent trends and projections within the regional industrial space-utilizing industries to identify potential opportunities for redevelopment in the Auburn Sparks Area. The following is a profile of the regional real estate market, developed to provide context to overall redevelopment opportunities in the Auburn Sparks Area.

Individuals who are knowledgeable about the local and regional commercial real estate market were interviewed, including real estate professionals, property owners, business owners, and other professionals. The combination of interviews and research helped to refine our understanding of the current market conditions and the types of development occurring in the region.

1. Industry Sector Trends

Industrial space generally falls into two categories, manufacturing space (where things are made) and storage/warehouse space (where products and materials are stored and sometimes processed or repackaged). Evaluating growth trends in industry sectors that utilize industrial space provides insight into the future demand for space by existing businesses in the region.

Cayuga County is considered the regional industrial real estate geography in this study. The table below shows trends in manufacturing and warehouse industry sectors from 2005 through 2015 in Cayuga County.

NAICS	Description	2005 Jobs	2015 Jobs	Change	% Change	
3111	Animal Food Manufacturing	0	14	14	-	
3112	Grain and Oilseed Milling	<10	28	-	-	
3113	Sugar and Confectionery Product Manufacturing	33	31	(2)	(6%)	
3115	Dairy Product Manufacturing	<10	<10	-	-	
3116	Animal Slaughtering and Processing	<10	0	-	-	
3118	Bakeries and Tortilla Manufacturing	126	95	(31)	(25%)	
3121	Beverage Manufacturing	29	38	9	31%	
3141	Textile Furnishings Mills	0	<10	-	-	
3149	Other Textile Product Mills	<10	<10	-	-	
3152	Cut and Sew Apparel Manufacturing	<10	<10	-	-	
3161	Leather and Hide Tanning and Finishing	0	<10	-	-	
3162	Footwear Manufacturing	0	<10	-	-	
3169	Other Leather and Allied Product Manufacturing	15	18	3	20%	
3211	Sawmills and Wood Preservation	24	19	(5)	(21%)	
3212	Veneer, Plywood, and Engineered Wood Product Manufacturing	46	<10	-	-	

Table 9: Growth Trends in Industrial Space Using Industries, Cayuga County Growth Trends in Industrial Space Using Industries, Cayuga County

3219	Other Wood Product Manufacturing	18	28	10	56%
3222	Converted Paper Product Manufacturing	<10	<10	-	-
3231	Printing and Related Support Activities	39	30	(9)	(23%)
3241	Petroleum and Coal Products Manufacturing	<10	0	-	-
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	0	29	29	-
3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	0	<10	-	-
3259	Other Chemical Product and Preparation Manufacturing	<10	<10	-	-
3261	Plastics Product Manufacturing	252	197	(55)	(22%)
3271	Clay Product and Refractory Manufacturing	242	259	17	7%
3272	Glass and Glass Product Manufacturing	229	303	74	32%
3273	Cement and Concrete Product Manufacturing	152	153	1	1%
3279	Other Nonmetallic Mineral Product Manufacturing	14	<10	-	-
3311	Iron and Steel Mills and Ferroalloy Manufacturing	<10	0	-	-
3312	Steel Product Manufacturing from Purchased Steel	230	192	(38)	(17%)
3315	Foundries	69	64	(5)	(7%)
3321	Forging and Stamping	55	97	42	76%
3322	Cutlery and Handtool Manufacturing	<10	0	-	-
3323	Architectural and Structural Metals Manufacturing	15	<10	-	-
3324	Boiler, Tank, and Shipping Container Manufacturing	<10	<10	-	-
3326	Spring and Wire Product Manufacturing	0	16	16	-
3327	Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	78	78	0	0%
3328	Coating, Engraving, Heat Treating, and Allied Activities	19	48	29	153%
3329	Other Fabricated Metal Product Manufacturing	67	<10	-	-
3332	Industrial Machinery Manufacturing	<10	0	-	-
3333	Commercial and Service Industry Machinery Manufacturing	40	<10	-	-
3334	Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	384	228	(156)	(41%)
3335	Metalworking Machinery Manufacturing	26	<10	-	-
3336	Engine, Turbine, and Power Transmission Equipment Manufacturing	0	31	31	-
3339	Other General Purpose Machinery Manufacturing	323	391	68	21%
3343	Audio and Video Equipment Manufacturing	0	<10	-	-

3344	Semiconductor and Other Electronic Component Manufacturing	60	40	(20)	(33%)
3345	Navigational, Measuring, Electromedical, and Control Instruments Manufacturing	92	151	59	64%
3351	Electric Lighting Equipment Manufacturing	<10	<10	-	-
3353	Electrical Equipment Manufacturing	176	120	(56)	(32%)
3359	Other Electrical Equipment and Component Manufacturing	0	<10	-	-
3362	Motor Vehicle Body and Trailer Manufacturing	<10	38	-	-
3363	Motor Vehicle Parts Manufacturing	479	771	292	61%
3364	Aerospace Product and Parts Manufacturing	175	0	(175)	(100%)
3366	Ship and Boat Building	<10	0	-	-
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing	18	<10	-	-
3372	Office Furniture (including Fixtures) Manufacturing	0	26	26	-
3379	Other Furniture Related Product Manufacturing	23	0	(23)	(100%)
3391	Medical Equipment and Supplies Manufacturing	16	37	21	131%
3399	Other Miscellaneous Manufacturing	85	85	0	0%
4921	Couriers and Express Delivery Services	27	<10	-	-
4922	Local Messengers and Local Delivery	<10	<10	-	-
	Total	3738	3716	-22	-0.59%
	Warehouse a	and Storage			
4931	Warehousing and Storage	41	14	(27)	(66%)
Source: EMSI					

While the economic recovery is driving momentum in the industrial real estate market nationally, Cayuga County has seen a minor decline. From 2005 to 2015, the Manufacturing sector declined by 0.59%, losing about 22 jobs. Sub-sectors that experienced some growth include:

- Other Wood Product Manufacturing (10)
- Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing (29)
- Glass and Glass Product Manufacturing (74)
- Forging and Stamping (42)
- Other General Purpose Machinery Manufacturing (68)
- Motor Vehicle Parts Manufacturing (292)⁶

⁶ Occupations in this industry include but are not limited to; Engineers, Engineering Technicians, Computer System Analysts, Industrial Production Mangers, and Production Workers.

The Warehousing and Storage industry sector declined, losing 27 of its 41 jobs during this same period.

Table 10 (below) summarizes projected growth trends in industrial space utilizing industries from 2015 through 2025. As shown, many sectors are expected to stay relatively stagnant or lose jobs. Motor Vehicle Parts Manufacturing is a notable exception, projected to add over 290 new jobs. Navigational, Measuring, Electromedical, and Control Instruments Manufacturing, and Other General Purpose Machinery Manufacturing are projected to grow as well adding 51 and 91 jobs respectively. The County is expected to experience an overall increase of about 211 jobs in the manufacturing industry and an overall decline in jobs in the warehousing and storage industry

Projected Growth Trends in Industrial Space Using Industries, Cayuga County					
NAICS	Description	2015 Jobs	2025 Jobs	Change	% Change
3111	Animal Food Manufacturing	14	15	1	7%
3112	Grain and Oilseed Milling	28	39	11	39%
3113	Sugar and Confectionery Product Manufacturing	31	19	(12)	(39%)
3115	Dairy Product Manufacturing	<10	<10	-	-
3118	Bakeries and Tortilla Manufacturing	95	85	(10)	(11%)
3121	Beverage Manufacturing	38	39	1	3%
3141	Textile Furnishings Mills	<10	<10	-	-
3149	Other Textile Product Mills	<10	<10	-	-
3152	Cut and Sew Apparel Manufacturing	<10	<10	-	-
3161	Leather and Hide Tanning and Finishing	<10	<10	-	-
3162	Footwear Manufacturing	<10	<10	-	-
3169	Other Leather and Allied Product Manufacturing	18	13	(5)	(28%)
3211	Sawmills and Wood Preservation	19	17	(2)	(11%)
3212	Veneer, Plywood, and Engineered Wood Product Manufacturing	<10	<10	-	-
3219	Other Wood Product Manufacturing	28	41	13	46%
3222	Converted Paper Product Manufacturing	<10	<10	-	-
3231	Printing and Related Support Activities	30	70	40	133%
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	29	31	2	7%
3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	<10	<10	-	-
3259	Other Chemical Product and Preparation Manufacturing	<10	<10	-	-
3261	Plastics Product Manufacturing	197	191	(6)	(3%)
3271	Clay Product and Refractory Manufacturing	259	277	18	7%
3272	Glass and Glass Product Manufacturing	303	302	(1)	(0%)
3273	Cement and Concrete Product Manufacturing	153	201	48	31%
3279	Other Nonmetallic Mineral Product Manufacturing	<10	<10	-	-
3312	Steel Product Manufacturing from Purchased Steel	192	117	(75)	(39%)
3315	Foundries	64	54	(10)	(16%)
3321	Forging and Stamping	97	25	(72)	(74%)
3323	Architectural and Structural Metals Manufacturing	<10	<10	-	-
3324	Boiler, Tank, and Shipping Container Manufacturing	<10	<10	-	-
3326	Spring and Wire Product Manufacturing	16	22	6	38%

Table 10: Projected Growth Trends in Industrial Space Using Industries, Cayuga County

3327	Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	78	81	3	4%
3328	Coating, Engraving, Heat Treating, and Allied Activities	48	71	23	48%
3329	Other Fabricated Metal Product Manufacturing	<10	<10	-	-
3333	Commercial and Service Industry Machinery Manufacturing	<10	<10	-	-
3334	Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	228	0	(228)	(100%)
3335	Metalworking Machinery Manufacturing	<10	<10	-	-
3336	Engine, Turbine, and Power Transmission Equipment Manufacturing	31	45	14	45%
3339	Other General Purpose Machinery Manufacturing	391	489	98	25%
3343	Audio and Video Equipment Manufacturing	<10	<10	-	-
3344	Semiconductor and Other Electronic Component Manufacturing	40	51	11	28%
3345	Navigational, Measuring, Electromedical, and Control Instruments Manufacturing	151	202	51	34%
3351	Electric Lighting Equipment Manufacturing	<10	<10	-	-
3353	Electrical Equipment Manufacturing	120	118	(2)	(2%)
3359	Other Electrical Equipment and Component Manufacturing	<10	<10	-	-
3362	Motor Vehicle Body and Trailer Manufacturing	38	0	(38)	(100%)
3363	Motor Vehicle Parts Manufacturing	771	1,062	291	38%
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing	<10	<10	-	-
3372	Office Furniture (including Fixtures) Manufacturing	26	39	13	50%
3391	Medical Equipment and Supplies Manufacturing	37	55	18	49%
3399	Other Miscellaneous Manufacturing	85	109	24	28%
4921	Couriers and Express Delivery Services	<10	<10	-	-
4922	Local Messengers and Local Delivery	<10	<10	-	-
	Total	3716	3927	211	6%
	Warehouse	and Storage			
4931	Warehousing and Storage		14 <10	-	-
Course EM					

Source: EMSI

Qualitative Analysis of Real Estate Opportunities

To complement our previous quantitative, data-analysis work, we undertook a number of qualitative research steps, including: (a) a series of one-on-one interviews, (b) a tour of the downtown area with Downtown BID staff, (c) a review of previous planning reports, and (d) a quick assessment of certain redevelopment tools available to the City. Below is a summary of findings.

1. Interviews & Site Visit

Camoin Associates interviewed the following people in October 2015:

- 1. John Bouck, Bouck Real Estate Local commercial real estate broker
- 2. Grant Kyle, KyleCroft Development Local developer
- 3. Joseph Hucko, Washing Street Partners Regional developer
- 4. Jesse Kline, Downtown Albany BID Local economic development official
- 5. Joseph Bartolotta, JBJ Real Property Local developer
- 6. Andrew Fish and Maureen Riester, CEDA, Local economic development officials
- 7. Dan Soules, Soules and Dunn Associates Local developer
- 8. Brenden Grillo, Grillo Companies Local developer
- 9. Michael Falcone, Pioneer Companies Regional developer
- 10. Brett Smock, Finger Lakes Musical Theater Festival Local arts & culture NPO director

In addition to the above, we toured the downtown area on foot with Downtown Auburn BID staff and other consultants. All comments made by interviewees have been aggregated (for the purposes of preserving anonymity) and summarized below.

Auburn has benefited from a *downtown renaissance* in developer interests in the last few years, driven at least initially by the Finger Lakes Musical Theater Festival (MTF) venue proposed for State Street. That renaissance is now self-sustaining and has led to a large number of investments in the downtown, particularly as it relates *to high-end housing* and *entertainment*-related commercial (pubs, restaurants, boutique retail).

- Interviewees noted the following new businesses downtown: AT Walley's, The Counter, Good Shepherd's Brewing Co., Maggie's at Riverbend, Mesa Grande, Moondog's Lounge, Moro's Table, Osteria Salina & Bambino's Bistro, Prison City Pub & Brewery, 3Leaf Tea, Underground, Wild for Yogurt, Beautiful Things, Dance Hall Antiques, Downtown Books & Coffee, Finger Lakes Art Coop, the Flower Shop, RX City, Thirsty Pug Craft Beer Market and Vape Kult. Also noted was in influx of massage, yoga, salons and other wellness businesses.
- Interviewees predicted the trend would continue and noted a new high-end jewelry store is locating shortly in the downtown along with other proposed new uses.

On the other hand, most interviewees noted that the *market for office space is very challenging*. Occupancy rates are fair, but rents tend to be very modest and new tenants

seeking space are few and far between. Class B space tops out at \$12/sf gross (i.e. includes all but utilities).

• However, we note that the Plaza for the Arts was just built and appears to price at \$18-22/sf triple net ("NNN", where the tenant also pays property tax, insurance and common area maintenance). That project required a \$750,000 state grant and a longterm PILOT agreement to abate taxes.

It is a *mixed picture for industrial space* depending on the size and use of the space in question. There is a fair amount on the market but it is predominantly larger spaces that lease out very slowly at rates of \$3.50-4.00 NNN (with triple nets in the \$0.75-1.25 range). There are, however, apparently a number of tenants looking for relatively efficient small spaces like flex industrial in the 2,000-5,000 sf range with loading docks, where rents typically hit \$6.00-6.50 gross.

The picture for *retail is also very challenging right now*, at least for traditional spaces. Large retail spaces tend to be very difficult to lease out as there is excess space where \$10 per SF is considered good and with the Finger Lakes mall at \$6.50 sf gross. On the other hand, as we noted above, the downtown area has seen a recent uptick in retail establishments of various types, which may signal improving market fundamentals, at least for smaller spaces. At least two interviewees noted that the *attraction of a good "anchor" retail tenant from a national chain* would turn the retail market around – a small format boutique operation could work in this role, as long as it was a nationally-recognized chain (example: Pottery Barn, Old Navy, Gap Kids or other small-format store).

There appears to be a *strong market for high-end residential rental* properties. Interviewees cite Logan Lofts, Brister Mills and other conversions such as the second-story downtown luxury apartments that have come on line recently. Some interviewees believe that there is great potential for more of these properties while others feel that the market may saturate in the near term. Rents for luxury lofts topped out at about \$1,700 per month and more typical rents ranged in the \$700-900+/month levels. We note the likely addition of 12 residential units in the Auburn Floors building with another 6 in a nearby building.

There may be some market demand for housing options to suit students at the community college. However, the college's immediate plans are to build housing directly on campus. Note that there is one student housing project in the downtown (Lattimore Hall) that appears to be doing well.

In general, and given rent price points, it appears that *new build construction projects seem to be prohibitively expensive*. The exception to this rule seems to be the Plaza for the Arts, but that project received much public support and had a built-in tenant base in the form of the

developer himself seeking and occupying a significant portion of the office space. Instead, market fundamentals appear to support adaptive reuse of existing buildings (though some believe that even this requires public support to achieve, such as the \$2.5 million in grants for Logan Lofts).

Most interviewees felt that the City could *better leverage its waterfront* and other amenities as a way of promoting more vitality in the downtown. The waterfront is not visible from most downtown locations and access to the water is very difficult. One such opportunity may come in the form of the City's public safety buildings that are located close to the river on Market Street. The City is going to vacate them shortly and they could be reused and redeveloped in a way that enhances the river's connection to downtown.

Developer respondents were mixed somewhat in their perspective of working with the City. Most said they enjoyed working with the City staff, but some wished the City as a whole would do more to encourage development such as focusing on amenities (above) and dealing with parking in a developer-friendly way.

2. Previous Planning Reports

We reviewed a number of reports, including but not limited to the following:

- 1. Housing Market Study for the City of Auburn. Novogradac & Company LLP. November 20, 2006.
- 2. Brownfield Site Market Analysis: City of Auburn, NY. CHA. August 5, 2014.
- 3. Feasibility and Planning Report. The Institute of Outdoor Drama. University of North Carolina at Chapel Hill. July 2008.
- 4. Cayuga County Economic Development Strategic Plan. CEDC. November 2011 Working Draft.
- 5. Auburn Comprehensive Plan

In addition to the above, we have reviewed site-specific environmental and planning documents. Below are the items we found most relevant to the market analysis:

"The City of Auburn Comprehensive Plan calls for providing a *diversity of housing options*, particularly condominiums and *high-quality rental units*, within walking distance of downtown, to attract "the creative class of entrepreneurs and workings important to Auburn's 21st century future" as well as empty nesters interested in downsizing." (Source: County ED Plan)

Industrial opportunities may include:

• "Metal fabrication of high value products and parts of energy, industrial machinery, transport and medical

- Molded plastic parts fabrication, using both blow and injection molding for diverse applications
- Industrial machinery final assembly, leveraging the air conditioning and pump manufacturing operations already in the study area
- Food processing if water, sewer and energy rates can be made more competitive" (Source: County ED Plan)

From the Auburn Comprehensive Plan, we feel the following recommendations are most inline with our assessment of the market trends:

- "D₃. Continue supporting and funding the *rehabilitation of historic buildings* using city, state and federal dollars.
- D4. Institute *form-based code* in the downtown area.
- D5. Ensure that *pedestrian links* within downtown are accessible and well maintained.
- D6. Visually link the different parts of downtown by continuing *streetscape improvements* throughout. [...]
- D8. Eliminate downtown parking requirements for residential buildings.
- D9. Providing a *diversity of housing options*, particularly condominiums and highquality rental units, within walking distance of downtown. [...]
- D12. Develop a parking education and *signage strategy* for downtown.
- D13. Support an aggressive schedule for *outdoor festivals*.
- D14. Market the downtown area as one suitable for *arts and trades*, as well as a great place to live." (Source: Auburn Comprehensive Plan).

The 2006 Housing Market Study by Novogradac described the residential market as follows:

- Potential for additional 20-29 age rental units. Second and third floor retail space in downtown would provide an excellent location for new housing but codes are a constraint. For multifamily housing: one bedrooms in particular demand, large number of college kids.
- Preference for home owners is single story ranch style homes.
- Geographically, the West End has a majority of multifamily properties in Auburn as it was built as a manufacturing center with smaller lots and in fair to poor condition. The East End is the most desirable location to live within city limits.
- Recommend creation of more green space by demolishing existing properties.
- The most important factors for those seeking owner occupied housing is the condition of the housing unit itself and the quality of the neighborhood, whereas renters are more focused on convenience to job, leisure, friends, family and availability of public transportation.

3. Redevelopment Tools

There are a number of tools available to incentivize continued investment in the Auburn Sparks area, including the following.

The **485a** property tax abatement was recently enacted by the City and can be a great help to developers. However, awareness of this abatement is very low in the development community. None of the developers we interviewed was aware of the abatement. Briefly, the 485a provides for a very deep abatement of property tax for any non-residential property being converted into a mixed-use building. Unlike a PILOT, the IDA is not involved and there is no public hearing and no negotiations. The developer is automatically entitled to a 100% abatement on the increase in assessed valuation for eight years, declining to 80%, 60%, 40% and 20% in the four years following. Given the relatively modest assessed valuation of the existing building stock, this would mean that a developer is unlikely to pay much in property tax over the twelve year period.

The *Brownfield Cleanup Program* (BCP) can and has been used to promote redevelopment of contaminated sites within the Auburn Sparks area, but is *not well known or understood* by the development community. There are two main incentives of the program:

- Credit to Clean Up (BCP Site Preparation and On-Site Remediation Credit Components): Tax credits range from *22-50% of the total cost of remediation*, based on the level of cleanup. See "Level of Cleanup Applicable Percentage" below.
- Credit to Build or Renovate (BCP Tangible Property Credit Component): this credit can
 provide incentives from *10-24% of the total cost of <u>construction</u>* on the remediated
 site, not to exceed three times the cost of the remediation (or six times, for
 manufacturing). See "Tangible Property Credit Percentage" below.

Level of Cleanup Applicable Percentage

Soil cleanup for Unrestricted Use: 50% Soil cleanup for Residential Use: 40% Soil cleanup for Residential Use –Track 4: 28% Soil cleanup for Commercial Use: 33% Soil cleanup for Commercial Use –Track 4: 25% Soil cleanup for Industrial Use: 27% Soil cleanup for Industrial Use –Track 4: 22%

Tangible Property Credit Percentage

Base amount: 10% If site is cleaned up to Track 1 (unrestricted use): +5% If site is within an EN-zone: +5% If within a BOA and in conformity with the BOA: +5% If for affordable housing: +5% If for manufacturing: +5% Maximum percentage: 24%

Because all sites within Auburn Sparks are, by definition, within a BOA, we assume a minimum of 15% would be available for all projects. Furthermore, a good portion of Auburn Sparks is also within a designated EN-Zone (see shaded area in map, below), providing a further 5% boost.





What does this mean? It means that there are significant incentives available to both clean up and rebuild on brownfield sites within the city.

In terms of other incentives, the City can also provide: (1) direct assistance to a specific project, (2) provide public amenities such as parks, street scape, public safety, beautification, etc., and (3) assisting indirectly with offsite parking options.

STEP 2 Nomination Study

Zoning Update APPENDIX

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

12/7/17 Draft

City of Auburn

Zoning Update

December 2017

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Chapter 305: Zoning Ordinance

[HISTORY: Adopted by the City Council of the City of Auburn 12-21-2017. Amendments noted where applicable.]

GENERAL REFERENCES.

Building Construction and Fire Prevention – see Chapter 125.
Business Improvement Districts – see Chapter 129.
Flood Damage Prevention – see Chapter 169.
Historic Preservation – see Chapter 178.
Planning and Subdivision – see Chapter 225.

Article 1 | General Provisions

§ 305-1 Short Title

This Chapter shall be known and cited as the "City of Auburn Zoning Ordinance."

§ 305-2 Purpose

This Chapter is adopted in accordance with a Comprehensive Plan which is designed to promote public health, safety and welfare, and to accomplish such purposes this Chapter is enacted to implement:

A. Building Regulations.

These regulations limit the height, bulk and location of buildings hereafter erected, standardize the area of yards, courts and other open spaces, and determine the density of population in any given area and for said purposes to divide the City into districts. Such regulations shall be uniform for each class of buildings throughout any district, but the regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire, flood and other dangers and to promote the public health and welfare, including, so far as conditions may permit, provision for adequate light, air, convenience of access, and the accommodation of solar energy systems and equipment and access to sunlight necessary therefor, and shall be made with reasonable regard to the character of buildings erected in each district, the value of land and the use to which it may be put, to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may

be adapted and may tend to conserve the value of buildings and enhance the value of land throughout the City.

B. Land Use Regulations.

These regulations restrict the location of trades and industries and the location of buildings designed for specified uses and for said purposes to divide the City into districts and to prescribe for each such district the trades and industries that shall be excluded or subjected to special regulation and the uses for which buildings may not be erected or altered. Such regulations shall be designed to promote the public health, safety and general welfare and shall be made with reasonable consideration, among other things, of the character of the district, its suitability for particular uses, the conservation of property values and the direction of building development, in accord with a well-considered plan.

§ 305-3 Applicability and Scope

A. Territorial Applicability.

This Chapter shall apply to all lands, structures, and uses within the corporate limits of the City of Auburn.

B. General Applicability.

All buildings and structures hereafter erected or placed, and all uses of land or buildings or structures hereafter established, all structural alterations or relocations of existing buildings or structures and all enlargements or relocations of existing uses shall be subject to the regulations of this Chapter. Existing buildings, structures, and uses which do not comply with the regulations of this Chapter shall be allowed to continue subject to the provisions of this Chapter relating to nonconformities.

C. General Prohibition.

No building or structure, no use of any building, structure or land, and no lot now or hereafter existing shall hereafter be established, altered, moved, divided, or maintained in any manner except as authorized by the provisions of this Chapter.

D. Exceptions.

Routine maintenance of existing structures and the following essential utility uses are exempt from the provisions of this Chapter: poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar equipment, but not including substations located on or above the surface of the ground, for the distribution to consumers of telephone, cable television or other communications, electricity, gas or water or for the collection of sewage or surface water.

E. Private Agreements.

This Chapter is not intended to abrogate, annul or otherwise interfere with any easement, covenant or other private agreement or legal relationship; provided, however, that where the regulations of this Chapter are more restrictive or impose a higher standard than such easements,

covenants, or other private agreements or legal relationships, the regulations of this Chapter shall govern.

F. Conflict with other standards.

Should any standard herein established conflict with a similar standard herein, or a similar standard established by another governmental agency, then the more restrictive standard shall apply.

§ 305-4 Misrepresentations

Any permit or approval granted under this Ordinance based upon or granted in reliance upon any material misrepresentation, or failure to make a material fact or circumstance known, by or on behalf of an applicant, shall be void. This Section shall not be construed to affect all the other remedies available to the City under this Ordinance.

§ 305-5 Complaints of Violations

Whenever a violation of this Ordinance is alleged to have occurred, any person may file a written complaint in regard thereto. All such complaints shall be filed with the Planning Department. The Planning Department shall investigate such complaints and report the results of the investigation and any prosecution of violations to the City Council.

§ 305-6 Repealer

Chapter 305 of the Code of the City of Auburn as adopted on December 30, 1992, and as amended thereafter prior to the adoption of this comprehensive revision be and it is hereby repealed in its entirety.

§ 305-7 Severability

The several provisions of this Chapter shall be separate, and if any court of competent jurisdiction shall adjudge any provision of this Chapter to be invalid such judgment shall not affect any other provision of this Chapter. Furthermore, if any court of competent jurisdiction shall adjudge the application of any provision of this Chapter to a particular property such judgment shall not affect the application of said provision to any other property.

Article 2 | Definitions

§ 305-8 Applicability

A. Interpretation.

When interpreting this Chapter, the following definitions shall apply:

- 1. Words defined by the New York State Uniform Fire Prevention and Building Code, as enforced by the City of Auburn by the authority of *Chapter 125* of the Municipal Code, shall have the same meaning and interpretation when used in this Chapter.
- 2. Words not defined within the text of this Chapter or the New York State Uniform Fire Prevention and Building Code shall be assumed to have a meaning of standard usage.
- 3. Words defined below.

§ 305-9 Definitions

ABANDONED

The lawful use of any structure or land having ceased for a period of twelve (12) consecutive months or longer shall be termed abandoned.

ACCESSORY DWELLING UNIT

A dwelling unit that is permitted with limitations in conjunction with a principal permitted use.

ACCESSORY STRUCTURE

A structure customarily incidental and subordinate to the principal structure on the property and is physically detached from the principal building. Including: play structures, garages, sheds etc.

ACCESSORY USE

A use customarily incidental and subordinate to the principal use on the property.

ADULT USE BUSINESSES

Any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, including but not limited to adult bookstores, adult motion-picture theaters, adult entertainment cabarets and adult mini-motion-picture theaters. Furthermore, for purposes of this Ordinance an adult massage parlor, private modeling establishment and steam bath establishment shall be considered to be an "ADULT USE BUSINESS" covered by this Ordinance.

AGRICULTURE

The use of land, buildings, structures, equipment, manure processing and handling facilities, and farming practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise or a hobby, and including commercial horse boarding operations as defined in the *Agriculture and Markets Law Article (AML) 25-AA, Section 301.* This includes, but is not limited to the following: orchards and vineyards, vegetable crops, hops, greenhouse/nursery production of horticultural and floriculture crops, greenhouse vegetable production, harvested agronomic crops (corn, soybeans, small grains), hay and pasture, livestock and poultry raised for food and fiber, and animals raised for recreation or sale (e.g. horses, alpaca/llama), beekeeping, aquaculture (fish production), silviculture (timber, firewood), agroforestry (forest farming) including maple, energy production including energy from manure or biomass crops.

AGRICULTURAL PROCESSING PLANT

A building, facility, area, open or enclosed, or any location for the refinement, treatment, or conversion or agricultural products where physical, chemical, or similar change of an agricultural product occurs. Examples of agricultural processing include but are not limited to packing houses, cold storage houses, fruit dehydrators, hulling operations, and the sorting, cleaning, packing and storing of agricultural products preparatory to sale and/or shipment in their natural form, including all uses customarily incidental thereto. Agricultural processing shall not include wineries or commercial manufacturing of secondary products using agricultural products, such as kitchens, bakeries, breweries, woodworking and wood processing plants, or biofuel processing.

ALLEY

A narrow service street or passage less than twenty-two (22) feet between properties or buildings.

ALTERATION

Any change, rearrangement or addition to or any relocation or a building or structure; any modification in construction or equipment.

ANIMAL HOSPITAL

A facility providing animal medical care and crematorium services, run by a licensed Doctor of Veterinary Medicine (DVM). Animal hospitals may allow overnight animal patients, but are not boarding facilities.

ANTENNA

A system of electrical conductors that transmit or receive radio frequency waves. Such waves shall include but not be limited to radio navigation, radio, television and microwave communication. The frequency of these waves generally range from ten (10) hertz to 300,000 megahertz.

APARTMENT BUILDING

A purposefully designed and built structure containing two or more dwelling units. Such structure may be the result of adaptive reuse and complete rehabilitation of a non-residential building.

APARTMENT COMPLEX

More than one (1) apartment building designed or used solely for residential purposes, detached from one another and grouped together on a single parcel.

ARTERIAL STREETS AND HIGHWAYS

Those ways used primarily for fast or heavy traffic generally having a right-of-way width of 66 to 120 feet.

ARTIST STUDIO

A place where artists, artisans, craftsmen and skilled tradespeople produce custom-made art or craft products, where they teach such skills, and/or where they sell such art or products.

AUTO WRECKING

The dismantling or disassembling of used motor vehicles or trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

AUTO WRECKING YARD

A facility including buildings and land area where auto wrecking occurs.

AWNING

A roof-life protective cover over a door, entrance, window or sidewalk dining area that projects from the face of a structure and is constructed of durable materials, including but not limited to fabrics and/or plastics.

BAKERY, COMMERCIAL / WHOLESALE

An establishment engaged in the preparation and production of baked goods for transport and sale off site. The limited retail sale of baked goods may occur as an incidental or accessory use.

BAKERY, RETAIL

A commercial establishment engaged in the preparation and production of baked goods for direct sale to the general public.

BAR

An establishment primarily engaged in the sale and service of alcoholic beverages for on-premises consumption during any period of the day as permitted by law. Such an establishment is subject to the regulatory authority of the New York State Liquor Authority. The incidental sale or provision of food or snacks shall not entitle such as a use to be considered a restaurant under other provision of this Ordinance.

BED AND BREAKFAST

An accessory use of an owner-occupied dwelling used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers, and containing not more than five (5) bedrooms for such lodgers.

BERM

An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.

BREW PUB

A brew pub allows for the brewing of beer on-premises, as well as on-premises sale of liquor, wine, and beer. A brew pub license holder must have a bonafide restaurant, and may have up to five separate locations. In accordance with New York State's Alcoholic Beverage Control (ABC) Law, brew pub license holders may produce up to 5,000 barrels of beer per location per year, not to exceed an annual total of 20,000 barrels across all locations. (Barrel: 31 US gallons.)

BREWERY

A commercial establishment for the manufacturing of malt liquors, such as beer and ale. When located on a single site, this definition shall include all activities associated with the preparation of raw materials, the manufacture of product, and its packaging and distribution.

BUFFER

A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other and/or to protect wildlife habitats, wetlands, stream corridors and other significant environmental features.

BUILDING COVERAGE

The maximum ratio obtained by dividing the ground floor area of all principal and accessory buildings on a lot by the total area of the lot upon which the buildings are located (including covered porches, carports and breezeways but excluding open patios).

BUILDING HEIGHT

The vertical distance from the average elevation of the proposed finished grade at the front of the building to the average height of the highest roof surface.

BUILDING PERMIT

A building permit issued by the City based upon plans that comply with all applicable codes, statutes, laws, rules, regulations and necessary approvals.

BUILDING SITE

That portion of the lot or parcel of land upon which a building and appurtenances are to be placed or are already existing, including adequate areas for yards, setbacks, sewage disposal, clearances, proper drainage, appropriate easements, and, if applicable, the requirements of other Chapters of the City of Auburn Zoning Ordinance.

BUILDING, ACCESSORY

A subordinate Structure, the use of which is customarily incidental to that of the Principal Building, and located on the same Lot as the Principal Building. Refer to ACCESSORY STRUCTURE.

BUILDING, MIXED-USE

Refer to MIXED-USE BUILDING.

BUILDING, PRINCIPAL

A building in which is conducted the main use of the lot on which said building is located.

BUILDING, OFFICE

Refer to OFFICE.

CANOPY

A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides.

CEMETERY

Land used or intended to be used for the burial of deceased human beings and dedicated for such purpose, including crematories, mausoleums or mortuaries when operated within its boundaries.

CERTIFICATE OF APPROPRIATENESS

An approval of any plans for alteration, construction, removal or demolition of a historic structure of site within a historic district.

CERTIFICATE OF COMPLIANCE

Official certification from the Code Enforcement Officer acknowledging an acceptable use of land or structure in accordance with this Ordinance.

CERTIFICATE OF OCCUPANCY

Official certification that a premises conforms to the provision of the Zoning Ordinance, Building Code, and other applicable regulations, and may be used or occupied.

COMMERCIAL KITCHEN

An establishment where space is leased or otherwise shared by individuals for short periods of time to process, typically only in small quantities and only periodically, the food that they grow or produce, primarily for purposes of selling or distributing off –site. The facility shall satisfy the requirements of the Cayuga County Health Department for the preparation of food that will be sold or distributed to the public.

COMMERCIAL MESSAGE or COMMERCIAL SPEECH

Any wording, logo or other visual representation that draws the public's attention to a particular product to promote the product's advertisement and/or sale. For the purpose of this Article, the presence of an economic motivation by the speaker shall be non-determinative evidence that the expression constitutes commercial speech.

CONFERENCE / CONVENTION CENTER

A large building designed to accommodate the gathering of individuals and groups to promote and share a common interest. These uses typically offer sufficient floor area to accommodate several hundred or thousands of attendees, and may offer separate spaces such as concert halls, lecture halls, meeting and conference rooms.

CONTRACTOR'S YARD

An enclosed parcel of land, structure(s) or a combination thereof used for the storage of machinery, equipment and non-hazardous materials required for construction.

CONVERSION

A change in residential occupancy of a residential building, generally by alteration or by other reorganization as to increase the number of families or dwelling units in a structure.

CULTURAL USE FACILITY/MUSEUM

Any building, room or area designed or utilized primarily for the presentation to the general public of cinema, lectures, exhibits of various art forms or exhibits of cultural, historic, academic or scientific material.

CURB CUT

A point of ingress or egress that links a parcel of land with a public way, and is an improved pavement with defined limits pursuant to the design requirements of the entity claiming jurisdiction of said public way.

DAYCARE CENTER/DAYCARE FACILITY

A place other than an occupied residence providing or designed to provide daycare for five or more persons on a regularly scheduled basis for more than three but less than twenty-four (24) hours per day. *Also see §390, 1(c) of the Social Services Law of the State of New York.*

DAYCARE, FAMILY HOME

An occupied family residence providing day care for three (3) to six (6) children for more than three (3) hours per day. *See §390 of the Social Services Law of the State of New York.*

DECK

A constructed platform other than a patio or terrace that may be attached to a building and/or ground and is located in the side or rear yard. A deck does not have a roof and is not enclosed. Decks are considered a structure and shall conform to required lot setback and coverage requirements, and conform to the New York State Building Code and the New York State Residential Code.

DEED OR TRACT RESTRICTIONS

Legal language recorded in an instrument in the chain of title for a lot, which describes specifically limitations or restrictions on the use of the property.

DEMOLITION

The act or process of wrecking, completely destroying or removing an existing structure, or portion thereof, from a site.

DENSITY

The required land area for each dwelling unit (DU) within a given parcel of land, such as a minimum density of square feet of land area for each dwelling unit.

DENSITY OF DEVELOPMENT

The number of dwelling units per acre.

DESIGN REVIEW COMMITTEE

The Design Review Committee is responsible for reviewing site plans for completeness, code compliance, issues of public health, safety and welfare, and for developing recommendations regarding the project proposal. The Design Review Committee shall be comprised of representatives from City departments including Code Enforcement, Corporation Council, Engineering, Fire, Planning and Economic Development, Municipal Utilities and Police.

DESIGN STANDARDS

The compulsory standards as prescribed within this Chapter pertaining to the design and implementation of building and property development within the City of Auburn.

DISTILLERY

A facility for the distillation of grains and fruits into alcohol. This includes the manufacturing, bottling, and sale to a wholesaler. The on-site sale of products is permitted.

DISTRIBUTION CENTER

A building or structure used primarily for the storage and sale of goods which are intended for subsequent shipment to retail or other commercial outlets.

DOG KENNEL

Refer to KENNEL.

DEAD-END STREET

A street or portion of a street with only one vehicular traffic outlet.

DRIVE AISLE

The primary access route connecting Access Drives and individual parking spaces. Access Lanes are a component of internal site circulation owned and maintained by private interests and are not a public right-of-way.

DRIVE-THROUGH

An accessory use, typically associated with a bank or restaurant, that is designed so that customers can be served while remaining in their cars.

DRIVEWAY, RESIDENTIAL

A driveway is a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure. *See Article 4 §* 305-30, *Driveways, Residential.*

DRIVEWAY, SHARED

An area or areas on one or more private residential properties providing access from a public or private road where the usage of said access route is provided to three or less lots through an easement agreement. Shared or common driveway access for greater than three residential lots is defined as a road.

DRY-CLEANING FACILITY

An establishment used to clean articles or goods of fabric to be subjected to the process of dry cleaning, dyeing or stain removal. A dry-cleaning facility includes the cleaning of fabric on site using the dry-cleaning process.

DRY-CLEANING OUTLET

An establishment used to collect and distribute articles or goods of fabric to be subjected to the process of dry cleaning, dyeing or stain removal, at an off-site dry cleaning facility location.

DWELLING

Any building or structure, or part thereof, used and occupied for human habitation, or intended to be so used, and includes any appurtenances belonging thereto.

DWELLING, MULTIPLE-FAMILY, 3-4 UNITS

A building or portion thereof containing three (3) to four (4) dwelling units and designed or used for occupancy by three (3) to four (4) families living independently of each other.

DWELLING, MULTIPLE-FAMILY, 5+ UNITS

A building or portion thereof containing five (5) dwelling units and designed or used for occupancy by five (5) families living independently of each other.

DWELLING, SINGLE-FAMILY

A dwelling unit designed for or occupied exclusively by one (1) or more persons living as a single, nonprofit housekeeping unit. The dwelling can consist of a modular home, or a lumber-constructed home on a permanent foundation, cellar or basement.

DWELLING, SINGLE-FAMILY SEMIDETACHED

Two single-family dwelling units attached side to side, each situated on a separate subdivision lot, sharing a party wall and capable of individual sale and sharing common walls with the other.

DWELLING, TOWNHOUSE

A structure containing at least three attached single-family dwellings. Each dwelling shares a common sidewall, and no dwelling unit is entirely or partially above another. Each unit has its own external street facing entrance.

DWELLING, TWO-FAMILY

A dwelling designed for and occupied by not more than two families in separate dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall.

DWELLING UNIT

Any room or group of rooms located within a dwelling forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation by one family.

EASEMENT

The authorization by property owner for use by another, for a specified purpose, of any designated part of such property by legally recorded instrument.

EQUIPMENT SALES, REPAIR OR RENTALS

The sale, repair and rental of supplies and equipment primarily intended for homeowner use and minor residential gardening and construction projects (e.g., lawnmowers, snow blowers, mediumduty construction equipment such as rubber-tired backhoes, smaller dozers, and aerial lifts), including the sale, installation and servicing of related equipment and parts. This use classification does not include the rental, storage or maintenance of large construction equipment, which is included in the broader use classifications of vehicle and equipment sales, repair and rentals.

EVERGREEN

A plant with foliage that persists and remains green year round.

FAMILY

A household constituting a single housekeeping unit occupied by one or more persons.

FARMER'S MARKET, PERMANENT

A market at a fixed location and structure open to the public at which:

- 1. at least 75 percent of the products sold are Farm Products, Value added Farm Products or Hand-Made goods and products; and
- 2. at least 75 percent of the vendors regularly participating during the market's hours of operation are Producers, or family members or employees of Producers.

FARMER'S MARKET, TEMPORARY

Primarily outdoors at a temporary location, a recurring event on designated days and times consisting primarily of agricultural producers, at which:

- 1. at least 75 percent of the products sold are Farm Products, Value added Farm Products, or Hand-Made goods and products; and
- 2. at least 75 percent of the vendors regularly participating during the market's hours of operation are Producers, or family members or employees of Producers.

FARM PRODUCTS

Products that include fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and fish. Farm Product shall not include live animals.

FARM PRODUCT, VALUE-ADDED

Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.

FENCE

A structure bounding an area of land designed to either limit access to the area or to screen such area from view, or both. The term "fence" shall not include tennis court enclosures, backstops, and similar structures.

FLAG

Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity, or for decorative purposes.

FLEA MARKET

A building, portion of a building, or open-air market area where individual market stalls or spaces are provided (rented or leased) for persons on a daily or other basis, to display, buy, sell, exchange, or deal in new or used goods, inside the building or in a designated open-air market area. A flea market shall not include such activities when conducted by a church, school or other similar public service organization, nor shall it include an antique store, junk store, auction house or other similar business established on a permanent basis, nor shall it include garage sales, yard sales, rummage sales or occasional craft fairs and benefit sales.

FLOOR AREA

The sum of the gross horizontal areas of the several floors of a building, measured from the interior face of exterior walls or interior face of common walls.

FLOOR AREA RATIO

The ratio between total floor areas permitted in any district and the total site area. The floor area of the building considered for the computation of floor area ratio shall be restricted to those levels above the surface of the ground and shall not include any basement or garage spaces under the surface. Garage facilities above the surface shall be included in the computations. Where the ground level changes a full story height or more along a building facade, the floor area of such story shall be prorated in proportion to the average story height above grade. Total site area shall be the entire site within the property lines of any development.

FOOD CART

An unpowered vehicle which can be pushed or pulled down a sidewalk, street or highway, on which food is prepared, processed or converted, or which is used in selling and dispensing food to the ultimate consumer. This definition shall include Push Carts.

FOOD TRUCK

A motorized vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution. Food trucks shall not exceed 28 feet in length. This definition shall not include vehicles engaged solely in the sale of ice cream and frozen novelties.

FRONTAGE

That side of the lot nearest the street. A corner lot shall be considered to have two (2) such "frontages".

FUNERAL HOME

A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

GARAGE SALE

The sale of personal property conducted in or near a residence, under cover or partially under cover or completely outside of any building, in the open. The term shall include garage sales, lawn sales, porch sales, patio sales, rummage sales or other similar sales which are advertised by a sign or other means, for the public to attend.

GARAGE, DETACHED RESIDENTIAL

A building or indoor space in which to park or keep a motor vehicle which is disconnected from the primary structure and surrounded completely or partially by open space. Refer to ACCESSORY STRUCTURE.

GARDEN CENTER

Establishments or places of business primarily engaged in retail sales from the premises to the general public including trees, shrubs, seeds, fertilizers, pesticides, plants and plant materials. Such establishments typically sell products purchased from others, but may sell material which they grow themselves.

GLARE

The illumination at all points one foot distant from a uniform point source of one candle power. (Footcandle: a unit of illumination.)

GRADE, ESTABLISHED STREET

The permanently established elevation of the center line of a street in front of the midpoint of the lot.

GRADE, FINISHED

The elevation at which the finished surface of the surrounding lot intersects the walls and supports of a structure.

GREENHOUSE, COMMERCIAL

Establishments that raise nursery stock for sale to garden centers, retail nurseries or other businesses.

GREENHOUSE, **PERSONAL**

An accessory structure, primarily of glass, in which temperature and humidity can be controlled for the cultivation or protection of plants, fruits or vegetables which is accessory to the main use of the property. Personal Greenhouses are considered an accessory use and not to exceed 100 square feet in area.

GREENSPACE

Any permeable vegetated surface.

GROSS FLOOR AREA (GFA)

The gross size of the total floor area of the outside dimensions of a building. These dimensions shall include the length, width and number of stories of the facility.

GROSS LEASABLE AREA (GLA)

The gross size of the floor area of a commercial/retail facility which is leased.

HABITABLE FLOOR AREA

Floor area in a habitable space shall have a clear floor to ceiling height of not less than 7 1/2 feet over an area having no horizontal dimension of less than seven feet, except that, in one- and two-family dwellings having sloping roofs, the minimum ceiling height shall be 7 1/2 feet for at least 50% of the habitable floor area. Any area where the height is less than five feet shall not be considered habitable floor area.

HEALTH CLUB

An indoor facility provided for individual or group exercise and recreational activities including aerobics, workout equipment, calisthenics, weight training, running, swimming and court games, and providing shower facilities and changing areas and may include spas, gymnasiums, and incidental uses such as childcare facilities, food service, and pro shops oriented to customers during their use of the facility.

HEALTHCARE FACILITY, OUTPATIENT

A facility providing medical care, treatment and minor surgical procedures for non-life-threatening injuries. Such facilities typically operate for extended hours throughout the day and are utilized as an alternative to traditional emergency departments at hospitals. These facilities are not coincident with primary medical care providers and are not considered medical offices.

HISTORIC DISTRICT

An area containing buildings or places in which notable historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the area, of such significance as to warrant conservation and preservation.

HISTORICALLY OR ARCHITECTURALLY SIGNIFICANT AREA, SITE OR STRUCTURE

An area, site or structure designated as an historic district or landmark by *Chapter 178, Historic Preservation* of the Municipal Code or an area, site or structure having the characteristics of areas, sites, or structures so designated that could itself be so designated.

HOME OCCUPATION

A business, profession, occupation or trade conducted for gain or support entirely within a residential building or a structure accessory thereto, which is incidental and secondary to the use of such building for dwelling purposes and which does not change the essential residential character of such building.

HOMELESS SHELTER

An establishment primarily engaged in providing temporary or transitional residential care, room, board supervision, information and/or referrals to homeless persons voluntarily seeking such service.

HOSPITAL

An institution providing health services and medical or surgical care, primarily for temporary inpatients, to persons suffering from illness, disease, injury, deformity or other abnormal physical or mental condition, and including as an integral part of the institution related facilities such as laboratories, outpatient facilities or training facilities.

HOTEL / MOTEL

A commercial establishment providing transient lodging, meals, and other guest services. A hotel or motel establishment must have a minimum of fifteen (15) individual guest rooms, which must have attached (en suite) private bathroom facilities. A hotel/motel may or may not provide internal hallway access to all guestrooms.

IMPERVIOUS SURFACE

Any roofed or other solid building structure or material covering the ground through which water does not readily penetrate, including but not limited to concrete, oil and stone, tar or asphalt pavement, or compacted gravel.

IMPERVIOUS SURFACE COVERAGE

The ratio between impermeable surface and total land area of a lot expressed as the percentage of land covered by impermeable surfaces.

INDUSTRY, HEAVY

A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

INDUSTRY, LIGHT

A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

INN

A commercial facility for the housing of transient occupants, containing less than fifteen (15) rooms. The facility may have an ancillary use such as a restaurant or bar.

JUNK

Any and all secondhand and used machinery and scrap iron, including automobiles, tools, implements or parts or portions thereof, and any and all secondhand and used furniture or other personal property, other than livestock, or parts or portions thereof.

JUNKYARD

A place where junk, waste, discarded, or salvaged materials are bought, sold, exchanged, sorted, stored, baled, packed, disassembled, handled, or abandoned; but not including pawnshops or establishments for the sale, purchase, or storage of used furniture, household equipment, clothing, used motor vehicles capable of being registered, or machinery to be reused for the purpose for which originally manufactured.

KENNEL

An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling animals is conducted as a business.

LANDSCAPED AREA

The area required or permitted to be devoted to landscaping and environmental improvement, which may include existing and new vegetation.

LAUNDRY, SELF-SERVE

A business that cleans clothing or which is equipped with individual clothes washing and drying and/or cleaning machines for the principal use of retail customers. Refer to *Chapter 195* of the City of Auburn Municipal Code.

LOGO

Any picture, shape or drawing, with or without letters or words, used to identify a product, service, business or organization.

LOT

A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory or incidental to the operation thereof, together with such open spaces as are required by this Chapter, and having frontage on a public street.

LOT AREA

The computed area contained within the lot lines.

LOT, CORNER

A lot situated at and abutting the intersection of two streets having an interior angle of intersection not greater than 135°.

LOT DEPTH

The mean horizontal distance between the front and the rear lot lines.

LOT, INTERIOR

A lot other than a corner lot.

LOT, FLAG

Lots that the City has approved with less frontage in a public street than is normal. The panhandle is an access corridor to lots or parcels located behind lots or parcels with normal street frontage.

LOT LINES

The property lines bounding the lot.

LOT LINE, FRONT

The line separating the lot from a street right-of-way.

LOT LINE, REAR

The lot line opposite and most distant from the front lot line.

LOT LINE, SIDE

Any lot line other than a front or rear lot line. A side lot line separating a lot from a street right-ofway is called a side street lot line.

LOT WIDTH

The width of the lot between side lot lines at the front building line as prescribed by the front yard regulations.

LOT, THROUGH

A lot, other than a corner lot, having access on two streets.

LOT OF RECORD

Any lot with an area, width or other dimension which is less than prescribed for a lot in the district in which such lot is situated if such lot is (i) under one ownership of record since the effective date of the original City of Auburn Zoning Ordinance, or (ii) under one ownership of record since the time of any amendment to the original City of Auburn Zoning Ordinance which amendment changed the area, width or other dimension requirements with respect to lots in such district and which lot, except for such amendment, would have been in all respects in conformance with the requirements of such original Zoning Ordinance, or (iii) any lot shown on an approved subdivision plat filed with the Cayuga County Clerk and not combined with any other lot or parcel for the purposes of real property assessment at any time following such filing.

MAKERSPACE

An indoor facility intended to be used by artists as studio and retail space. Makerspaces often combine production, equipment, community, and education for the purposes of enabling participating individuals to design, prototype, and create works that said individuals would have difficulty producing if working alone due to a lack of resources, tools, and/or space. Makerspaces may also include common space such as galleries, meeting rooms, retail space, and open space that encourages resident engagement and community involvement. Makerspace shall not include any dwelling.

MASSING

The sense of bulk, size, and shape of a structure, usually perceived by reference to the surrounding space and nearby structures and natural features such as trees.

MICRO-BREWERY / CRAFT BREWERY

An establishment where beer and malt beverages are made on the premises and then sold or distributed, either to others with liquor licenses or to the general public, if in possession of a brewer's retail permit. May have a restaurant or an accessory tasting room in or adjacent to the brewery, on whose premises sale of beer would require an on-premises retail license. In accordance with New York State's Alcoholic Beverage Control (ABC) Law, micro-brewery license holders may produce or brew up to 75,000 barrels of beer per year. (Barrel: 31 US gallons.)

MICRO-DISTILLERY

A facility for the production and packaging of alcoholic beverages in quantities not to exceed 12,000 gallons per year and may include an accessory tasting room or other uses such as a restaurant, bar, or live entertainment only as permitted in the zoning district.

MIXED-USE BUILDING

A development or redevelopment that allows for multiple uses in a single structure or on a lot including, but not limited to residential, commercial, and industrial. A typical mixed-use structure would have retail or offices on the first floor and offices, residences, and/or studios on the upper floors.

MOBILE HOME

A structure, transportable in one or more sections, which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained herein.

MODULAR HOME

Any home constructed of pre-made parts and unit modules that are transported on a flatbed truck from the factory to the building site where they are permanently anchored onto a foundation. Modular homes are subject to the local building codes where they are constructed. Modular homes are subject to the regulations of whichever style of home they are designed to be, i.e. single-family home, multi-family home, etc.

MOTOR VEHICLE REPAIR STATION

A lot, including structures thereon or parts thereof, that is used for engine repair, body work, frame straightening, painting, upholstering, steam cleaning, electric work, tune-ups and all other vehicle repair services not specifically listed in the definition of MOTOR VEHICLE SERVICE STATION.

MOTOR VEHICLE SALESROOM/RENTALS

Any building, land area or other premises used for the display or sale of new or used automobiles, motorcycles, trucks, trailers or boats, but not including any repair work other than warranty and other repair service conducted as an accessory use on such premises. Also includes facilities which provide for the storage and rental of vehicles on a regular basis by the general public, including automobiles, vans, and motorcycles. Typical uses include automotive dealership and auto rental agencies. No fuel sales shall be part of such an establishment.

MOTOR VEHICLE SERVICE STATION

A lot, including structures thereon or parts thereof, that is used for the sale of motor fuels dispensed from pumps and motor vehicle accessories and supplies. Permitted accessory uses may include facilities for washing vehicles and/or the retail sale of convenience items, including but not limited to snacks and beverages, provided such accessory uses are located indoors. Motor vehicle body work, major structural repair or painting by any means are not to be considered permitted accessory uses.

MOTOR VEHICLE WASH

Any building or premises, or portion thereof, the use of which is devoted to the business of washing automobiles for a fee, whether by automated cleaning devices or otherwise.

MOVIE THEATER

A building containing one or more screens on which motion pictures are projected for recreation purposes. A "movie theater" does not include theaters that show pornographic or other adult-oriented motion pictures.

MURALS

A hand-painted, hand-tiled, or digitally printed image which:

- 1. Is on the exterior wall of a building located on private property;
- 2. Is visible from a City park, sidewalk, street or other right-of-way;
- 3. Does not contain any commercial message; and
- 4. Does not fit within the purview of the City's sign regulations as described in *Article 5* /§ 305-70 *Sign Regulations*.

MUSEUM

Refer to CULTURAL FACILITY/MUSEUM.

NIGHTCLUB

Any room, space, or premises operated as a commercial establishment in which eating and/or drinking takes place, where alcoholic beverages are served subject to the regulatory authority of the New York State Liquor Authority, and where the provision of entertainment is the primary activity. Entertainment includes music by a live musician or musicians, or any mechanical, electronic, or other means such as records, laserdiscs, audio, video, or other audio or audio-visual means, including operation as a motion-picture theater; acting, play performances, theater performances, dinner theater, revue pantomime, scene, dance, act, or song-and-dance act participated in by one or more employees, guests, customers, or other person or persons; or dancing by guests, customers, or any other person or persons. Background music, provided in accord with the City's Noise regulations shall not be considered as a form of entertainment.

NONCONFORMING BUILDING OR STRUCTURE

Any building or structure, other than a sign, lawfully existing on the effective date of this Chapter, or any amendment to it rendering such building or structure nonconforming, which:

- 1. Does not comply with all of the regulations of this Chapter, or any amendment hereto, governing parking or space and bulk requirements for the zoning district in which such building or structure is located;
- 2. Is located on a lot which does not or is so located on a lot as not to comply with the yard requirements for the zoning district in which such building or structure is located; or
- 3. Both Subsection A and B, except any building containing one or more dwelling units in addition to the number permitted by the district regulations in the district where it is located shall be deemed to be a nonconforming use rather than a nonconforming building.

NONCONFORMING LOT OF RECORD

A lot of record which does not comply with the lot requirements for any permitted use in the district in which it is located.

NONCONFORMING USE

Any use lawfully being made of any land, building or structure, other than a sign, on the effective date of this Chapter, or any amendment to it rendering such use nonconforming, which does not comply with all the regulations of this Chapter, or any amendment hereto, governing use for the zoning district in which such land, building or structure is located.

NOXIOUS USE

Any use which is continuously or regularly offensive or injurious by reason of the emission of excessive amounts of dust, smoke, refuse matter, odor, gas, fumes, noise or vibration.

OFFICE

A building that is divided into offices, either single or suites, for the transaction of business other than for mercantile or manufacturing purposes where merchandise is on display and offered for sale. Offices used for a professional or medical business, in part or in whole will be classed as an office.

ON-SITE INFORMATIONAL SIGN

A sign commonly associated with, and limited to, information and directions necessary or convenient for persons coming on the property, including signs and symbols of handicapped accessibility, as required by *Part 1100, Section 1100.9*, of the New York State Uniform Fire Prevention and Building Code, and signs marking entrances and exits, parking areas, one-way drives, rest rooms, pickup and delivery areas and the like.

OPEN SPACE

An area or areas of a lot, including required yards, which are:

- 1. Open and unobstructed from ground to sky, except by facilities specifically designed, arranged and intended for use in conjunction with passive or active outdoor recreation or relaxation.
- 2. Landscaped, maintained or otherwise treated to create a setting appropriate to recreation or relaxation.
- 3. Accessible and usable by the general public, business patrons or residents of all dwellings or stores it is intended or required to serve.

OUTDOOR STORAGE

Commercial and industrial storage outside the confines of an enclosed structure of any equipment or materials in usable condition which are not being specifically displayed as merchandise or offered for sale. Outdoor Storage shall not be construed as a Self-Service Storage Facility.

OUTDOOR SEATING

A removable extension of an established retail shop or small food shop such as bakeries and coffee shops, consisting of movable tables, chairs and benches that are arranged directly upon the sidewalk paving. All sales and service shall take place inside the establishment retail business or restaurant.

OVERLAY DISTRICT

A zoning district not independently mapped on the Zoning Map but that exists in conjunction with and provides alternative or additional regulations applicable to the primary underlying zoning district shown on the Zoning Map. An overlay district's boundaries shall be described within the text of the provisions of this Article or any amendment to this Article establishing the same.

PARABOLIC or DISH-TYPE ANTENNA

Any concave, circular or dish-shaped device designed for receiving communication or television signals.

PARCEL

Refer to LOT.

PARKING AREA or LOT

Any place, lot, parcel, or yard used in whole or in part of storing or parking four (4) or more motor vehicles under the provision of this Ordinance.

PARKING FACILITY

Any use of land as a stand-alone operation of in conjunction with another permitted use for the commercial parking of vehicles. The term 'vehicle' includes all passenger vehicles, highway recreational vehicles and non-highway recreational vehicles. Motor vehicle parking facilities differ from outdoor storage facility in that, the time period for use is typically twenty-four (24) hours or less.

PARKING SPACE

An off-street space available for parking one vehicle and which minimum dimensions are 9 feet wide and 18 feet long, not including maneuvering area and access drives.

PARKING, SHARED

A legally binding agreement between two or more property owners to provide for the shared utilization of an aggregate number of parking spaces that collectively meets the parking needs of each party.

PATIO / TERRACE

An improved or graded area located on the ground with no structural/supports other than subsurface base material and retaining walls. The concrete or other paved areas around a swimming pool which is the pool apron is considered a terrace/patio. A patio or terrace shall be flush to the ground with no air spaces beneath.

PAWN SHOP

A business licensed through Cayuga County and in conformance with the current version of *New York General Business Law Article 5, Section 40 and 41* for Collateral Loan Brokers that lends money based upon the security of pledged goods left in pawn, or is in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

PEDESTRIAN CONNECTION or ACCOMMODATION

An improved pathway at least five (5) feet in width devoid of obstructions or hazards and intended for use by pedestrians to commute between destinations, including but not limited to buildings, structures, parks and open spaces, parking areas, the sidewalk system or other walkways.

PERMEABLE SURFACE

A surface which prevents sheet flow or ponding of surface waters and allows for the transmission of surface water flows through the substance into underlying material.

PERMITTED USE

Any use permitted under the provisions of the district in which the land, building or structure is located.

PLACE OF WORSHIP

A building and, where applicable, its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

PLAT

A map, drawing, or rendering of a subdivision that usually contains narrative elements.

PLAT or PLAN, FINAL

A drawing, in final form containing all information or details required by law and by these regulations to be presented to the Planning Board for approval and which, if approved, may be duly filed or recorded by the applicant in the office of the County Clerk.

PLAT or PLAN, PRELIMINARY

A drawing or drawings, clearly marked "preliminary plat" or "preliminary plan", showing the significant features of a proposed subdivision, as specified in *Article 6 | Site Plan Review* of this Chapter, submitted to the Planning Board for the purposes of consideration prior to submission of the plat in final form and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

PLAY STRUCTURE

A recreational structure such as a treehouse, playhouse, or prefabricated play equipment, located at grade or elevated, not intended for habitation and without amenities such as electricity or plumbing.

PORCH

A porch is a roofed open space open along two or more sides serving to shelter an entrance and provide a private outdoor space to a residence. Porches are attached to a building and located in the front, side or rear of the structure.

PRINCIPAL BUILDING OR USE

Refer to BUILDING, PRINCIPLE.

PROHIBITED USE

Any use which is not listed as a permitted, special, or accessory use in the Schedule of Use Regulations shall be considered a "prohibited use."

PRIVATE CLUB

A nonprofit social organization whose premises are restricted to its members and their guests.

PUB

Refer to BAR.

PUBLIC REALM

All areas legally open to public use, such as public streets, sidewalks, roadways, highways, parkways, alleys and parks, as well as the interior and areas surrounding public buildings.

PUBLIC REALM AMENITY

Structures or improvements open to the general public and intended to strengthen the urban fabric and enhance the pedestrian experience, such as, but not limited to, sidewalks, landscaped open spaces, public seating, public art, gathering spaces and crossing aids.

PUBLIC SEWER and/or WATER FACILITIES

A sewage disposal system or water supply and distribution system operated by a municipality; a sewage disposal system or water supply and distribution system authorized for public use, whether for a residential subdivision, or for commercial, industrial or manufacturing Buildings, and approved by the New York State and/or the City of Auburn Department of Municipal Utilities, Cayuga County Departments of Health, the Department of Environmental Conservation, and any other governmental agency having jurisdiction thereof.

PUBLIC UTILITY

Infrastructure and services that supply an everyday necessity to the public at large, such as Public Water and/or Public Sewer Facilities, electricity, natural gas, and telecommunications. A Public Utility may be owned and operated by a municipality or a private entity, or a combination thereof.

PUBLIC WAY

All areas legally open to public use, such as public streets, sidewalks, roadways, right-of-way, highways, parkways, alleys, and parks, as well as the interior and areas surrounding public buildings.

PUBLIC/SEMIPUBLIC USE

Any one or more of the following uses, including grounds and accessory buildings necessary for their use:

- 1. Governmental buildings.
- 2. Religious institutions.
- 3. Public parks, playgrounds and recreational areas when authorized or operated by a governmental authority.
- 4. Schools, specifically Elementary, Secondary or College.
- 5. Public libraries.
- 6. Not-for-profit fire, ambulance and public safety buildings.

RECREATION, INDOOR COMMERCIAL

A commercial recreational use conducted entirely within a building for activities such as an arcade, arena, bowling alley, gymnasium, skating rink, swimming pool, or raquette ball and tennis court.

RECREATION, OUTDOOR COMMERCIAL

A recreational use conducted outside of a building including athletic fields, miniature golf, skateboard park, swimming, bathing, wading and other therapeutic facilities, splash pads and spray parks, tennis, handball, basketball courts, batting cages, and trampoline facilities.

RESEARCH AND DEVELOPMENT

Refer to INDUSTRY, LIGHT.

RESIDENTIAL CARE FACILITY

A building or portion thereof wherein the owner and/or proprietor is compensated for furnishing long-term lodging and varying amounts of custodial care for four (4) or more persons by reason of them being elderly, handicapped, bedfast, chronically ill, impaired, convalescing and/or needing such care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury and/or providing surgical and obstetrical services or asylums for the insane. This term includes boarding and rooming houses for aged people, nursing homes, homes for adults (rest homes), homes for the aged and handicapped, convalescent homes for children, homes for the elderly, homes for prenatal care and the like.

RESIDENTIAL PROPERTY

Any lot that currently contains only residential uses, regardless of zoning district.

RESTAURANT

As defined by the New York State Liquor Authority under *ABCL §3(27)*, "Restaurant" shall mean a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods, which may be required for ordinary meals, the kitchen of which must, at all times, be in charge of a chef with the necessary help, and kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health.

RESTAURANT, DRIVE- THROUGH

Refer to DRIVE-THROUGH.

RESTAURANT, QUICK SERVICE

A specific type of restaurant without a drive-through, characterized both by its cuisine and minimal table service. Food is offered from a limited menu; may be cooked in bulk in advance and kept hot; is finished and packaged to order; and is usually available ready to take away.

RETAIL, BIG BOX

A single large retail establishment covering over 35,000 square feet that draws customers from a large area and is typically surrounded by parking lots.

RETAIL, GOODS AND SERVICES

Any building or structure in which one or more articles of merchandise, commerce or services are provided, including, but not limited to, department stores, banks, book stores, day spas, salons, insurance sales, clothing and accessory stores, grocery stores, pharmacies, and boutique/gift shops.

RIGHT-OF-WAY

A strip of land, either public or private, occupied or intended to be occupied by a street, sidewalk, trail, railroad, electrical transmission line, oil or gas pipeline, water main, sanitary or storm sewer or other similar use.

ROADSIDE STAND

A temporary or permanent accessory structure, wagon or trailer up to one hundred (100) square feet in size located on private property which shall be limited to the sale of farm, garden, or other products built or created on-site.

ROOF

The exterior covering on the uppermost part of a building, with the primary purpose to protect the building and its contents from the effects of weather.

SATELLITE DISH

A structure attached to the ground or any other structure built or intended for the purpose of the reception of any transmission transmitted or relayed from an earth satellite. The term "ground dish" as used in this Chapter is synonymous with satellite dish.

SCHOOL, PRIVATE

A school established by a non-governmental organization supported by private funds for the purposes of providing education.

SCHOOL, PUBLIC

Any elementary or secondary school supported by public funds and providing free education for children of a community or district.

SCRAP METAL PROCESSING

Refer to INDUSTRY, HEAVY.

SCREEN

A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.

SEATS

For the purpose of determining off-street parking requirements, the seating capacity of a particular room or a hall in a building, as determined by the specifications and plans, whether fixed or removable seating; in the event that individual seats are not provided, each twenty (20) inches of benches, bleachers, pews or similar seating accommodations shall be considered as one seat for the purpose of this Chapter.

SELF-SERVICE STORAGE FACILITY

A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, controlled access stalls or lockers for the storage of customers' goods or wares.

SETBACK, FRONT

The least required horizontal distance between the front lot line and the principal building measured at the shortest point. On waterfront lots which border water on one or more lot lines, the lot line on the road front is considered the principal front lot line.

SETBACK, REAR YARD

The least required horizontal distance between the rear lot line and the principal building measured at the closest point.

SETBACK, SIDE YARD

The least required horizontal distance between the side lot line and the principal building measured at the closest point.

SHADE TREE

Usually a deciduous tree, rarely an evergreen, planted primarily for its high crown of foliage or overhead canopy.

SHED

Refer to ACCESSORY STRUCTURE.

SHORT-TERM RENTAL

An accommodation for transient guests where, in exchange for compensation, a residential dwelling is rented for lodging for a period of time not to exceed thirty (30) consecutive days. Such use may or may not include an on-site manager. For the purposes of this definition, a residential dwelling shall include all housing types and shall not include hotel/motels, bed-and-breakfasts, or inns.

SHRUB

A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground. It may be deciduous or evergreen.

SIDEWALK DINING

An area designated of public sidewalk where patrons may sit at tables while consuming food and beverages ordered from and served by wait staff.

SIDEWALK RETAIL

Retail displays located on sidewalks in the public right-of-way that are clearly accessory to, or a promotion of, the use located in the abutting building.

SIGN

Any advertisement, announcement, direction or communication produced in whole or in part by the construction, erection, affixing or placing of a structure on any land or on any other structure or produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material on any structure or surface, but not including signs placed or erected by the City of Auburn for public purposes.

SIGN, A-FRAME

Refer to SIGN, SIDEWALK.

SIGN AREA or SIGN SURFACE AREA

The entire area within a single continuous perimeter enclosing the extreme limits of lettering, representations, emblems or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed.

SIGN, AWNING

A sign on which graphics or symbols are painted, sewn, or otherwise attached to the awning material as an integrated part of the awning itself.

SIGN, BILLBOARD

Any sign, in excess of 100 square feet, advertising a person, place, event, product, business or other matter which is remote from the site or property upon which the sign is erected or displayed.

SIGN, CANOPY

A sign affixed to the face, on top, or below the surface of an attached canopy.

SIGN, DIRECTIONAL

Any sign indicating the location of or direction to a person, place, event, product, business or other matter which is remote from the site or property upon which the sign is erected or displayed.

SIGN, ELECTRONIC MESSAGE

Any sign, or portion of a sign, that uses changing lights to form a sign message or messages where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

SIGN, FREESTANDING BRACKET

Freestanding blade sign, not considered a pole sign, that hangs from a bracket permanently affixed to a post that is separate from a building.

SIGN, HANGING

Refer to SIGN, PROJECTING.

SIGN, HOLIDAY DECORATION

Temporary signs, in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.

SIGN, ILLUMINATED (DIRECTLY)

A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

SIGN, ILLUMINATED (INDIRECTLY)

A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs.

SIGN, MARQUEE

Any permanent architectural canopy projecting over the entrance to an establishment, and any signage or message display thereon.

SIGN, MOBILE

Refer to PORTABLE SIGN.

SIGN, MONUMENT

A sign attached to the ground along its entire length upon a continuous pedestal.

SIGN, NON-CONFORMING

Any lawfully pre-existing sign that does not meet the requirements of this Article.

SIGN PERMIT

No sign shall be hereafter erected, placed or maintained at any place in the City of Auburn except as provided Article 5 |*Sign Regulations* and only after a permit therefore has been obtained in compliance with the provisions of Article 5 |*Sign Regulations*, unless stated otherwise.

SIGN, PLAZA DIRECTORY

A sign listing the tenants or occupants of a commercial plaza and that may indicate their respective professions or business activities.

SIGN, POLE

A sign that is mounted on a freestanding pole or other supports so that the top edge of the sign face is more than eight (8) feet above grade.

SIGN, PORTABLE

A sign that is not permanently affixed to a building, a structure or the ground, but not including identification lettering on vehicles and advertising on buses.

SIGN, POLITICAL

A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election or caucus.

SIGN, PROJECTING

Any sign that is attached to the building façade at a ninety (90) degree angle, extending more than twelve (12) inches from the wall. It may hang from a bracket and it may be two (2) or three (3) dimensional.

SIGN, ROOF

Any sign erected on or affixed to a building or structure which extends, in whole or in part, above the roof line.

SIGN, SIDEWALK

A moveable sign not attached to the ground or building with two or more steeply angled sides.

SIGN, SUBDIVISION IDENTIFICATION

Any sign erected or displayed for the purpose of identifying or advertising a residential development or subdivision.

SIGN, TEMPORARY

A sign erected for a limited time and not permanently affixed to the ground, a building or other fixed object or surface. Temporary signs include, but are not limited to, contractor's signs, realty sales or rental signs, special event signs, banners for charitable events or residential event signs.

SIGN, TENANT / SHOPPING CENTER IDENTIFICATION SIGN

A sign which serves as a common or collective identification for two or more commercial, business or industrial uses sharing an office, plaza, shopping center, industrial park or the like and which is located on such premises.

SIGN, VEHICLE

Signs displayed on licensed and registered motor vehicles which are used in conjunction with a business.

SIGN, WALL

A sign placed against a building and attached to the exterior wall, so that the display surface is parallel with the plane of the wall.

SIGN, WINDOW

A sign affixed to the inside of a window or door—or a sign placed inside a building within twelve (12) inches of such window or door and is visible and legible through a window or door.

SITE PLAN

A rendering, drawing, or sketch prepared to specifications and containing necessary elements, as set forth in this Ordinance, which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on said plan.

SPECIAL USE

A use which is deemed desirable for the public welfare within a given district or districts, which is potentially incompatible with other uses provided therein. The use shall be therefore subject to approval by the City Planning Board and to conditions set forth for such use as well as the other applicable provisions of this Ordinance.

SPECIAL USE PERMIT

A permit provided by the City Planning Board for a use requiring review, for uses that are not permitted expressly in a district but are listed as requiring a special use permit.

SPECIMEN TREE

A particularly impressive or unusual example of a species due to its size, shape, age, or any other trait that epitomizes the character of the species.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

The State Environmental Quality Review Act found in *Environmental Conservation Law Article 8* and the implementing regulations found in *6 NYCRR Part 617*.

STOOP

An exterior stair or landing area that may be covered or uncovered and is less than eighteen (18) inches in height, four (4) feet in width, and three (3) feet in depth provided from the street front to an elevated first story. An area that exceeds any of these dimensions shall be considered a porch or deck.

STORY

The portion of a building which is between one floor level and the next higher floor level or the roof.

STORY, HALF

A story with at least two opposite exterior sides meeting a sloping roof not more than four feet above the floor of such story.

STREET, MAJOR

A street that serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic-generating areas.

STREET, MINOR

A street intended to serve primary access to abutting properties.

STRUCTURE

Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls, fences, mailboxes, lampposts, bird houses, or similar construction. The term includes but is not limited to structures temporarily or permanently located, such as decks, satellite dishes, communications systems, pools, ponds, etc.

SWIMMING POOL, PRIVATE

Any structure above or below ground, outside of a building with the designed capacity of more than eighteen (18) inches of water depth which is intended for recreational purposes, and including all appurtenant decks, walks and equipment constructed, installed and maintained in or above the ground outside of the principal structure to which the pool is accessory.

SWIMMING POOL, PUBLIC

Any structure above or below ground designed for capacity of more than eighteen (18) inches of water depth. The structure may be publicly or privately owned pool and open to the general public, or on a membership basis and having appropriate dressing room facilities, recreation facilities and off-street parking area.

TASTING ROOM

A commercial establishment allowing beer/wine tasting with on-site and off-site retail sales directly to the public (or shipped). The tasting room facility must be directly affiliated with a minimum of one brewery/winery and meeting the requirements of the Alcoholic Beverage Control (ABC) appropriate license type. The Tasting Room may be operated within a brewery, brew pub, microbrewery, micro-distillery, winery, or distillery facility or as a stand-alone retail use. A tasting room shall be subject to the use and parking standards of a bar.

TAVERN

Refer to BAR.

TAXI DISPATCH STAND

An office establishment where taxi cabs are temporarily in que during operation and from which they are dispatched. Taxi cab body work, major structural repair, vehicle painting, and the overnight storage of any taxi cab vehicle shall be considered outdoor storage and permitted only in industrial districts.

TELECOMMUNICATION ANTENNAS, PRIVATE

Antennas intended for customer-end applications designed to receive direct broadcast satellite service, to receive or transmit fixed wireless signals, to receive video programming services via broadband radio service, to receive local television or radio broadcast signals.

TELECOMMUNICATION TOWER

Refer to WIRELESS TELECOMMUNICATION FACILITIES.

TELECOMMUNICATIONS

The transmission and reception of audio, video, data and other information by wire, radio, light and other electronic or electromagnetic systems.

TELECOMMUTE

Performing job-related requirements using telecommunications to transmit data and textual messages to the central organizational office without being physically present.

TEMPORARY OUTSIDE SALES

Selling of retail items outdoors for a limited amount of time for events such as sidewalk sales, open markets, art displays, and festivals.

TEMPORARY PORTABLE STORAGE UNITS

Any container, storage unit, box-like container or portable structure which resembles and functions in the same way as a traditional shipping container is a temporary portable storage unit and not a structure even when affixed to a permanent foundation.

TENANT

An occupant who temporarily holds or occupies land, a building or other property owned by another.

TEMPORARY USE

One established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

TINY HOUSE

A principal residential dwelling that has a square footage of between 320 square feet and 600 square feet. Each tiny house shall meet the New York State Building Code and must include basic functional areas that support normal daily routines (such as cooking, sleeping, and toiletry).

TINY HOUSE CLUSTERS

An area of land that has four (4) to twelve (12) tiny houses. Each tiny house cluster must also have a centralized common area no less than four hundred (400) square feet per tiny house.

TOW TRUCK OPERATION

A facility that dispatches tow trucks for hire with no automotive storage area for impounded vehicles.

TOWING AND IMPOUNDMENT YARD

The temporary storage of vehicles that have been towed, carried, hauled, or pushed from public or private property for impoundment in a public or private impoundment yard. This use does not include Motor Vehicle Repair or Motor Vehicle Service Station, Outdoor Storage, or Auto Wrecking Yard.

TRANSPARENCY

Transparency is the minimum percent of windows and doors that must cover a building façade. The ground story is measured between two (2) and twelve (12) feet above the sidewalk. Applies to Primary and Side streets only. Windows cannot be opaque.

URBAN AGRICULTURE

The use of a lot for the cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture, and/or hydroponics, as well as related agricultural products. Such use may not include the accessory keeping of farm animals as prohibited by \$104-5 of the City of Auburn Ordinance.

URBAN FARM

A ground-level area less than one (1) acre that is used as an accessory to commercial purposes, whether for profit or non-profit.

VARIANCE

A modification of the use and/or area and bulk regulations of this Chapter in an individual case where, due to specific facts and conditions peculiar to a particular property, literal application and strict enforcement would result in undue and unnecessary hardship or practical difficulty that would deprive the owner of reasonable use of the land or structures. Such unnecessary hardship or practical difficulty shall not be construed to include mere inconvenience or a desire to make more money.

VARIANCE, AREA

The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

VARIANCE, USE

The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations.

VENDOR

Any individual, including an employee or agent of a group of individuals, partnership or corporation, who sells or offers to sell food, beverages, goods or merchandise on any public way from a pushcart, stand, motor vehicle, or from his or her person.

WATERWAY

Any water area providing access from one place to another, primarily a water area providing a regular route for water traffic.

WINERY

The commercial processing of grapes or other fruit products to produce wine or similar spirits or the refermenting of still wine into sparkling wine. Processing consists of controlled fermentation combined with any of the following: crushing, blending, barrel aging, and bottling. Storage of case goods shall only occur in conjunction with processing.

WIRELESS TELECOMMUNICATIONS FACILITY

Includes a structure, facility or location designed or intended to be used as, or used to support, antennas or other transmitting or receiving devices. Refer to Code of the City of Auburn Chapter 300: Wireless Telecommunication Facilities

WHOLESALE ESTABLISHMENT

A business engaged in the sale of commodities in quantity, usually for resale or business use, chiefly to retailers, other businesses, industries and institutions.

YARD

An open space, as may be required by this Chapter, on the same lot with a building or a group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as specified elsewhere in this Chapter.

YARD, FRONT

An open space extending the full width of the lot between a building and the front lot line.

YARD, REAR

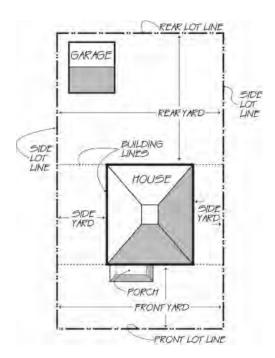
An open space extending the full width of the lot between a building and the rear lot line.

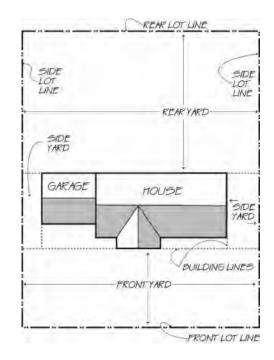
YARD, SECONDARY FRONT

Any lot having frontage on more than one street, the orientation of the front or main door of the principal structure, as determined by the address assigned by the city, shall establish a primary front yard and all other front yards shall be considered secondary front yards.

YARD, SIDE

An open space extending from the front yard to the rear yard between a building and the nearest side lot line.





ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the City of Auburn as provided for in *Article 5-A | § 81* of the General City Law. The board consists of seven (7) members appointed by the Mayor.

ZONING DISTRICT

The classification of lands as established in this Chapter and by the zoning map.

ZONING MAP

The map delineating the boundaries of the zoning districts which, along with the zoning text, comprises this Ordinance.

Article 3 Zoning Districts Established

§ 305-10 Establishment of Districts

The City of Auburn is hereby divided into the following zoning districts:

- A. R-1, Single-Family Residential
- B. R-2, Single, Two- and Multi-Family Residential
- C. CC, Central Corridor
- D. C, General Commercial
- E. NC, Neighborhood Commercial
- F. HC, Highway Commercial
- G. I, General Industrial
- H. I-2, Resource Recovery
- I. DD, Downtown

§ 305-11 Zoning Map

A. Description.

The aforesaid districts are bounded as shown on a map entitled "City of Auburn Zoning District Map," which accompanies and, with all explanatory matter thereon, is hereby made a part of this Chapter.

1. As evidence of the authenticity of the Zoning District Map, said map and amendments thereto shall be duly certified by the City Clerk.

B. Interpretation of District Boundaries.

District boundary lines are intended to follow property lines, center lines of streets, highways, alleys or railroads, extensions of such property lines or center lines or other lines located on the map by appropriate reference.

§ 305-12 Uses Table

	Downtown District (DD)	Central Corridor (CC)	Single Family (R-1)	Multi- Family (R-2)	General Com. (C)	Neigh. Com. (NC)	General Indust. (I)	Highway Com. (HC)	Resource Rec. (I-2)
			Po	sidential					
Accessory Dwelling Unit	А		A	A		А			
Apartment Complex				S	Р				
Bed-and-Breakfast	Р		S	Р	Р	Р			
Dwelling, Multiple Family, 3-4 units	Р			Р	Р	Р		Р	
Dwelling, Multiple Family, 5+ units	S				Р	S		Р	
Dwelling, Single-Family	Р		Р	Р		Р			
Dwelling, Single-Family Semidetached			Р	Р		Р			
Dwelling, Townhouse	Р		S	Р	Р	Р		Р	
Dwelling, Two-Family	Р			Р	Р	Р			
Residential Care Facility			S	Р	Р			Р	
Tiny House Clusters					Р				
			Ins	titutional					
Cemetery			S	S	S				
Conference/Convention Center	Р	Р							
Cultural Use Facility/ Museum	Р	Р							
Daycare Center/Daycare Facility	Р				Р	Р		Р	
Daycare, Family Home	Р		Р	Р	Р	Р		Р	
Healthcare Facility, Outpatient	Р				Р			Р	
Hospitals					Р			Р	
Homeless Shelter								Р	
Nursery School	Р				Р	Р		Р	
Performing Art Venue	Р	Р							
Place of Worship	Р	Р	Р	Р	Р	Р		Р	

Key:

"P" – Permitted Use

"S" – Special Use Permit Required

"A" – Permitted as an Accessory Use

	Downtown District (DD)	Central Corridor (CC)	Single Family (R-1)	Multi- Family (R-2)	General Com. (C)	Neigh. Com. (NC)	General Indust. (I)	Highway Com. (HC)	Resource Rec. (I-2)
			Со	mmercial					
Public/Semipublic Use	Р	Р	Р	Р	Р	Р			
Adult Use Business							S		S
Animal Grooming	Р				Р	Р	-	Р	
Animal Hospital					Р			Р	
Artist Studio	Р	Р				Р		Р	
Bakery, Commercial / Wholesale		Р			Р		Р		
Bakery, Retail	Р	Р				Р		Р	
Bar	Р					S		Р	
Brewery		Р			Р		Р		
Brew Pub	Р	Р				1		Р	
Commercial Kitchen	Р	Р						Р	
Crematorium						1	Р		
Distillery		Р			Р	1	Р		
Drive-Through	A/S*				А			А	
Dry-Cleaning Facility					Р		Р	Р	
Dry-Cleaning Outlet	Р				Р	Р		Р	
Equipment Sales, repair or rentals					Р		Р	Р	
Farmers Market, Permanent	Р	Р			Р				
Farmers Market, Temporary	Р	Р			Р			Р	
Flea Market	S	Р						Р	
Funeral Home	Р				Р			Р	
Garden Center		Р			Р			Р	
Greenhouse, Commercial		Р			Р		Р	Р	
Health Club	Р	Р				Р		Р	
Home Occupation	Р		S	S	Р	Р	Р	Р	
Hotel/Motel	Р	Р						Р	
Inn	Р	Р				Р			
Kennel				1			Р		
Laundry, Self-serve	Р			1				Р	
Makerspace	Р	Р		1		Р			
Micro-Brewery	Р	Р		1	Р	Р			

Key:

"P" – Permitted Use

"S" – Special Use Permit Required

"A" – Permitted as an Accessory Use

	Downtown District (DD)	Central Corridor (CC)	Single Family (R-1)	Multi- Family (R-2)	General Com. (C)	Neigh. Com. (NC)	General Indust. (I)	Highway Com. (HC)	Resource Rec. (I-2)
	-		Comm	ercial (cont		T			,
Micro-Distillery	Р	Р			Р				
Mixed Use Building	Р	Р			Р	Р			
Motor Vehicle Repair Station					Р		Р	Р	
Motor Vehicle					-		-		
Salesroom/Rentals					Р		Р	Р	
Motor Vehicle Service Station					Р	S	Р	Р	
Motor Vehicle Wash	S				Р		Р	Р	
Movie Theater	P	Р			P			P	
Nightclub	P	-						P	
Pawn Shop								P	
Office	Р				Р	S		P	
Recreation, Indoor Commercial	P	Р			P			P	
Recreation, Outdoor Commercial	Р	Р			Р			Р	
Restaurant	Р	Р			Р	Р		Р	
Restaurant, Quick Service	Р					Р		Р	
Retail, Big Box								Р	
Retail, Goods and Services	Р	Р			Р	Р		Р	
Self-Service Storage Facility							Р	Р	
Tasting Room	Р	Р			Р				
Taxi Dispatch Stand					S		Р	Р	
Tow Truck Operation					S		Р		
Urban Agriculture		Р	1	1					
Urban Farm		Р	1	1					
Winery		Р	1		Р				T
Wireless Telecommunications Facility	s	S	S	S	S	S	S	S	S

Key:

"P" – Permitted Use

"S" – Special Use Permit Required

"A" – Permitted as an Accessory Use

	Downtown District (DD)	Central Corridor (CC)	Single Family (R-1)	Multi- Family (R-2)	General Com. (C)	Neigh. Com. (NC)	General Indust. (I)	Highway Com. (HC)	Resource Rec. (I-2)
				Industrial					
	1	1	1	Industrial	1	T	1	1	
Agricultural Processing Plant		Р			Р		Ρ		
Auto Wrecking Yard									Р
Contractor's Yard							Р		
Distribution Center		Р			Р		Р		
Industry, Heavy							Р		
Industry, Light					Р		Р		
Junkyard							Р		Р
Outdoor Storage							Р		Р
Scrap Metal Processing									Р
Towing and Impoundment Yard							Р		

*Accessory use subject to Special Use Permit

Key:

"P" – Permitted Use

"S" – Special Use Permit Required

"A" – Permitted as an Accessory Use

§ 305-13 R-1 Single Family Residential District

A. Purpose and Intent.

The purpose of the Single-Family Residential District (R-1) is to promote owner occupied residential buildings and to provide for areas within the City of Auburn that encourage lower-density residential property developments. It is the intent of the R-1 district to encourage development and continuous use of lands for residential development that maintains the character of the existing neighborhoods within this district.

B. Permitted Uses.

The following uses are permitted within the R-1 District:

- 1. Daycare, Family Home
- 2. Dwelling, Single-Family
- 3. Dwelling, Single-Family Semidetached
- 4. Place of Worship
- 5. Public/Semipublic Use

C. Accessory Uses.

The following uses are permitted accessory uses within the R-1 District:

- 1. Accessory Dwelling Unit
- 2. Uses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |*§ 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the R-1 District:

- 1. Bed-and-Breakfast
- 2. Cemetery
- 3. Dwelling, Townhouse
- 4. Home Occupation
- 5. Residential Care Facility
- 6. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in Article 4 |§ 305-46, *Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: R-1 Single Family Residential District

Uses	Min. Lot Size (square feet)	Min. Lot Width	м	in. Setback (fe	et)	Max. Allowable Impervious	Max. Building Height	Parking
	(square reet)	(feet)	Front	Side	Rear	Surface Coverage (%)	(feet)	
Permitted								
Daycare, Family Home	6,000	50	20	7	25	50	35	1 per each six children enrolled
Dwelling, Single-Family	6,000	50	20	7	25	50	35	1 per dwelling unit
Dwelling, Single-Family Semidetached	6,000	50	20	Only one side yard at least 5 feet wide	25	50	35	1 per dwelling unit
Place of Worship	15,000	50	10	10	25	70	35	1 per each 4 seats
Public/Semipublic Use	10,000	50	20	10	25	50	35	1 per 1,000 sf
Accessory								
Accessory Dwelling Unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	+ 1
Special Use Permit								
Bed-and-Breakfast	8,000	50	20	7	25	50	35	1 per guest room + 1 for resident
Cemetery	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dwelling, Townhouse	3,000	30	20	7	25	50	35	1 per dwelling unit
Home Occupation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per employee reporting on a daily basis, excluding owner
Residential Care Facility	10,000	50	20	15	30	50	35	1 per each 4 residents + 1 per 1,000 sf of administrator space
Wireless Telecommunications Facility	20,000	100	40	15	30	35	N/A	N/A

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§ 305-14 R-2 Single, Two- and Multi-Family Residential District

A. Purpose and Intent.

The purpose of the Single, Two- and Multi-Family District (R-2) is to promote owner occupied residential buildings and to provide for areas within the City of Auburn that encourage lower-density residential property developments.

B. Permitted Uses.

The following uses are permitted within the R-2 District:

- 1. Bed-and Breakfast
- 2. Daycare, Family Home
- 3. Dwelling, Multiple Family 3-4 units
- 4. Dwelling, Single-Family
- 5. Dwelling, Single-Family Semidetached
- 6. Dwelling, Townhouse
- 7. Dwelling, Two-Family
- 8. Place of Worship
- 9. Public/Semipublic Use
- 10. Residential Care Facility

C. Accessory Uses.

The following uses are permitted accessory uses within the R-2 District:

- 1. Accessory Dwelling Unit
- 2. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |*§ 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the R-2 District:

- 1. Cemetery
- 2. Apartment Complex
- 3. Home Occupation
- 4. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in Article 4 |§ 305-46, *Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

Parking

Max. Building

I. DUIK AIIU USE TADIE. K-Z	Single, Two- and	i wului-raii	iny residenti				
Uses	Min. Lot Size (square feet)	Min. Lot Width	Mi	n. Setback (feet)		Max. Allowable Impervious Surface Coverage	
		(feet)	Front	Side	Rear	(%)	

Bulk and Use Table: R-2 Single Two- and Multi-Family Residential District L.

Uses	(square feet)	Width				Surface Coverage	Height	Parking
		(feet)	Front	Side	Rear	(%)	(feet)	
Permitted								
Bed-and-Breakfast	5,000	40	15	10	20	65	35	1 per guest room + 1 for resident
Daycare, Family Home	6,000	25	15	10	20	65	35	1 per dwelling unit + 1 per employee
Dwelling, Multiple Family, 3-4 units	7,500	40	15	10	20	65	35	1 per dwelling unit
Dwelling, Single-Family	5,000	40	15	7	20	65	35	1 per dwelling unit
Dwelling, Single-Family Semidetached	5,000	40	15	Only one side yard at least 7 feet wide	20	65	35	1 per dwelling unit
Dwelling, Townhouse	One townhouse unit per 3,000 SF of land	40	15	7	20	65	35	1 per dwelling unit
Dwelling, Two-Family	5,000	40	15	10	20	65	35	2 per dwelling unit
Place of Worship	15,000	50	10	10	25	70	35	1 per each 4 seats
Public/Semipublic Use	10,000	50	15	10	20	65	35	1 per 1,000 sf
Residential Care Facility	10,000	50	20	10	30	50	35	1 per each 4 residents + 1 per 1,000 sf of administrator space
Accessory								
Accessory Dwelling Unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	+ 1

Uses	Min. Lot Size	Min. Lot	Mi	n. Setback (feet)	1	Max. Allowable Impervious	Max. Building	
	(square feet)	Width (feet)	Front	Side	Rear	Surface Coverage (%)	Height (feet)	Parking
Special Use Permit								
Apartment Complex	40,000	80	30	20	30	65	50	1 per dwelling unit
Cemetery	10,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Home Occupation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per employee reporting on a daily basis, excluding owner
Wireless Telecommunications Facility	20,000	100	40	15	30	35	N/A	N/A

§ 305-15 CC Central Corridor District

A. Purpose and Intent.

The purpose of the Central Corridor District (CC) is to promote well-designed small-scale commercial development and accommodate a mixture of uses compatible with surrounding neighborhoods.

B. Permitted Uses.

The following uses are permitted within the CC District:

- 1. Agricultural Processing Plant 18. Inn
- 2. Artist Studio
- 3. Bakery, Commercial/Wholesale
- 4. Bakery, Retail
- 5. Brewery
- 6. Brew Pub
- 7. Commercial Kitchen
- 8. Conference/Convention Center
- 9. Cultural Use Facility/Museum
- 10. Distillery
- 11. Distribution Center
- 12. Famers' Market, Permanent
- 13. Famers' Market, Temporary
- 14. Flea Market
- 15. Garden Center
- 16. Greenhouse, Commercial
- 17. Hotel/Motel

- 18. Inn
- 19. Makerspace
- 20. Micro-Brewery
- 21. Micro-Distillery
- 22. Mixed Use Building
- 23. Movie Theater
- 24. Performing Art Venue
- 25. Place of Worship
- 26. Public/Semipublic Use
- 27. Recreation, Indoor Commercial
- 28. Recreation, Outdoor Commercial
- 29. Restaurant
- 30. Retail, Goods and Services
- 31. Tasting Room
- 32. Urban Agriculture
- 33. Urban Farm
- 34. Winery

C. Accessory Uses.

The following uses are permitted accessory uses within the CC District:

1. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |*§ 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the CC District:

1. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in *Article 4 |§ 305-46, Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: CC Central Corridor District

Uses	Min. Lot Size (square feet)	Min. Lot Width	Min	n. Setback (fe	et)	Max. Allowable Impervious Surface	Max. Building Height (feet)	Parking
		(feet)	Front	Side	Rear	Coverage (%)		
Permitted								
Agricultural Processing Plant	20,000	75	10	10	10	80	35	1 per 1,000 sf
Artist Studio	6,000	20	10	5	10	80	35	1 per 2,000 sf
Bakery, Commercial / Wholesale	10,000	50	10	10	10	80	35	1 per 2,000 sf
Bakery, Retail	6,000	20	10	5	10	80	35	1 per 2,000 sf
Brew Pub*	15,000	75	10	10	10	80	35	8 per 1,000 sf
Brewery*	15,000	75	10	10	10	80	35	1 per 1,000 sf
Commercial Kitchen	10,000	50	10	5	10	80	45	1 per 1,000 sf
Conference/Convention Center	20,000	75	20	10	10	80	45	1 per 1,000 sf
Cultural Use Facility / Museum	10,000	75	20	10	10	80	45	2.5 per 1,000 sf
Distillery	20,000	75	10	10	10	80	35	1 per 1,000 sf
Distribution Center	20,000	75	10	10	10	80	35	1 per 1,000 sf
Farmers' Market, Permanent	10,000	75	10	10	10	80	35	1 per 1,000 sf
Farmers' Market, Temporary	10,000	N/A	N/A	N/A	N/A	N/A	N/A	1 per vendor
Flea Market	20,000	75	10	10	10	80	35	2 per vendor
Garden Center	30,000	75	10	10	10	80	35	1 per 2,000 sf
Greenhouse, Commercial	20,000	75	10	10	10	80	35	1 per 1,000 sf

Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Mi	n. Setback (fe	et)	Max. Allowable Impervious Surface Coverage (%)	Max. Building Height (feet)	Parking
		(leet)	Front	Side	Rear	Coverage (%)		
Permitted								
Hotel/Motel	30,000	75	10	10	10	80	50	1 per room
Inn	15,000	75	10	10	10	80	35	1 per room
Makerspace	10,000	20	10	10	10	80	35	1 per 2,000 sf
Micro-Brewery*	15,000	75	10	10	10	80	35	3 per 1,000 sf
Micro-Distillery*	15,000	75	10	10	10	80	35	3 per 1,000 sf
Mixed Use Building	10,000	50	10	10	10	80	45	1 per dwelling unit + 1 per 2,000 sf
Movie Theater	20,000	75	10	10	10	80	75	1 for every 1,000 sf
Performing Art Venue	20,000	75	20	15	10	80	45	1 per each 5 seats
Place of Worship	15,000	50	10	10	25	80	35	1 per each 4 seats
Public/Semipublic Use	10,000	50	15	10	20	65	35	1 per 1,000 sf
Recreation, Indoor Commercial	20,000	50	10	10	10	80	50	1 per each 4 persons of design capacity
Recreation, Outdoor Commercial	10,000	50	10	5	10	80	50	1 per each 4 persons of design capacity
Restaurant	10,000	50	10	10	10	80	35	16 per 1,000 sf
Retail, Goods and Services	10,000	50	10	5	10	80	35	1 per 1,000 sf

Uses	Min. Lot Size (square feet)	Min. Lot Width	Mir	n. Setback (fe	et)	Max. Allowable Impervious Surface	Max. Building Height (feet)	Parking		
		(feet)	Front	Side	Rear	Coverage (%)				
Permitted										
Tasting Room	10,000	50	10	10	10	80	35	1 per 1,000 sf		
Urban Agriculture*	20,000	75	10	10	10	80	N/A	1 per 1,000 sf		
Urban Farm*	40,000	N/A	N/A	N/A	N/A	N/A	N/A	1 per 1,000 sf		
Winery*	20,000	75	50	10	10	80	45	3 per 1,000 sf		
Accessory Use										
Special Use Permit										
Wireless Telecommunications Facility	20,000	100	40	15	30	35	N/A	N/A		
*Brewer and agricultural silos located on the exterior of a building are not to exceed 40 feet in height.										

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§ 305-16 C General Commercial District

A. Purpose and Intent.

The purpose of the General Commercial District (C) is to promote a variety of commercial uses and services which are well designed and contribute to the character and economic vitality of the City of Auburn.

B. Permitted Uses.

The following uses are permitted within the C District:

- 1. Agricultural Processing Plant
- 2. Animal Grooming
- 3. Animal Hospital
- 4. Apartment Complex
- 5. Bakery, Commercial/Wholesale
- 6. Bed-and-Breakfast
- 7. Brewery
- 8. Daycare Center/ Daycare Facility
- 9. Distillery
- 10. Distribution Center
- 11. Dry-Cleaning Facility
- 12. Dry-Cleaning Outlet
- 13. Dwelling, Multiple Family, 3-4 units
- 14. Dwelling, Multiple Family, 5+ units
- 15. Dwelling, Townhouse
- 16. Dwelling, Two-Family
- 17. Equipment Sales, Repair, or Rental
- 18. Farmers' Market, Permanent
- 19. Farmers' Market, Temporary
- 20. Funeral Home
- 21. Garden Center
- 22. Greenhouse, Commercial
- 23. Healthcare Facility, Outpatient
- 24. Home Occupation

C. Accessory Uses.

The following uses are permitted accessory uses within the C District:

- 25. Hospital
- 26. Industry, Light
- 27. Micro-Brewery
- 28. Micro-Distillery
- 29. Mixed Use Building
- 30. Motor Vehicle Repair Station
- 31. Motor Vehicle Salesroom/Rentals
- 32. Motor Vehicle Service Station
- 33. Motor Vehicle Wash
- 34. Movie Theater
- 35. Nursery School
- 36. Office
- 37. Place of Worship
- 38. Public/Semipublic Use
- 39. Recreation, Indoor Commercial
- 40. Recreation, Outdoor Commercial
- 41. Residential Care Facility
- 42. Restaurant
- 43. Retail, Goods and Services
- 44. Tasting Room
- 45.
- 46. Tiny House Clusters
- 47. Winery

- 1. Accessory Dwelling Unit
- 2. Drive-Through
- 3. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |§* 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the C District:

- 1. Cemetery
- 2. Taxi Dispatch Stand
- 3. Tow Truck Operation
- 4. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in *Article 4 |§ 305-46, Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: C General Commercial District

		Min. Lot	I	Min. Setback (fo	eet)	Max. Allowable	Max.	
Uses	Min. Lot Size (square feet)	Width (feet)	Front	Side	Rear	Impervious Surface Coverage (%)	Building Height (feet)	Parking
Permitted								
Agricultural Processing Plant	40,000	75	50	20	20	65	45	1 per 1,000 sf
Animal Grooming	10,000	50	10	10	10	80	35	1 per 1,000 sf
Animal Hospital	10,000	50	10	10	10	65	35	1 per 1,000 sf
Apartment Complex	40,000	75	10	10	10	65	35	1 per dwelling unit
Bakery, Commercial / Wholesale	10,000	50	10	10	10	80	35	1 per 2,000 sf
Bed-and-Breakfast	6,000	20	10	7	10	80	35	1 per guest room + 1 for resident
Brewery	20,000	75	10	10	10	65	35	1 per 1,000 sf
Daycare Center / Daycare Facility	6,000	20	10	10	10	80	35	1 per dwelling unit + 1 per employee
Distillery	20,000	75	10	10	10	65	35	1 per 1,000 sf
Distribution Center	40,000	75	50	20	20	65	45	1 per 1,000 sf
Dry-Cleaning Facility	20,000	50	10	10	10	65	35	1 per 1,000 sf
Dry-Cleaning Outlet	10,000	50	10	10	10	80	35	1 per 2,000 sf

	Min. Lot Size	Min. Lot	1	Min. Setback (fe	eet)	Max. Allowable Impervious	Max. Building	
Uses	(square feet)	Width (feet)	Front	Side	Rear	Surface Coverage (%)	Height (feet)	Parking
Permitted								
Dwelling, Multiple Family, 3-4 units	10,000	50	20	7	10	80	35	1 per dwelling unit
Dwelling, Multiple Family, 5+ units	20,000	50	20	7	10	80	35	1 per dwelling unit
Dwelling, Townhouse	One townhouse unit per 3,000 SF of land	50	10	7	10	80	35	1 per dwelling unit
Dwelling, Two-Family	6,000	20	10	7	10	80	35	1 per dwelling unit
Equipment Sales, Repair, or Rental	10,000	50	20	10	10	80	35	1 per 1,000 sf
Farmers' Market, Permanent	10,000	50	10	10	10	80	35	1 per 1,000 sf
Farmers' Market, Temporary	6,000	N/A	N/A	N/A	N/A	N/A	N/A	1 space per vendor
Funeral Home	10,000	50	10	10	10	80	35	2 per 1,000 sf
Garden Center	30,000	75	10	10	10	80	35	1 per 2,000 sf
Greenhouse, Commercial	20,000	50	10	10	10	80	35	1 per 1,000 sf
Healthcare Facility, Outpatient	20,000	75	20	10	10	80	35	2 per 1,000 sf
Home Occupation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per employee reporting on a daily basis, excluding owner
Hospital	20,000	100	20	10	20	65	35	3 per 1,000 sf
Industry, Light	20,000	75	50	20	20	65	45	1 per 1,000 sf

Uses	Min. Lot Size (square feet)	Min. Lot Width	1	Min. Setback (f	eet)	Max. Allowable Impervious Surface	Max. Building Height	Parking
	(square reet)	(feet)	Front	Side	Rear	Coverage (%)	(feet)	
Permitted								
Micro-Brewery	20,000	75	10	10	10	65	35	1 per 1,000 sf
Micro-Distillery	20,000	75	10	10	10	65	35	1 per 1,000 sf
Mixed Use Building	10,000	50	10	10	10	80	35	1 per dwelling unit + 1 per 2,000 sf
Motor Vehicle Repair Station	10,000	75	20	10	10	65	35	1 per 1,000 sf
Motor Vehicle Salesroom/Rentals	20,000	75	20	10	10	80	35	1 per 1,000 sf
Motor Vehicle Service Station	20,000	100	20	20	20	65	35	1 per 1,000 sf
Motor Vehicle Wash	20,000	100	20	20	20	65	35	1 per 1,000 sf
Movie Theater	20,000	100	10	10	10	65	75	2 per 1,000 sf
Nursery School	10,000	50	10	10	10	65	35	1 for each 6 children enrolled
Office	10,000	50	10	10	10	65	35	3 per 1,000 sf
Place of Worship	15,000	50	10	10	25	80	35	1 per each 4 seats
Public / Semipublic Use	10,000	50	20	10	20	65	35	1 per 1,000 sf
Recreation, Indoor Commercial	20,000	50	10	10	10	80	50	1 per each 4 persons of design capacity
Recreation, Outdoor Commercial	10,000	50	10	5	10	80	50	1 per each 4 persons of design capacity
Residential Care Facility	10,000	50	20	10	20	50	35	1 per each 4 residents + 1 per 1,000 sf of administrator space

Uses	Min. Lot Size	Min. Lot Width	N	/lin. Setback (f	eet)	Max. Allowable Impervious	Max. Building	Parking
	(square feet)	(feet)	Front	Side	Rear	Surface Coverage (%)	Height (feet)	
Permitted								
Restaurant	10,000	50	10	10	10	80	35	16 per 1,000 sf
Retail, Goods and Services	10,000	50	10	10	10	80	35	1 per 1,000 sf
Tasting Room	10,000	50	10	10	10	80	35	1 per 1,000 sf
Tiny House Clusters	3,000	50	15	15	15	30	24	N/A
Winery	20,000	75	20	10	10	80	45	3 per 1,000 sf
Accessory Use								
Accessory Dwelling Unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	+ 1
Drive-through	30,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Special Use Permit								
Cemetery	10,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Taxi Dispatch Stand	30,000	75	20	20	20	65	35	1 per 3,000 sf
Tow Truck Operation	30,000	75	20	20	20	65	35	1 per 1,000 sf
Wireless Telecommunications Facility	20,000	75	20	10	20	35	N/A	N/A

§ 305-17 NC Neighborhood Commercial District

A. Purpose and Intent.

The purpose of the Neighborhood Commercial District (NC) is to promote well-designed mediumand small-scale commercial development compatible with surrounding neighborhoods.

B. Permitted Uses.

The following uses are permitted within the NC District:

- 1. Animal Grooming
- 2. Artist Studio
- 3. Bakery, Retail
- 4. Bed-and-Breakfast
- 5. Daycare Center/ Daycare Facility
- 6. Daycare, Family Home
- 7. Dry-Cleaning Outlet
- 8. Dwelling, Multiple Family, 3-4 units
- 9. Dwelling, Single-Family
- 10. Dwelling, Single-Family Semidetached
- 11. Dwelling, Townhouse
- 12. Dwelling, Two Family
- 13. Healthcare Facility, Outpatient

- 14. Health Club
 - 15. Home Occupation
 - 16. Inn
 - 17. Makerspace
 - 18. Micro-Brewery
 - 19. Mixed Use Building
 - 20. Nursery School
 - 21. Place of Worship
 - 22. Public/Semipublic Use
 - 23. Restaurant
 - 24. Restaurant, Quick Service
 - 25. Retail, Goods and Services

C. Accessory Uses.

The following uses are permitted accessory uses within the NC District:

- 1. Accessory Dwelling Unit
- 2. <u>Uses and structures accessory to a principal use as permitted and subject to the requirements of Article 4 |§ 305-23, Accessory Uses and Structures.</u>

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the NC District:

- 1. Bar
- 2. Dwelling, Multiple Family, 5+ units

- 3. Motor Vehicle Service Station
- 4. Office
- 5. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in *Article 4 |§ 305-46, Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: NC Neighborhood Commercial District

Uses	Min. Lot Size (square feet)	Min. Lot Width	n	/lin. Setback (f	eet)	Max. Allowable Impervious Surface	Max. Building Height	Parking
		(feet)	Front	Side	Rear	Coverage (%)	(feet)	
Permitted								
Animal Grooming	6,000	50	20	7	25	80	35	1 per 1,000 sf
Artist Studio	10,000	50	10	10	10	80	35	1 per 2,000 sf
Bakery, Retail	6,000	50	20	10	25	80	35	1 per 1,000 sf
Bed-and-Breakfast	8,000	50	20	7	25	80	35	1 per guest room + 1 for resident
Daycare Center / Daycare Facility	10,000	50	20	7	25	80	35	2 per 1,000 sf
Daycare, Family Home	6,000	50	20	7	25	80	35	1 per 1,000 sf
Dry-Cleaning Outlet	6,000	50	20	10	25	80	35	1 per 1,000 sf
Dwelling, Multiple Family, 3-4 units	10,000	50	20	7	25	80	35	1 per dwelling unit
Dwelling, Single-Family	5,000	50	15	7	20	65	35	1 per dwelling unit
Dwelling, Single-Family Semidetached	6,000	50	20	Only one side yard at least 5 feet wide	25	80	35	1 per dwelling unit
Dwelling, Townhouse	3,000	50	20	7	25	80	35	1 per dwelling unit
Dwelling, Two-Family	6,000	50	20	7	25	80	35	1 per dwelling unit
Healthcare Facility, Outpatient	10,000	50	20	7	25	65	35	1 per 1,000 sf
Health Club	20,000	75	20	10	25	80	35	1 per 1,000 sf

Uses	Min. Lot Size (square feet)	Min. Lot Width	N	/lin. Setback (f	eet)	Max. Allowable Impervious Surface	Max. Building Height	Parking
	((feet)	Front	Side	Rear	Coverage (%)	(feet)	
Permitted								
Home Occupation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per employee reporting on a daily basis, excluding owner
Inn	15,000	75	20	10	10	80	35	1 per room
Makerspace	10,000	50	10	10	10	80	35	1 per 2,000 sf
Micro-Brewery	20,000	75	10	10	10	65	35	1 per 1,000 sf
Mixed Use Building	10,000	50	N/A	N/A	10	80	35	1 per dwelling unit + 1 per 2,000 sf
Nursery School	10,000	50	10	10	10	65	35	1 for each 6 children enrolled
Place of Worship	15,000	50	20	10	25	80	35	1 per each 4 seats
Public/Semipublic Use	10,000	50	20	10	25	65	35	1 per 1,000 sf
Restaurant	10,000	50	10	10	10	80	35	12 per 1,000 sf
Restaurant, Quick Service	10,000	50	10	10	10	80	35	7 per 1,000 SF
Retail, Goods and Services	10,000	50	10	10	10	80	35	1 per 1,000 sf

Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Setback (feet)			Max. Allowable Impervious Surface Coverage (%)	Max. Building Height (feet)	Parking
Accessory Use								
Accessory Dwelling Unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	+ 1
Special Use Permit								
Bar	20,000	75	10	10	10	65	35	12 per 1,000 sf
Dwelling, Multiple Family, 5+ units	20,000	50	20	7	10	80	35	1 per dwelling unit
Motor Vehicle Service Station	30,000	75	20	15	25	80	35	1 per 1,000 SF
Office	10,000	50	10	10	10	65	35	1 per 1,000 SF
Wireless Telecommunications Facility	20,000	75	20	10	20	35	N/A	N/A

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§ 305-18 HC Highway Commercial District

A. Purpose and Intent.

The purpose of the Highway Commercial District (HC) is to promote well-designed commercial development that is accessible and compatible with the district as a major vehicular corridor.

B. Permitted Uses.

The following uses are permitted within the HC District:

- 1. Animal Grooming
- 2. Animal Hospital
- 3. Artist Studio
- 4. Bakery, Retail
- 5. Bar
- 6. Brew Pub
- 7. Commercial Kitchen
- 8. Daycare Center/Daycare Facility
- 9. Daycare, Family Home
- 10. Drive-Through
- 11. Dry-Cleaning Facility
- 12. Dry-Cleaning Outlet
- 13. Dwelling, Multiple Family, 3-4 units
- 14. Dwelling, Multiple Family, 5+ units
- 15. Dwelling, Townhouse
- 16. Equipment Sales, repair or rentals
- 17. Farmers Market, Temporary
- 18. Flea Market
- 19. Funeral Home
- 20. Garden Center
- 21. Greenhouse, Commercial
- 22. Health Club
- 23. Healthcare Facility, Outpatient

- 24. Home Occupation
- 25. Homeless Shelter
- 26. Hospitals
- 27. Hotel/Motel
- 28. Laundry, Self-serve
- 29. Motor Vehicle Repair Station
- 30. Motor Vehicle Salesroom/Rentals
- 31. Motor Vehicle Service Station
- 32. Motor Vehicle Wash
- 33. Movie Theater
- 34. Nightclub
- 35. Pawn Shop
- 36. Place of Worship
- 37. Office
- 38. Recreation, Indoor Commercial
- 39. Recreation, Outdoor Commercial
- 40. Residential Care Facility
- 41. Restaurant
- 42. Restaurant, Quick Service
- 43. Retail, Big Box
- 44. Retail, Goods and Services
- 45. Self-Service Storage Facility
- 46. Taxi Dispatch Stand

C. Accessory Uses.

The following uses are permitted accessory uses within the HC District:

- 1. Drive-Through
- 2. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 §* 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the HC District:

1. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in *Article 4* [§ 305-46, Off-Street Parking and Loading of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: HC Highway Commercial District

Uses	Min. Lot Size (square feet)	Min. Lot Width	N	/lin. Setback (f	eet)	Max. Allowable Impervious Surface	Max. Building Height	Parking
		(feet)	Front	Side	Rear	Coverage (%)	(feet)	
Permitted								
Animal Grooming	20,000	100	15	10	30	80	40	1 per 1,000 SF
Animal Hospital	20,000	100	15	10	30	80	40	1 per 1,000 SF
Artist Studio	20,000	100	15	10	30	80	40	1 per 2,000 SF
Bakery, Retail	20,000	100	15	10	30	80	40	1 per 2,000 SF
Bar	30,000	120	30	10	30	80	40	12 per 1,000 SF
Brew Pub	30,000	120	30	10	30	80	40	8 per 1,000 SF
Commercial Kitchen	30,000	120	30	10	30	80	40	1 per 1,000 SF
Daycare Center/Daycare Facility	20,000	100	15	10	30	65	35	1 per 6 children enrolled or persons in care
Daycare, Family Home	20,000	100	15	10	30	65	35	1 per 6 children enrolled
Dry-Cleaning Facility	30,000	120	30	10	30	80	40	1 per 1,000 SF
Dry-Cleaning Outlet	20,000	100	15	10	30	80	40	1 per 2,000 SF
Dwelling, Multiple Family, 3-4 units	20,000	100	15	10	30	65	35	1 per dwelling unit
Dwelling, Multiple Family, 5+ units	20,000	100	15	10	30	65	35	1 per dwelling unit
Dwelling, Townhouse	One townhouse unit per 3,000 SF of land	100	15	10	30	80	35	1 per dwelling unit

Uses	Min. Lot Size (square feet)	Min. Lot Width	Min. Setback (feet)			Max. Allowable Impervious Surface	Max. Building Height	Parking
		(feet)	Front	Side	Rear	Coverage (%)	(feet)	
Permitted								
Equipment Sales, repair or rentals	30,000	120	30	10	30	80	40	1 per 1,000 SF
Farmers Market, Temporary	20,000	N/A	N/A	N/A	N/A	N/A	N/A	1 per vender
Flea Market	30,000	120	30	10	30	80	40	2 per 1,000 SF
Funeral Home	30,000	120	30	10	30	80	40	2 per 1,000 SF
Garden Center	30,000	120	30	10	30	80	40	1 per 2,000 SF
Greenhouse, Commercial	30,000	120	30	10	30	80	40	1 per 1,000 SF
Health Club	30,000	120	30	10	30	80	40	3 per 1,000 SF
Healthcare Facility, Outpatient	30,000	120	30	10	30	80	40	2 per 1,000 SF
Home Occupation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per 1,000 SF
Homeless Shelter	20,000	100	15	10	30	65	35	1 per employee
Hospitals	30,000	120	30	10	30	80	40	1.5 per bed
Hotel/Motel	30,000	120	30	10	30	80	40	1 per room
Laundry, Self-serve	20,000	100	15	10	30	80	40	2 per 1,000 SF
Motor Vehicle Repair Station	30,000	120	30	10	30	80	40	2 per bay
Motor Vehicle Salesroom/Rentals	30,000	120	30	10	30	80	40	1 per 1,000 SF
Motor Vehicle Service Station	30,000	120	30	10	30	80	40	1 per 1,000 SF
Motor Vehicle Wash	30,000	120	30	10	30	80	40	1 per employee + 1 per vacuum

Uses		Min. Lot	Min. Setback (feet) .ot			Max. Allowable	Max.	
	Min. Lot Size (square feet)	Width (feet)	Front	Side	Rear	Impervious Surface Coverage (%)	Building Height (feet)	Parking
Permitted								
Movie Theater	30,000	120	30	10	30	80	40	1 for each 6 seats
Nightclub	30,000	120	30	10	30	80	40	10 per 1,000 SF
Pawn Shop	30,000	120	30	10	30	80	40	1 per 1,000 SF
Place of Worship	30,000	120	30	10	30	80	40	1 for each 4 seats
Office	30,000	120	30	10	30	80	40	3 per 1,000 SF
Recreation, Indoor Commercial	30,000	120	30	10	30	80	40	1 per each 4 persons of design capacity
Recreation, Outdoor Commercial	30,000	120	30	10	30	80	40	1 per each 4 persons of design capacity
Residential Care Facility	20,000	100	15	10	30	65	35	1 per dwelling unit
Restaurant	30,000	120	30	10	30	80	40	12 per 1,000 SF
Restaurant, Quick Service	20,000	100	15	10	30	80	40	7 per 1,000 SF
Retail, Big Box	30,000	120	30	10	30	80	40	3 per 1,000 SF
Retail, Goods and Services	20,000	100	15	10	30	80	40	2 per 1,000 SF
Self-Service Storage Facility	30,000	120	30	10	30	80	40	1 per 2,000 SF
Taxi Dispatch Stand	30,000	120	30	10	30	80	40	1 per 3,000 SF

Uses Min. Lot S (square fe	Min. Lot Size (square feet) Width		N	lin. Setback (f	eet)	Max. Allowable Impervious Surface	Max. Building Height	Parking
	(square reet)	(feet)	Front	Side	Rear	Coverage (%)	(feet)	
Accessory Uses								
Drive-Through	30,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Special Use Permit								
Wireless Telecommunications Facility	30,000	120	30	10	30	80	40	N/A

§ 305-19 I General Industrial District

A. Purpose and Intent.

The general purpose of the General Industrial District (I) is to provide for areas in the City to facilitate and encourage business growth and job creation where industrial uses have primarily been concentrated. Industrial uses must respect adjacent transitional areas through the incorporation of buffers, design guidelines, and compliance with performance standards as set forth elsewhere in this Chapter.

B. Permitted Uses.

The following uses are permitted within the I District:

- 1. Agricultural Processing Plant
- 2. Contractor's Yard
- 3. Distribution Center
- 4. Dry-Cleaning Facility
- 5. Industry, Heavy
- 6. Industry, Light
- 7. Junkyard
- 8. Kennel
- 9. Motor Vehicle Repair Station
- 10. Motor Vehicle Salesroom/Rentals
- 11. Motor Vehicle Service Station
- 12. Motor Vehicle Wash
- 13. Outdoor Storage
- 14. Taxi Dispatch Stand
- 15. Tow Truck Operation
- 16. Towing and Impoundment Yard

C. Accessory Uses.

The following uses are permitted accessory uses within the I District:

1. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |*§ 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the I District:

- 1. Adult Use Business
- 2. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in *Article 4 |§ 305-46, Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

I. Bulk and Use Table: I General Industrial District

Uses	Min. Lot Size (square feet)	Min. Lot Min. Setback (feet) Width				Max. Allowable Impervious	Max. Building Height	Parking
	(04	(feet)	Front	Side	Rear	Surface Coverage (%)	(feet)	
Permitted								
Agricultural Processing Plant	40,000	150	25	25	50	75	85	1 per each 2 employees
Contractor's Yard	30,000	100	25	15	25	75	35	N/A
Distribution Center	40,000	150	25	25	50	75	85	1 per each 2 employees
Dry-Cleaning Facility	30,000	100	25	15	25	75	35	1 per 1,000 SF
Industry, Heavy	40,000	150	25	25	50	75	85	1 per each 2 employees
Industry, Light	40,000	150	25	25	50	75	85	1 per each 2 employee
Junkyard	40,000	150	25	25	50	75	85	1 per each 2 employee
Kennel	30,000	100	25	15	25	75	35	1 per 1,000 SF
Motor Vehicle Repair Station	30,000	100	25	15	25	75	35	2 per bay
Motor Vehicle Salesroom/Rentals	30,000	100	25	15	25	75	35	1 per 1,000 SF
Motor Vehicle Service Station	30,000	100	25	15	25	75	35	1 per 1,000 SF
Motor Vehicle Wash	30,000	100	25	15	25	75	35	1 per employee + 1 per vacuum
Outdoor Storage	30,000	100	25	15	25	75	35	N/A
Taxi Dispatch Stand	30,000	100	25	15	25	75	35	1 per 3,000 SF
Tow Truck Operation	30,000	100	25	15	25	75	35	1 per 1,000 SF
Towing and Impoundment Yard	30,000	100	25	15	25	75	35	N/A

Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Setback (feet)			Max. Allowable Impervious Surface Coverage (%)	Max. Building Height (feet)	Parking
Special Use Permit								
Adult Use Business	30,000	100	25	15	25	75	35	1 per 1,000 SF
Wireless Telecommunications Facility	30,000	100	25	15	25	75	35	N/A

§ 305-20 I-2 Resource Recovery District

A. Purpose and Intent.

The general purpose of the Resource Recovery District (I-2) is to provide for targeted locations in the City for businesses that may have more substantive impact on surrounding land uses. These uses are important to the overall economic health of the City but due to their impacts should be located in specified locations where their impacts can be minimized.

B. Permitted Uses.

The following uses are permitted within the I-2 District:

- 1. Auto Wrecking Yard
- 2. Junkyard
- 3. Outdoor Storage
- 4. Scrap Metal Processing

C. Accessory Uses.

The following uses are permitted accessory uses within the I-2 District:

1. <u>U</u>ses and structures accessory to a principal use as permitted and subject to the requirements of *Article 4 |*§ 305-23, *Accessory Uses and Structures*.

D. Special Use Permits.

Certain uses require a special use permit from the Planning Board, subject to the requirements of *Article 1 |§ 305-104, Special Use Permits*. The following uses are allowed as special permit uses within the I-2 District:

- 1. Adult Use Business
- 2. Wireless Telecommunications Facility

E. Prohibited Uses.

Uses that are not expressly permitted in this Section are prohibited.

F. Off-Street Parking Requirements.

Uses not listed in the Bulk and Use Table are not subject to off-street parking requirements. In addition, all uses permitted in this district are subject to the additional parking and loading requirements set forth in Article 4 [§ 305-46, *Off-Street Parking and Loading* of this Chapter.

G. Signs.

All signage is required to conform to regulations set forth in Article 5 |*Sign Regulations* of this Ordinance.

H. Supplemental Regulations.

Uses are subject to the requirements specified elsewhere in these regulations or other Chapters of the City's Code of Ordinances, including, but not limited to, Supplemental Regulations in accordance with *Article 4 | Supplemental Regulations*.

I. Bulk and Use Table: I-2 Resource Recovery District

Uses	Min. Lot Size (square feet)	Min. Lot Width	ſ	Min. Setback (f	eet)	Max. Allowable Impervious	Max. Building	Parking
		(feet)	Front	Side	Rear	Surface Coverage (%)	Height (feet)	
Permitted								
Auto Wrecking Yard	40,000	N/A	50	25	50	50	85	1 per each 2 employees
Junkyard	40,000	N/A	50	25	50	50	85	1 per each 2 employees
Outdoor Storage	30,000	N/A	50	25	50	50	85	N/A
Scrap Metal Processing	40,000	N/A	50	25	50	50	85	1 per each 2 employees
Special Use Permit								
Adult Use Business	30,000	100	25	15	25	75	35	1 per 1,000 SF
Wireless Telecommunications Facility	30,000	100	25	15	25	75	35	N/A

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§ 305-21 DD Downtown District

A. Purpose and Intent.

The purpose of this Section is to provide regulatory standards governing building form and related urban design principles for new development and redevelopment projects in Downtown Auburn. These standards are intended to ensure that proposed development is consistent with the vision, goals and objectives of Building a Sustainable Future, The City of Auburn Comprehensive Plan and other City planning and development initiatives. Downtown is the City's financial, entertainment, governmental and institutional center for public services, social activity and employment. As such, the intent of this Section is to maintain the distinctive character of Downtown and enhance relationships between buildings and streets and other public spaces by considering their visual compatibility with surrounding areas.

B. Guiding Principles.

These standards are based upon a number of guiding principles including to:

- 1. Implement the City of Auburn Comprehensive Plan;
- 2. Protect and reinforce the unique and historic character of Downtown neighborhoods;
- 3. Encourage adaptive reuse and desirable forms of development at infill locations and underutilized properties;
- 4. Re-establish walkability and strengthen the historic circulation patterns of walkable areas;
- 5. Encourage reinvestment and revitalization by promoting mixed-use development;
- 6. Discourage less compatible suburban styles of development in the Downtown;
- 7. Enhance the visual character and quality of the public realm and improve pedestrian comfort; and
- 8. Promote diversity and compatibility in the design and use of urban buildings and public spaces.

C. Applicability and Use.

This Section applies to all buildings and the interface of buildings with the public realm and public realm amenities within the boundaries of the Downtown District. The provisions of this Ordinance are implemented by use of the words "shall" when meeting such provisions are required; "should" when the actions are recommended; and "may" when actions are considered optional.

Action					Applicable Subsect	ion			
	Article 3 § 305- 21I	Article 3 § 305- 21G.1	Article 3 § 305- 21I	Article 3 § 305- 21L	Article 1 § 305-1I.6	Article 3 § 305- 21G.2	Article 3 § 305-21G.5	Article 1 § 305- 1J.5	Article 5 § 305-75
	Sites	Placement	Height	Façade	Encroachments	Parking	Landscaping & Screening	Lighting	Signs
New Development	Х	Х	Х	Х	Х	Х	Х	Х	Х
Expansion of building up to 25% of gross building square footage				Х	Х			Х	Х
Expansion of building over 50%	Х	Х	Х	Х	Х	Х	Х	Х	Х
Exterior remodel (change or addition of façade materials) of existing non- residential or multi- family building of more than 50% of the façade** Exterior remodel (change or addition of façade materials) of existing non-residential or multi-family building between 20% and 50% of the façade**				X	X			X	X
Exterior remodel (change or addition of façade materials) of existing non- residential or multi- family building of more than 50% of the façade**				X	X	Х	X	X	
Expansion or replacement of existing surface parking lot of more than 10 new spaces						Х	Х		
Installation of parking lot lighting								Х	
Installation of a new sign									Х
Modifications to an existing sign									Х

D. Downtown District Boundaries Map.

The Downtown District is identified as comprising all those buildings, structures, parcels, uses, corridors and natural features within the boundaries as shown on the most recent version of the City of Auburn Zoning Map, which may be amended from time to time by the City Council.



E. Downtown Core and Gateway Areas.

The Downtown District has a mixed-use core and gateway areas as discussed in this Ordinance. Both are evolving over time in terms of development scale, density, type and intensity of use. The Downtown Core is the centralized mixed-use business area of the City with a concentrated mix of land uses at higher densities of building development and vertical scale than other areas of the City. The core is an area of high development interest often focused at or near the crossroads of major thoroughfares. The core contains some of the most important landmarks, civic places and historic sites in Auburn.

The Downtown Gateway areas are generally those neighboring peripheral areas that transition from the higher intensities of use and the more traditional urban forms found in the core to somewhat lower densities, less variability in land use and noticeable changes in visual character. The gateways are generally along thoroughfares leading into Downtown adjacent to neighboring zoning districts where land use transitions to residential neighborhoods and non-residential uses that begin to exhibit characteristics of urban/suburban areas with obvious changes in building types, architectural styles, lot sizes and pedestrian activity along mostly commercial corridors.

F. Organization of Building Types.

This Ordinance is organized by Building Types found within the Downtown District. In the Downtown District, eight (8) building types have been identified (*see Table F-1*). Building type should not be confused with building use or architectural style. Each building type is associated with information specific to that type including its general size, height and similar form and design characteristics.

This Ordinance includes dimensional and building form standards. Dimensional standards include lot size and setback requirements. Building form standards relate to the overall size and shape of buildings including massing and scale relative to their surroundings. This Ordinance provides standards applicable to all building types as well as standards that only apply to a specific building type. *Table F-1* identifies where each type is permitted within the Downtown Core and each of the four Downtown Gateway areas.

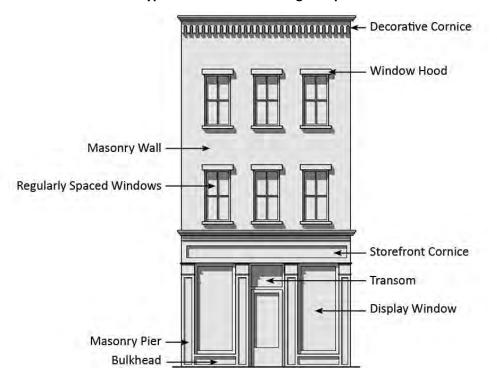
Table F-1 Downtown Building Types										
Downtown District Building Types	Downtown Mixed Use Core	Northern Gateway	Southern Gateway	Eastern Gateway	Western Gateway					
Civic & Institutional	Р	Р	S	S	S					
Multi-story Commercial/Office	Р	Р	S		S					
Main Street Mixed-Use	Р	Р	S	Р	Р					
Mid-Rise/High-Rise	Р	S								
Small Shopfront/Storefront	Р	Р	Р	Р	Р					
One-Story Commercial/Franchise	S	Р	S	Р	Р					
Attached Multi Residence	Р	Р	Р	Р	Р					
Detached House	S	Р	Р	Р	Р					
P Permitted S Requires Special Permit Not Permitted / Not Applie	cable									

A details list of permitted uses is provided in *Article 3 |§ 305-12 Uses Table*. In cases where specific uses and their associated building types are assigned two different levels of permissibility (e.g., where a commercial office use may be permitted, and the Multi-Story Commercial/Office building type requires a special permit), the more restrictive review process prevails.

G. Standards Applicable to All Building Types.

- 1. Building and Architectural Standards
 - [a] Building Placement and Orientation: Massing and traditional proportions of building height, width to height ratios, and rooflines, shall be maintained and be compatible with the context of surrounding buildings that meet the intent of this Ordinance. With regard to proposed new buildings, additions and/or alterations of existing buildings, the height and scale of other buildings on the block shall be maintained so that the front façade of the new or altered building does not exceed the average width of principal buildings within approximately 200 feet of the proposed new or altered building by more than 20%.
 - [b] In the Downtown Core, the height of new buildings shall not exceed the average height of principal buildings within approximately 200 feet by more than one (1) story or 12 feet, whichever is less. In Downtown Gateway areas, the height of new buildings shall not exceed the average height of principal buildings within approximately 400 feet by more than one (1) story or 12 feet, whichever is less.
 - [c] The building's front façade shall be oriented to the primary street.
 - [d] Building height limits shall not apply to structural elements such as, but not limited to domes, flag poles, masts, clock towers, chimneys, belfries, mechanical areas and elevator enclosures.
 - [e] The proposed new or altered building shall also maintain the pattern of building fronts and setbacks from both primary and secondary streets within approximately 200 feet so that the building setback is within five (5) feet of the average setback of buildings on the block, provided those buildings presently meet the setbacks established by this Ordinance.
 - [f] In the case of adjacent buildings that do not conform to the traditional heights and rooflines of the block, the traditional height shall take precedent. Some slight variation (up to a maximum of plus or minus 4 feet) in the height of a building's primary façade roofline is allowed to avoid visual monotony.
 - [g] The primary façade may step back a maximum of 2 feet from the required setback to allow for building articulation for its total length.
 - [h] Block corners shall be reserved for buildings oriented to face both streets. Buildings shall be placed at the corner created by the intersection of the front and side setback lines. The void created by the difference between the total lot width and the minimum permitted width of the building shall not be located at this corner.
 - [i] Buildings at corners shall be considered to have two primary façades facing the adjacent streets. References in this Ordinance to primary façade treatment shall apply to both façades.

- 2. Building Components
 - [a] Flat roof forms are most appropriate for medium and large-scale buildings in the Downtown District. This includes most building types that are two stories or more in height.
 - [b] Flat roofs and roofs with a pitch less than 4:12 shall include parapet walls along each side of the building of at least 18 inches in height.
 - [c] Sloping and pitched roofs (greater than 4:12 pitch) may be appropriate for small and medium scale buildings for consistency within the context of their surroundings, particularly for one story buildings in gateway areas of Downtown adjacent to residential neighborhoods.
 - [d] Decorative cornices are required on flat roofed buildings and shall be a minimum of 24 inches in height. Cornices may extend a maximum of 24 inches from the exterior face of the building into the front or side setback.
 - [e] Existing original and traditional roofline features and details such as eaves, cornices, pediments and medallions shall be maintained and not removed, destroyed or covered. Missing, damaged or previously removed architectural features, such as, but not limited to cornices, special roofline decorative details, masonry piers, and bulkheads shall be repaired and/or replaced with acceptable traditional designs and materials.



Typical Mixed-Use Building Components

3. Frontage Types

Frontage types are components of a building extending beyond the façade into the transition area on private property between the building and the public realm, which includes sidewalks and streets. Frontage types are important structural elements within the private realm that contribute to social interaction and character of a neighborhood. The following frontage types are appropriate to the Downtown District according to building types identified in this Ordinance.

- [a] Arcade. An arcade is a passage located along the exterior wall of a building and structurally covered, typically by the building's upper stories.
- [b] Awning. An awning is a wall-mounted, pitched cover extending from a building to provide protection from the weather.
- [c] Balcony. A balcony is a projecting platform, or recessed within, the upper floors of a building façade.
- [d] Canopy. A canopy is a horizontal roofed cover extending outward from a building typically with structural supports attached to the building or ground plane extending to provide protection from the weather.
- [e] Common Yard. A relatively large planted lawn, setback from the frontage line typically associated with detached houses providing a buffer from local thoroughfares. A common yard remains unfenced and is visually continuous with adjacent yards forming a common landscape.
- [f] Forecourt. A forecourt is a semi-public space, open to the sky and formed by the recess in the central portion of the building façade, enclosed by the building façade on three sides. The space could be used as an entry court, shared garden space for apartments, restaurant seating area or outdoor retail space.
- [g] Plaza. A plaza is an outdoor public space formed by a building setback from the street that is open above and designed specifically for public gathering.
- [h] Porch. A porch is a raised, roofed platform attached to a building forming a projected or recessed entryway as a semi-private space. A projecting porch is typically open on three sides behind the setback line. An engaged porch appears recessed and has one or two adjacent sides attached to the building and one or two sides open. Minimum width is typically 8 feet across the front façade with a minimum depth of 4 feet. Partial walls or railings are not more than 4 feet high.

- [i] Stoop. A stoop is a raised unenclosed platform to a building entrance that is elevated relative to and adjacent to the sidewalk. Stairs or ramps lead directly to the sidewalk. A stoop is most appropriate to residences with small front setbacks, or to façades that must accommodate a grade change. Typically, a stoop has a maximum width and depth of 6 feet.
- [j] Storefront/Shopfront. The storefront/shopfront is along the main façade of the building at or near the front setback line with an at-grade entrance along the public sidewalk. This frontage type is typically intended for retail use. This may be used along with other frontage types such as a front awning over a window.
- 4. Façade Design, Materials, and Maintenance
 - [a] Original façade materials and design details, including transparency created by windows and doors, shall be maintained and/or restored to the greatest extent practicable, if it is determined in consultation with the City that such existing façade treatment is feasible and necessary to be consistent with the intent of this Ordinance.
 - [b] Durable and low maintenance traditional building façade materials, such as brick, stone and concrete, as exists throughout the Downtown area, shall be used as much as possible. Metal siding, corrugated metals, wood and vinyl siding materials shall be avoided unless approved by the City. Lightweight synthetic wall cladding and mirrored or reflective surfaces shall be avoided.
 - [c] Façade materials shall consist of classic colors found elsewhere within the Downtown District. Accent colors shall complement and contrast appropriately with primary building materials. Dramatic contrast in colors should be avoided unless it is considered important and integral to the architectural design, historic context and/or style of the building.
 - [d] The side façade and entryways of corner buildings along side streets shall be consistent with the treatment of the primary front façade in terms of the quality and appearance of building materials, windows and doors, colors and landscaping treatment.
- 5. Doors, Windows, and Trim
 - [a] Primary entry doors shall face the street and transparency shall vary with building type. For redevelopment projects, original building entrances shall be retained and original entranceway details shall be restored to the greatest extent practicable or replaced with traditional looking substitutes.
 - [b] Angled entranceways are permitted for corner buildings.
 - [c] Windows and doors shall be regularly spaced on the front façade and other façades visible from the public realm.

- [d] Windows at ground level shall provide clear views from the building to the street and from the public realm into the building. Dark, tinted, textured or highly reflective glass is not permitted along the ground level façade.
- [e] For redevelopment projects, windows shall be maintained to their original size and overall proportions. Lintels, caps, and sills shall be retained to the greatest extent practicable or appropriately replaced with traditional looking substitutes.
- [f] On masonry building façades, window elements shall include a header or hood and sill. On façades other than masonry, window elements shall include wood or similar looking trim on all four sides of each window.
- [g] Trim shall be compatible in style, materials and colors with the exterior of the building. Accent colors shall complement and contrast appropriately with primary building materials. Dramatic contrast in colors should be avoided unless it is considered important and integral to the architectural design, style and/or historic context of the building.
- 6. Awnings and Canopies
 - [a] The use of awnings or canopies above storefront glass windows, particularly on mixed-use and commercial buildings, shall be allowed along the full linear extent of the primary façade to promote pedestrian interest in ground floor areas.
 - [b] Awnings that are located on a primary façade or visible from the primary street shall use non-vinyl and non-plastic matte finish materials, such as commercial grade fabric or canvas that is durable for local weather conditions.
 - [c] Asphalt or composition shingle, or other materials with a synthetic or plastic appearance are not allowed.
 - [d] Colors shall complement the exterior design of the building and be compatible with the context of surrounding areas and buildings.
 - [e] Information contained on the awning or canopy shall not be interpreted as a substitute for allowed signage (*see Article 5 | Sign Regulations*).
 - [f] Awnings and canopies shall have a minimum clearance of 10 feet above the top of sidewalk and project a minimum of 5 feet from the building, subject to any and all other regulations restricting structural encroachments within the public right of way.
 - [g] Convex, bullnose, quarter round, or "waterfall"-style curved awnings are discouraged.
 - [h] Awnings and canopies should be integrated into the front façade by being placed within, rather than overlapping, the vertical elements of a building façade, for example, a façade that is divided into distinct structural bays.

J. Public Realm Standards.

1. Public Realm

- [a] Concrete sidewalks and granite curbs shall be provided along both sides of the public right-of-way of primary municipal streets upon approval of the City to safely separate areas of high volumes of vehicular traffic from pedestrian activity.
- [b] The ground plane that abuts the inside back of the curb between the curb and sidewalk shall be paved with concrete, concrete pavers, brick, stone, or other high quality, durable and low maintenance hardscape material acceptable to the City. The use of asphalt and loose gravel or granular materials is prohibited.
- 2. Streetscapes and Pedestrian Amenities
 - [a] Where streetscaping and pedestrian amenities are provided by the property owner or developer within or immediately adjacent to the public right-of-way, the materials shall be high quality, durable elements determined acceptable by the City. These amenities may include, but not be limited to pavement surfaces, seating areas and walls, benches, lighting, street trees, fences and railings.
- 3. Screening Walls, Fences, and Gates
 - [a] Screening walls, fences, railings and gates along primary streets shall be constructed of durable, high quality, low maintenance materials including, but not limited to brick, stone, and metal (steel, aluminum, wrought iron). Plastic, vinyl, chain link and wooden fences, railings and gates shall be prohibited in the Downtown District unless approved by the City.
 - [1] The appearance of security fencing from the public realm shall be enhanced by landscaping along the fence line with appropriately sized evergreen and deciduous plant materials.
 - [2] The use of chain link fencing along primary and secondary streets, with or without vinyl slats, for use as visual buffers and/or screens is prohibited in the Downtown District unless approved by the City.
- 4. Loading Zones, Berths, and Docks
 - [a] Off-Street parking and Loading shall be per Article 4 /§ 305-45, Off-Street Parking and Loading.
 - [b] Loading zones, berths, docks, and overhead doors shall face the rear lot line of the primary building or an alley where practicable. Delivery and service areas shall be visually screened from the public realm and from primary and secondary thoroughfares, adjacent residential areas and other pedestrian activity and public gathering areas.

- 5. Lighting, Fixtures, and Illumination
 - [a] Area lighting shall be Article 4 |§ 305-41, Lighting.
 - [b] Pedestrian scale street lights shall meet City engineering and placement standards.
 - [c] Lighting shall not conflict with pedestrian circulation and street trees.
 - [d] Exterior building lights, if provided, shall be mounted on the primary street's front façade, between 8 feet and 12 feet above adjacent sidewalk grade. All buildings with alleyways shall have sufficient lighting fixtures along the alleyway for pedestrian safety where it will not conflict with vehicle access and circulation.
 - [e] Exterior building lights shall not cause glare onto adjacent lots or buildings. Floodlights or directional lights may be used to illuminate alleys, parking areas, garages and maintenance areas, but shielded in such a way as to not shine into other lots or the street.
 - [f] All light fixtures, for general area lighting, shall be full cut-off type fixtures, which do not produce any light above 90 degrees from the nadir (nadir being the angle pointing directly downward from the luminaire or fixture), and equipped with flat lenses; and with fixed, non-adjustable, mounting arms or brackets. Light fixtures for landscaping lighting and decorative building lighting may allow light above 90 degrees from the nadir.
 - [g] Light poles and light fixtures shall maintain the same style, height, and color and intensity of illumination throughout the surrounding area. Poles and fixtures shall be made of durable and vandal-resistant materials. Variation in styles of light poles and fixtures are permitted if it is demonstrated that the styles contribute to an overall design theme for the area.
 - [h] Illumination shall be consistent with neighborhood ambient light levels and accepted industry standards, such as those of the Illuminating Engineering Society of North America (IESNA).

- 2. Parking
 - [a] Off-Street parking and loading shall be per Article 4 /§ 305-46, Off-Street Parking and Loading.
 - [b] For buildings that are located at or near the public sidewalk edge, for example, with a zero setback line, parking shall be located to the rear or side of the building and/or with shared parking at interior parts of the block.
 - [c] Off-street parking shall not be located in front of the building along primary streets.
 - [d] New stand-alone parking structures that front along a primary thoroughfare shall incorporate mixed-use liner buildings and decorative exterior façade materials appropriate to the context of its surroundings to visually screen interior parking levels from the public realm and minimize the appearance of parked vehicles.
- 3. Site Access, Driveways, and Vehicular Circulation
 - [a] Vehicular circulation, where provided shall include shared narrow drive lanes between parcels and/or buildings as off-street connections to interior parts of the block to limit curb cuts.
 - [b] Driveways shall be paved with asphalt or concrete per City engineering standards.
- 4. Pedestrian Movement
 - [a] Buildings shall be connected to the street and to adjacent public transit stops via concrete sidewalks.
 - [b] Sidewalks or landscaped walkways shall connect buildings to off-street parking areas.
 - [c] Convenient pedestrian access shall be provided to adjacent development. All sites must provide for safe and direct pedestrian connections between detached buildings where practicable.
 - [d] Paving materials and landscaping shall differentiate and delineate pedestrian walkways from parking spaces, automobile travel lanes and driveways.
 - [e] Outdoor seating areas and cafes on private property shall not interfere with pedestrian flow and circulation along the public sidewalk and at building entryways.

- 5. Landscaping Standards
 - [a] Materials and Maintenance:
 - [1] Landscaping shall be per Article 4 | § 305-40, Landscaping.
 - [2] The design emphasis for landscaping shall focus on enhancing the visual quality and safe functioning of the public realm by incorporating pedestrian amenities such as linear planting beds, seat walls, street furniture, public art, lighting, and other streetscape materials. These features shall be architecturally compatible with the styles, materials and colors of the principal building on the lot, and the landscaping design and context desired by the City in the immediate area.
 - [3] Context appropriate landscaping shall be provided at the front façade along the primary street where space allows. Appropriate landscaping will depend on factors such as the setbacks, shape, size, frontage elements and orientation of the building.
 - [4] The selection of landscaping materials shall consider their visual quality, seasonal use, durability, and maintainability. Recycled and sustainable materials shall be acceptable if they meet these conditions.
 - [5] The developer, its successor and/or subsequent owners and their agents, shall maintain landscaping on the property on a continuing basis for the life of the development. Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated. Dead plants shall be promptly removed and replaced within the next planting season after removal.
 - [b] Use of Native Species:

Plant species shall be selected based on compatibility with conditions in an urban environment. Native, non-invasive plant materials shall be considered over non-native species. Ease of maintenance, plant litter, disease resistance, irrigation needs and growth habits, including the potential for tree canopies, branches, and root systems to damage sidewalks, pavements and utilities shall also be considered.

[c] Tree Placement and Protection:

Plant species shall be selected based on compatibility with conditions in an urban environment. Native, non-invasive plant materials shall be considered over non-native species. Ease of maintenance, plant litter, disease resistance, irrigation needs and growth habits, including the potential for tree canopies, branches, and root systems to damage sidewalks, pavements and utilities shall also be considered.

- [d] Visual Screening:
 - [1] Mechanical equipment for all new installations or relocation of existing equipment in commercial and mixed-use building development shall be screened from public view and from primary thoroughfares to the greatest extent practicable whether on the roof, ground or along building walls.
 - [2] Building roof parapets or other architectural screening techniques shall be used in screening roof-mounted equipment. For existing buildings that have no or low parapets, mechanicals shall be surrounded by an opaque screening wall at a height as high as the equipment, provided the operation and functioning of the mechanicals is not jeopardized. The wall shall be architecturally consistent and compatible with the building's design, colors and material finishes.
 - [3] Ground-mounted or wall-mounted equipment shall not be located between the building's front façade and the primary street(s) or other side or rear façades in clear view by the public. Screening devices shall be at a height as high as the equipment to the greatest extent practicable, provided the operation and functioning of the mechanicals is not jeopardized. Ground-mounted or wall-mounted equipment and screening devices shall meet rear and side yard setbacks.
 - [4] Utilities, service areas, and waste disposal areas shall be located and screened to avoid public view to the greatest extent practicable using screening walls, decorative fencing and/or plant materials. Screening materials shall be durable and of a quality that can easily and routinely be maintained in proper condition by the property owner.

H. Standards Applicable to Individual Building Types.

1. Civic and Institutional Buildings



[a] Description:

Civic and institutional buildings are typically unique in building form and architectural style, often providing visually distinct public gathering places that are highly visible from the public realm, particularly primary thoroughfares. In Auburn, the most prominent civic buildings are government office buildings and courthouses. Institutional buildings may be operated by private or public institutions and not-for-profit organizations. These buildings may be dedicated to a single purpose such as public safety, social services, cultural activities and education. In some cases, transit-related facilities, such as public parking structures, are considered civic buildings. As prominent features in the urban landscape, the design of civic and institutional buildings is critical to enhancing community character in the Downtown district.

[b] Intent:

It is the intent of the design standards for civic and institutional buildings to be used on a case by case basis to create functional and visually memorable civic and institutional buildings with design features that help establish a sense of place in Downtown Auburn. It is important that these buildings are consistent with the visual characteristics and the context of surrounding neighborhoods and nearby buildings without sacrificing the uniqueness of their design.

- [c] Additional Standards Applicable to this Building Type:
 - [1] Building alignment and setback shall vary with building location, lot size, and intended use, but shall not exceed 1.5 times the average of the setbacks of immediately adjacent buildings.
 - [2] The placement of the building on the property shall highlight its visual character and intended use.
 - [3] Where civic buildings are located that terminate a vista, such as along the centerline of a thoroughfare, the primary façade(s) shall be designed to include a significant architectural building and/or open space feature along the axis of the vista.
 - [4] Pedestrian areas and circulation on the grounds shall be well-landscaped and visually distinct from vehicular areas. Parking and vehicular circulation shall not dominate views from the public realm in the front of the building or from major streets nearby.



6. Multi-Story Commercial/Office Buildings

[a] Description:

Within the City of Auburn, multi-story commercial/office buildings are typically large structures generally consisting of two to six stories, with vertical mixed uses that may include ground floor retail, office or commercial services, and upper floor office or residential use. These buildings are on large lots and may visually dominate a downtown block and one or more corners. They may be owned by one or more entities and can be divided into separate uses. These buildings are often an important center of employment and substantially contribute to the urban streetwall and pedestrian activity. Parking may be incorporated into the structure.

[b] Intent:

It is the intent of the design standards for Multi-story Commercial/Office Buildings that because of their relatively large size, reuse potential and adaptability to a variety of uses, this building type exhibits a traditional urban rectangular form and an almost timeless or classic appearance in architectural style, colors and materials.

3. Main Street Mixed-Use Buildings

[a] Description:

"Main street" mixed-use buildings are generally small to medium size in scale, typically two to four stories with ground floor retail, services or other commercial uses and upper floor residential or office space. In their more traditional form, these buildings are frequently attached to one another (or other structures) by a common wall, helping to define a highly unified streetscape. Detached buildings may be a remnant of past similar uses on the block and may provide opportunities for infill development. The ground floor emphasizes transparency and is comprised of larger, storefront-type windows and doors, with smaller windows in upper floors. These buildings may include a corner shopfront. There is a distinct rhythm to window patterns and these buildings typically exhibit a compatible variety of building materials, colors and textures.

[b] Intent:

It is the intent of the design standards to protect and preserve Auburn's existing stock of pedestrian-scaled mixed-use buildings that define most of the rich visual character of Downtown. These buildings are highly adaptable to a variety of uses over time and promote a healthy pedestrian environment consistent with a walkable city. Emphasis shall be placed on their adaptive reuse, redevelopment, infill development opportunities and preservation over new forms of development on the same site.

4. Mid-Rise/High-Rise Buildings



[a] Description:

Mid-Rise to High-Rise buildings are medium to large scale, high density structures on large lots comprised of multiple stories generally dedicated to a single purpose (such as residential use) or mixed-use consisting of ground level retail, personal services, and office use with upper floor residential units. Surface and/or structure parking may be provided. Mid-rise buildings are typically 4 to 8 stories and high-rise buildings are 9 to 12 stories or more in height.

[b] Intent:

It is the intent of the design standards for this building type to permit their development in suitable locations that are visually compatible with the surrounding neighborhood, particularly with regard to their scale, height and massing. Dwelling units in these structures are intended to provide residents with opportunities to walk to nearby neighborhood services to meet daily and personal needs.

- [c] Additional Standards Applicable to this Building Type:
 - [1] Roofs on most mid-rise and high-rise buildings are typically flat due to their overall height and massing. The top floor at the roofline of the primary and side façades may include decorative elements such as changes in materials or color to highlight the structure.
 - [2] Side and rear façades shall receive the same treatments in terms of building materials, windows, and colors as the primary façade. Entries to ground floor uses and dwelling units may be accessed from the sides or rear of the building.

5. Small Shopfront/Residence Buildings



[a] Description:

Shopfront buildings are generally small attached or detached buildings having one owner and typically set on relatively small lots. The ground floor is flexible space able to adapt to a variety of shopfront uses and may contain retail or commercial services with a rear or upper floor residence or office. These buildings may function as "live/work" buildings, and are typically located in medium or moderate density areas. The building's main entrance typically faces the primary street and there may be a separate entry for the upper floor.

[b] Intent:

It is the intent of the design standards for the shopfront/residence building type to protect and preserve their unique architectural styles and ability to adapt to the space requirements of small businesses and neighborhood uses.

- [c] Additional Standards Applicable to this Building Type:
 - [1] The building shall be aligned with adjacent building fronts on primary streets, typically with a very narrow (or zero) setback and build-to lines along side streets.
 - [2] Buildings shall be brought forward to the property lines of adjacent streets. Storefronts and primary entryway to the ground floor is along the primary street. Upper floor entries may be along the primary and/or side streets.
 - [3] Rooflines may include trim and color accents.



6. Commercial Franchise and Branch Office Buildings:

[a] Description:

Commercial franchise & branch office buildings are typically small to medium size, on correspondingly sized lots that allow for surface parking. These buildings tend to be more auto-oriented than others in the Downtown district, and their placement on a lot typically emphasizes maximum visibility. Building design and colors may exhibit identifiable logos and commercial brand characteristics; to the extent that non-traditional, branded colors are featured in the building design, these should not be a primary element of the façade. Buildings are typically 1 to 2 stories in height and principal uses generally confined to the ground floor. Off-street parking is typically provided on the property. These buildings may contain office space and are well-suited to daily or personal care services and may include uses such as: banks; restaurants; specialty retail; and office buildings.

[b] Intent:

It is the intent of the design standards for Commercial Franchise & Branch Office Buildings to encourage compatible development with adjoining buildings and nearby residential neighborhood uses, particularly in transitional areas beyond the core of Downtown Auburn.

- [c] Additional Standards Applicable to this Building Type:
 - [1] Pedestrian circulation on the grounds shall be well-landscaped and visually distinct from vehicular areas. Parking and vehicular circulation shall not dominate views from the public realm in the front of the building or from major streets nearby.
 - [2] Pitched roofs may be most appropriate in transitional edge areas adjacent to residential neighborhoods with similar rooflines and features.
 - [3] Bright, neon and non-traditional colors shall be used sparingly in identifying franchise logos and/or brand names, but not as building elements, façade treatments, frontage elements, window or door design accents, and/or trim without City approval.



7. Attached Multiple Residence Buildings (duplex, rowhouse, townhouse)

[a] Description:

Attached multiple residence buildings contain more than one dwelling unit and may be constructed to house multiple units in a variety of ways, vertically and/or horizontally. These buildings are generally dedicated to a single use as residential buildings.

[b] Intent:

It is the intent of the design standards for Attached Multiple Residence Buildings to encourage compatible, well-designed and maintained residential development with nearby residential neighborhood uses, particularly in transitional areas beyond the core of Downtown Auburn.

8. Detached House



[a] Description:

Detached houses, particularly large older homes, come in various shapes and sizes with flexible design characteristics that often, but not always allow for the conversion of their interior space to other than residential uses. Although detached houses may remain as single-family residences, conversion to other residential and non-residential uses in Downtown Auburn may include apartments, home occupations, office buildings, and small retail shops. These buildings typically remain dedicated to a single use even after conversion occurs. Conversion, if it occurs typically happens in areas where development is transitioning from urban single-family residential neighborhoods to other forms of land use. These buildings typically have setbacks for a front yard, rear yard and two side yards. Many detached houses have accessory structures, including garages.

[b] Intent:

It is the intent of these design standards for detached houses to encourage compatible, well-designed and maintained residential development with nearby residential neighborhoods and other non-residential uses, particularly in transitional areas of downtown.

I. Dimensional Standards.

	DIMENSIONAL STANDARDS										
Ke	civic & Institutional	Multi-Story Commercial/Office	Main Street Mixed- Use	Mid-Rise/ High-Rise	Small Shopfront/ Storefront	Commercial Franchise & Branch Office	Attached Multi- Residence	Detached House			
Lot Size											
Lot width E	N/A	N/A	40' min.	N/A	20' min., 40' max.	25' min	N/A	50' min.			
Lot depth F	N/A	N/A	100' min.	N/A	N/A	100' min.	N/A	100' min.			
Setback											
Primary street (front setback)	See Section 3.1.3	10' max.	5' max.	10' max. ³	5' max.	5' max.	10' max.	10' max.			
Side B	See Section 3.1.3	0' or 5'	0' or 5'	10' max. ³	0' or 5'	0' or 10'	10' max.	10' max.			
Rear ⁴ D	See Section 3.1.3	N/A	N/A	N/A ³	N/A	N/A	N/A	N/A			
Building Size & Mas	sing										
Main building height ¹	2 stories or 25' min.	2 stories min., 75' max.	2 stories min., 50' max.	4 stories min. ³	1 story min., 25' max.	2 story max.	2 stories min., 3 stories max.	2.5 stories min., 3 stories max			
Main building width ²	N/A	N/A	N/A	N/A	18' min.	N/A	N/A	N/A			
Main building depth	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A			
Ancillary building height	2 stories or 25' max.	2 stories or 25' max.	2 stories or 25' max.	2 stories or 25' max.	1 story or 15' max.	1 story or 15' max.	1 story or 15' max.	1 story or 15 max.			
Finish ground floor elev.	8" max above	8" max above sidewalk	18" max above sidewalk	8" max above sidewalk	18" max above sidewalk	8" max above sidewalk	N/A	N/A			
First floor ceiling height	10' min. – 14' max.	10' min. – 14' max.	10' min. – 14' max.	10' min. – 14' max.	10' min. – 12' max.	10' min. – 14' max.	N/A	N/A			
Upper floor(s) ceiling height	9' min.	8' min. – 10' max.	8' min. – 10' max.	8' min. – 10' max.	8' min. – 10' max.	8' min. – 10' max.	N/A	N/A			

¹ Buildings that are more than four stories high shall step back the fifth and upper floors thereafter, a minimum of one foot for each foot in height above the fourth floor to reduce the scale and massing effect of the structure.

² Where parcels are wider than 100 feet on the primary street axis, the building width along the primary street shall be at least 75% of the width of the parcel. In all cases, individual buildings wider than 40 feet shall be designed with bays or other features to articulate the primary facade.

³ Where building façade is built less than 10 ft from the property line, the maximum building height is 6 stories. The building height maximum may be increased by 10 feet or one story for each additional 10 feet provided for front, rear, and combined side yards, to a maximum height of 150 feet or 12 stories.

⁴ Where new buildings in the Downtown district abut residential districts, rear setback shall be equal to or greater than the rear setback of adjacent residential property.

J. Building Form.

	BUILDING FORM										
Key	Civic & Institutional	Multi-Story Commercial/Office	Main Street Mixed- Use	Mid-Rise/ High-Rise	Small Shopfront/ Storefront	Commercial Franchise & Branch Office	Attached Multi- Residence	Detached House			
Frontage Elements ¹											
Arcade	х										
Awning	х	x	x	x	x	х					
Balcony	х		x	x	x						
Canopy	х	x	x	x	x	x					
Common yard	х			x		x	x	x			
Forecourt	х	x		x	x						
Plaza	х	x		x							
Porch						х	x	x			
Stoop			x				x	x			
Storefront		x	x		x						
Roof Type and Featur	res ²										
Flat	х	x	x	x	x	x	x				
Pitched ³	х	x	x		x	x	x	х			
Gabled			x		x	x	x	х			
Hip						x	x	х			
Mansard							x				
Transparency											
Primary façade- ground floor	40% min.	60% min.	60% min.	60% min.	40% min.	50% min.	N/A	N/A			
Secondary façade- ground floor	30% min.	30% min.	30% min.	30% min.	30% min.	30% min.	N/A	N/A			
Upper floor(s)	30% min.	30% min.	30% min.	30% min.	30% min.	30% min.	N/A	N/A			
x = Permitted elemen	t or feature										

¹ Pitched roof height maximum 1 story

² Roof type and features shall be compatible with adjacent and nearby buildings and emphasize the use of traditional cornices and façade treatments to the extent practicable.

³ Front façade and storefronts shall be oriented parallel to the primary street. Vertical and horizontal articulation shall be considered as a method of breaking up the scale of the building and differentiate the ground floor from upper floors by the use of bays, recesses or other structural or decorative elements.

K. Building Use.

			BUIL	DING USES ¹				
Кеу	Civic & Institutional	Multi-Story Commercial/Office	Main Street Mixed- Use	Mid-Rise/ High-Rise	Small Shopfront/ Storefront	Commercial Franchise & Branch Office	Attached Multi- Residence	Detached House
Ground Floor								
Education	х		х					
Professional service	х	x	x	x	x	x	x ²	x ²
Public Assembly	x		x					
Commercial/ Office								
Food service		X				X		
Recreation		х	X		x	х		
Residential			X					
Retail		x	x	x	x		x	x
Upper Floors		X	X	X	X	X		
Education		[[[
Professional service	x	x	x	x	x	x	x ²	x ²
Public Assembly								
Commercial/	×							
Office	x	x	x	x	x	x		
Food service								
Residential			x	x	x		x	x
Retail		х						

¹ See Article 3 |§ 305-12, Uses Table for specific uses permitted in the Downtown District

² Adaptive re-use only

L. Façade Materials.

	FAÇADE MATERIALS										
	Key	Civic & Institutional	Multi-Story Commercial/Office	Main Street Mixed- Use	Mid-Rise/ High-Rise	Small Shopfront/ Storefront	Commercial Franchise & Branch Office	Attached Multi- Residence	Apartment Building	Detached House	
Brick and mortar		x	x	x	x	x	x	x		x	
Brick panels		x	x	x	x	x	x				
Glazed brick		х	х	х	х	х	x	х		x	
Stone, natural and cast		x	x	x	x	x	x	x		x	
Stone masonry units				x	x	x	x	x			
Concrete, precast and cast- in-place		x	x	x	x	x	x				
Architectural concrete block				x	x	x	x				
Metal composite panels				x	x	x	x				
Exterior insulation finishing											
systems (EIFS) ¹					x						
Granite and marble		x	x	x	x						
Steel		x	x	x	x						
Glass		x	x	x	x						
Stucco						x		x		x	
Wood siding						x	x	x		x	
Vinyl siding							x	x		х	

¹ Where permitted, EIFS is to be used on upper floors only. Use of EIFS as a primary façade material is strongly discouraged.

Article 4 | Supplemental Regulations

§ 305-22 Accessory Dwelling Units

A. Standards.

- 1. Principal Use. The principal use of the structure must be that of a single-family dwelling or an accessory structure that primarily serves the needs of the single-family dwelling.
- 2. Required Occupancy. The owner of the property upon which the accessory dwelling unit is located shall occupy the principal or accessory dwelling unit on the premises as their primary residence.
- 3. Maximum Occupancy. The accessory dwelling unit shall be limited in occupancy as a single-family dwelling.
- 4. Number of Accessory Dwelling Units. Only one accessory dwelling unit shall be permitted on any lot.
 - [a] If the portion of the structure is attached for the use of a garage or carport, and is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as an integral part of the principal residence or approved habitable use such as guest living quarters.
 - [b] If an accessory dwelling unit is attached, the entire structure must comply with all requirements of the Zoning Ordinance for the primary structure.
- 5. Minimum Lot Dimensions. The lot on which the accessory dwelling unit is to be located shall contain at least the minimum lot area and lot width required by the Bulk and Use Table for the primary one-family dwelling unit plus a minimum of an additional 2,000 square feet of lot area and an additional 10 feet of lot width for the accessory dwelling unit.
 - [a] Maximum Size. An accessory dwelling unit shall be subordinate in area to the single-family dwelling not to exceed 800 square feet.
 - [b] Setbacks. If the accessory dwelling unit is within a detached accessory structure, said structure must meet the required yard setbacks.
 - [c] Access. An external located entrance, separate from that of the single-family dwelling shall be located on the side or rear of the single-family dwelling, or in the front only if the entrance is on a separate, perpendicular plane from that of the front entrance of the single-family dwelling.

- [d] Outside stairways. Any outside stairways and/or fire escapes shall be at the rear or side of the structure.
- [e] Exterior Appearance. If an accessory dwelling unit is located in a detached single-family dwelling, to the degree reasonably feasible, the exterior appearance of the structure shall remain that of a single-family dwelling.
- [f] Maintenance and Continued Compliance. An accessory dwelling unit shall be permitted and continued only when all structures on the lot are in compliance with applicable codes, rules, regulations, statutes and local laws and ordinances.
- [g] Parking. Off-street parking shall be provided in accordance with § 305-46, Off-Street Parking and Loading of this Ordinance.
- 6. Application. An application for an accessory dwelling unit must contain sufficient information to demonstrate compliance with each of the standards set forth in this Section, including but not limited to the following information:
 - [a] A floor plan of each habitable floor of the structure, with all interior dimensions, including windows and doors, including types of rooms.
 - [b] Plans shall be prepared in sufficient size and detail to enable the Planning Department to determine compliance with the requirements for an accessory dwelling unit.

§ 305-23 Accessory Uses and Structures

A. Authorization.

1. Unless otherwise specified in this chapter, accessory uses are permitted in all zoning districts in connection with any principal use lawfully established within such district.

B. Permit Required.

- 1. An accessory use or structure shall only be established or constructed following issuance of a permit unless otherwise noted in this Chapter.
- 2. Particular permitted accessory structures and uses.
 - [a] Accessory structures and uses include, but are not limited to, the following list of examples; provided, however, that each structure or use shall comply with the standards and requirements of *Subsection 1* above.
 - [1] Private residential garages, portable garages, pole barns and carports. Attached or unattached private residential garages and carports shall not exceed 784 square feet.

- [2] Private customer and employee garages and parking lots and parking areas, together with related circulation elements.
- [3] Storage Shed. A structure used for storage incidental to a permitted use, including garden and storage sheds, personal greenhouses, and nurseries shall not exceed 144 square feet.
- [4] Play Structure. Play structures are allowed in the rear yard, or in the side yard behind the midpoint of the lot depth, and shall maintain a minimum side and rear yard of setback of three feet, inclusive of any roof overhang, and shall not exceed 100 square feet.
- [5] Recreation Facilities. Tennis courts or other recreational facility accessory to a residential building and limited to use by the occupants thereof and their guests.
- [6] Portable Garages, Pole Barns and Carports. No more than one portable garage, pole barn or carport will be allowed on a lot regardless of zone or size unless as Special Use Permit that will comply with Article 1 /§ 305-104, Special Use Permits, is obtained. The side yard requirements for a portable garage, pole barn or carport will be a minimum of 5 feet and shall always be located in the area defined as the rear yard with a three (3) foot minimum rear setback.
- [7] Trash area, non-residential. An outdoor trash collection and storage areas shall be enclosed on all sides by a wall or fence with a minimum height of five feet. The trash area shall be located on the site so that adequate vehicular access is provided.
- [8] The removal of soil, sand, gravel, sod, stone or other natural material from a site in connection with construction of a building or structure shall be deemed to be part of the construction process and permitted only upon issuance of a building permit in conjunction therewith. Such removal shall otherwise be prohibited, except when undertaken as a permitted principal use under the terms of this Chapter.
- [9] The disposal of refuse, garbage, or other types of solid waste is permitted only in accordance with applicable regulations of the City of Auburn and shall not require a permit under the provisions of this Chapter except when undertaken as a principal use under the Chapter.

C. General Regulations.

- 1. No accessory structure shall be erected or established within a front yard.
- 2. Accessory structures ancillary to a residential use.
 - [a] Setback. No accessory structures shall be located closer than 3 feet to a side or rear property line.
 - [b] Height. No accessory structures shall be higher than 20 feet.
- 2. Accessory structures ancillary to a non-residential use.

- [c] Setback. Accessory structures shall comply with the setback requirments of the principal use as required in the Bulk and Use Tables.
- [d] Height. Accessory structures shall comply with the height requirements of the principal use as required in the Bulk and Use Tables.
- 3. Particular uses prohibited as accessory uses.
 - [a] Outdoor Storage except in accordance with § 305-48, Outdoor Storage of Materials and Equipment.
 - [b] Vehicle repair on residential premises except when performed:
 - [1] By a resident of the premises;
 - [2] On a vehicle owned, licensed and operated for personal use by a resident of the premises; and
 - [3] Between the hours of 7:00 a.m. and 10:00 p.m.

§ 305-24 Adult Use Businesses

A. Purpose.

- 1. It is recognized that for some uses which, because of their nature, have serious objectionable operational characteristics when several of them are concentrated under certain circumstances, which produce a deleterious effect upon adjacent areas, special regulation is necessary to ensure that adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhoods. The primary reason for regulation is to prevent concentration of these uses in any one area which could create adverse neighborhood affects.
- 2. It is further declared that the location of these uses in regard to areas where youth may regularly assemble and the general atmosphere encompassing their operation is of great concern to the City of Auburn. In order to promote the health, safety and general welfare of the residents of the City of Auburn, County of Cayuga and State of New York, it is necessary to establish reasonable and uniform regulations for Adult Use Businesses within the City of Auburn. The regulation of Adult Use Businesses is necessary to prevent deterioration and degradation of the vitality of the City of Auburn, New York, before a problem develops, rather than in response to an existing problem.
- 3. These special regulations are itemized in this Section to accomplish the primary purpose of preventing a concentration of these uses in any one area and restricting their accessibility to minors. It is not the intent or purpose of this Article to restrict or deny access by adults to sexually oriented adult materials protected by the First Amendment to the Constitution of the United States or to deny access by distributors and exhibitors of adult entertainment to their

intended market, nor is it the intent or effect of this Article to condone or legitimize the distribution of obscene materials.

B. Districts where permitted; restrictions on location.

- 1. Sexually oriented businesses shall be permitted in the General Industrial District (I) and the Resource Recovery District (I-2), subject to a special permit in accordance with this Chapter and subject to site plan review in accordance with this Chapter.
- 2. Adult Use Businesses shall be further subject to the following requirements in addition to any other requirements of this Chapter. Adult Use Businesses shall not be located within:
 - [a] A radius of 500 feet of any area zoned residential.
 - [b] A radius of 500 feet of any other Adult Use Business.
 - [c] A radius of 500 feet of any area where youth may regularly assemble, including, but not limited to, a school, nursery school, day-care facility, library, church or other place of religious worship, community center, park, playground or recreational area or playing field.
 - [d] Five hundred feet of any residential dwelling defined as "bed-and-breakfast," "dwelling,"
 "dwelling, semidetached," "dwelling, multiple-family," "dwelling, single-family detached,"
 "dwelling, single-family semidetached," and "dwelling, two-family" in Article 2 | Definitions of this Chapter.
 - [e] Five hundred feet of any property located in the Historic Resources Protection District, property listed on the National Register of Historic Places and property designated as National Historic Landmarks.
 - [f] Five hundred feet of an establishment where alcohol is sold, served or consumed.

The distance provided hereinabove shall be measured by a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the Adult Use Business is to be located to the nearest point of the parcel of property or the land use district boundary line from which the Adult Use Business is to be separated. All separation requirements shall be maintained from established uses, whether inside or outside City of Auburn boundaries.

- 3. Additional Regulations.
 - [a] The sale, serving or consumption of alcohol shall be prohibited within or from any Adult Use Business establishment.
 - [b] No Adult Use Business establishment shall operate after 2:00 a.m.

- [c] No more than one Adult Use Business as defined in this Section shall be located on any parcel.
- [d] Exterior windows on Adult Use Business establishments may be opaque but not blackened or boarded.
- [e] Any and all booths, cubicles, studios and rooms for the private viewing of adult motion pictures and/or live performances or areas shall be open to public view from the common area of the adult use establishment. There shall not be any doors, curtains, blinds or other structures or devices that shall impede observation of the entire area of such private viewing areas from the common area of the Adult Use Business establishment.
- [f] Private viewing areas must be well lit and readily accessible at all times and shall continually be open to view.
- [g] Lighting throughout an Adult Use Business establishment shall be sufficient to illuminate every place to which patrons are permitted access.
- [h] The exterior appearance of Adult Use Business establishments shall be regulated by the Planning Board during the Site Plan Review process in accordance with *Article 6 | Site Plan Review* of this Chapter.

§ 305-25 Bed and Breakfast

A. Requirements.

- In addition to parking required for the principal use, one (1) off-street parking space per bedroom shall be provided for the bed and breakfast home. Further, said parking spaces shall not be established or permitted in the front yard of the site and shall be located or screened from view so as to provide no variation from the residential character of the site.
- 1. Exterior signage shall comply with the requirements for the subject zoning district as set forth in *Article 5 |Sign Regulations* of this Chapter.
- 2. The owner of the bed and breakfast home must reside in and continue to reside in the dwelling as his/her/their principal residence.
- 3. No guest shall stay for a period of time in excess of thirty (30) consecutive days.
- 4. Each bed and breakfast home shall be established, maintained, and operated so as to preserve and compliment the character and integrity of the surrounding neighborhood.
- 5. The bed and breakfast home shall be maintained and operated at all times so as to comply with the New York State Uniform Fire Prevention and Building Code and the rules and regulations promulgated thereunder, as amended.

- 6. Specific exemptions, supersessions, and conditions applicable to bed and breakfast homes established within residential zoning districts:
 - [a] The bed and breakfast home shall contain no more than three bedrooms for transient lodgers.
 - [b] The bed and breakfast home may employ no more than one nonresident employee.
 - [c] Only a single identification sign, not to exceed four (4) square feet in area is permitted.
 - [d] The Planning Board shall have the right to impose and include additional conditions as it may deem necessary to effectuate the purpose of this Chapter.

B. Permit Required.

A bed and breakfast shall be permitted in the R-1 Single Family Residential District only upon issuance of a Special Use Permit by the Planning Board.

§ 305-26 Buffer Areas

A. Authorization.

Buffer areas are permitted in any zoning district. When site plan review is required for a particular use, said buffer areas shall be deemed to be a mandatory element of any permit granted for said use.

B. Purpose.

- 1. Provide a visual barrier.
- 1. Block the glare of lights.
- 2. Reduce noise produced on the site to a level on higher than that produced on conforming residential sites in the adjacent residential neighborhood.
- 3. Serve as a protective barrier by blocking physical passage to the site, unless specific points of passage are desired.
- 4. Prevent the passage of air pollution, dust and litter produced on the site.
- 5. Screen the activities on site and block views of the site which are not in harmony with the character of the adjacent neighborhood.
- 6. Be maintained throughout the continuance of the use of the lot.

B. Design.

- 1. Buffers shall be composed of fencing, plantings, walls, landscaping, planters, trellises, etc. or any combination of such.
- 1. Buffer design shall include all details required for an appraisal of the design, including but not limited to location, species, and size of individual trees and shrubs and detailed design of all structures and other landscaping treatments.
- 2. A screen planting of dense evergreen material not less than five (5) feet in height shall be required where lights from vehicles or overhead illumination located within the off-street parking area may shine directly into windows of adjacent residential buildings. A solid fencing may be provided not less than four (4) feet nor more than six (6) feet in height alongside the rear lot lines, and subject to the approval of the Code Enforcement Officer, may increase the height requirements of the fence of evergreen screening.
- 3. All dumpsters shall be hidden from view from adjacent properties by closed fencing and vegetation. The screening of materials stored outdoors may be required by the City Planning Board.
- 4. Buffer designs shall be submitted by the applicant and reviewed in conjunction with the building permit application review procedure.
- 5. Construction of required buffers may be delayed for up to eighteen (18) months upon approval by the Code Enforcement Officer when the need for the buffer is unclear.

§ 305-27 Conversions

A. Purpose.

- 1. Conversion of existing residential buildings to increase the number of dwelling units contained therein presents problems not encountered when new buildings are designed and constructed for the same number of units. Such conversions can adversely affect the safety and comfort of persons who occupy such converted buildings and can adversely affect a neighborhood originally designed for low-density development through overcrowding and its associated problems of inadequate recreational space, inadequate parking and overtaxed municipal services. These in turn may contribute to the physical decline and deterioration of the surrounding area. The intent of this Section is to establish standards to prevent the overcrowding of dwelling units and overly dense development of neighborhoods and to ensure satisfactory amenities in neighborhoods as conversions take place.
- 1. Dwelling unit conversions which do not meet the standards established in this Section may be permitted only upon the granting of an area variance by the Zoning Board of Appeals, pursuant to *Article 8 |§ 305-95, Zoning Board of Appeals* of this Chapter.

B. Required Site Plan Review.

No dwelling unit conversion shall be undertaken unless all requirements for Special Use Permit have been met in accordance with § 305-104 Special Use Permit.

C. Increase in Number of Dwelling Units.

- 1. No dwelling unit conversion to create more dwelling units in any building than can be accommodated in compliance with all of the following standards shall be permitted in any district.
- 1. Minimum Unit Size. No dwelling unit conversion shall be permitted which results in any dwelling unit having less than the minimum habitable floor area required by the following:

Number of Bedrooms	Required Area of Habitable Space(square feet)	
Studio	500	
1	650	
2	800	
3	1,000	
Each Additional Bedroom	Add 125 (SF)	

- 3. Minimum Building Size. No dwelling unit conversion of any building having less than 1,500 square feet of habitable floor area shall be permitted.
- 1. Minimum Lot Size. Lot size shall comply with the requirements for minimum lot size as defined within the Bulk and Use Tables, but shall not be less than the following:

Proposed Use	Required Minimum Lot Size (square fee	
Dwelling, Two-family	7,500	
Dwelling, Multi-family	11,250	

2. Parking regulations. No dwelling unit conversion shall be permitted unless the dwelling shall, following such conversion, comply with the applicable off-street parking and loading regulations provided in *§ 305-46, Off-Street Parking and Loading.*

§ 305-28 Corner and Through Lots

A. Through Lots.

Where a single lot under individual ownership extends from one street to another parallel or nearly parallel street or alley, the Code Enforcement Officer shall decide which street will be considered as the front street. No principal structure shall be erected on the rear of the lot, except as specified in *Subsections B and C* of this Section.

B. Side yard of a corner lot.

The side yard of a corner lot which abuts a street shall be equal to at least 1/2 the required front yard for that street.

C. Corner lots; visibility restrictions.

No obstruction to vision exceeding 30 inches in height shall be erected, planted or maintained on any lot within the triangle formed by the street intersection created by the right-of-way line of each street extended to a point and a line drawn between two points on the right-of-way line of each street, each located 40 feet from the street intersection, unless a determination is made by the Code Enforcement Officer that no obstruction to vision exists or will exist through maintenance or placement of the object. [Amended 7-2-1998 by Ord. No. 9-1998.]

§ 305-29 Drive-Through Establishments

A. Permit Required.

A drive-through shall be permitted in the DD Downtown zoning district only upon issuance of a Special Use Permit by the Planning Board in accordance with *Article 1 |§ 305-104, Special Use Permits.*

B. General Regulations.

In all districts, the Code Enforcement Officer shall not issue such a permit unless the drive-through establishment conforms to the following:

- 1. The Drive-through shall be an accessory use to a permitted use within the DD, C, and HC zoning districts. Drive-throughs are prohibited in all other zoning districts.
- 2. All vehicle stacking areas shall be clearly identified through the use of pavement markings, signs and/or curbing and landscaping features and shall be designed so they do not interfere with safe pedestrian and vehicle circulation on the site and along the public right-of-way.
 - [a] Each stacking space shall be no less than ten (10) feet in width and twenty (20) feet in length. Each drive-through facility shall provide a minimum of six (6) stacking spaces. Each drive-through facility shall provide a bypass lane of at least ten (10) feet in width.

- 3. Additional stacking or queuing space may be required by the *Article 6 | Site Plan Review*, to ensure the safety of pedestrians and motorists.
 - [a] All drive-through vehicle stacking areas shall be located a minimum of thirty (30) feet from any lot line adjoining a residential property.
 - [b] Any speaker system installed as part of the drive-through shall be located a minimum of fifty (50) feet from any property line adjoining a residential property, and not exceed 60dBA.
 - [c] Drive-throughs shall be sited and designed in such a way to reinforce the walkable, historic characteristic of the city and shall pay special attention to the relationship between the building and the public street.
 - [d] The capacity of the drive-through stacking lanes should not interfere with the overall traffic flow within the parking lot.
 - [e] Each parcel with a drive-through shall be limited to one point of shared ingress and egress. Where possible, cross access to the closest shared drive shall be provided.
 - [f] Menu boards shall be a maximum of twenty (20) square feet with a maximum height of five (5) feet and shall be shielded from any public street and residential properties with decorative treatments and landscaping.
 - [g] Landscaping along exterior lot lines shall include a five (5) to ten (10) foot wide vegetative buffer of deciduous trees and shrubs or a six (6) foot fence screening, constructed of low maintenance natural materials, including brick, stone or wood with a vegetative buffer of two (2) to five (5) feet from the exterior lot lines.
 - [h] Luminaries or lighting fixtures shall not exceed sixteen (16) feet in height in vehicular areas and ten (10) feet in height in pedestrian areas.
 - [i] Flood lighting shall be prohibited.
 - [j] No outdoor lighting shall have an intensity greater than one half (½) foot candle at the development property line.

C. Required Findings for Approval.

The Planning Board shall not grant a Special Use Permit for a Drive-through in the DD Downtown zoning district, unless it first makes all of the following findings, in addition to those required in this section and by *Article 1 | § 305-104, Special Use Permits.*

- 1. The Drive-through is accessory to a bank or similar financial use;
- 2. The proposed use will not detract from the walkability of the district; and

3. The proposed use will not substantially increase traffic hazards to pedestrians.

§ 305-30 Driveway, Residential

A. Application.

- 1. No parking of vehicles shall be permitted nor any driveway or parking area established in the front yard.
- 2. The allowed hardscaping is limited to a driveway leading directly from a public street or alley to a garage or other required parking area and pedestrian pathways.

§ 305-31 Farmers' Market

A. Limitations.

Temporary and permanent farmers' markets are subject to the following regulations:

- 1. All farmers' markets and their vendors comply with all Federal, state and local laws relating to the operation, use and enjoyment of the market premises.
- 2. All farmers' markets and their vendors receive all required operating and health permits and these permits (or copies) shall be in the possession of the farmers' market operator or the vendor, as applicable, on the site of the farmers' market during all hours of operation.
- 3. All farmers' markets have a representative of the operator authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation.
- 4. There shall be no offensive odors or dust and there shall be no permanent outdoor storage or equipment.
- 5. All farmers' markets shall provide for composting, recycling, and waste removal in accordance with all applicable city codes. The farmers' market manager is responsible for ensuring that the site is compliance with these regulations.
- 6. Farmers' markets may not contain market vendors of the following types:
 - [a] Market vendors selling any entity's non-food product as an agent, franchisee, distributor, or licensee; or on consignment; or by any other third-party arrangement.
 - [b] Market vendors selling non-food items such as "vintage," "found," "reclaimed" or "recycled" objects, or any other objects not originally manufactured by the market vendor unless those objects have been substantially transformed by the market vendor into objects of dissimilar form or function from the original.

[c] Market vendors selling live animals.

§ 305-32 Food Carts

Refer to Chapter 221: Peddling and Soliciting in the City of Auburn's Municipal Code.

§ 305-33 Food Trucks

A. General Regulations.

- 1. Food Trucks are permitted to operate in CC, C, NC, HC, I, I-2 and DD Districts.
- 2. No food truck shall operate within the public rights-of-way within the City without first having obtained a valid Peddling and Soliciting license as prescribed in this Section.
- 3. Food trucks shall not operate within public rights-of-way in the Single-Family Residential (R-1) and Multiple-Family Residential (R-2) zoning districts except when permitted by the City to cater a private event or as part of a City sponsored event.
- 4. All food trucks must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, including but not limited to any durational requirements in force and effect at that time and location.
- 5. No food truck or food trailer shall operate within 100 feet of an approved vending cart location.
- 6. No food truck or food trailer shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.
- 7. No vendor shall chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, parking meter, hydrant, sign or post, light pole, telephone pole or other street appurtenance or leave any such items unattended on a public street, sidewalk or place. Items left in violation of this Subsection shall be seized by the police.

B. Permitting.

- 1. A private vendor must obtain annual Peddling and Soliciting permit for the vending use of the vehicle on particular properties from the City. The permit applications must include the property owners' signatures. Fees for these permits shall be as established in the City's yearly fee schedule.
- 2. A Peddling and Soliciting permit, operating license, proof of insurance, and county health permit must be displayed during the food truck's hours of operation.

- 3. Before any license authorized herein shall be issued, the applicant shall file with the City proof of insurance, issued by an insurance company licensed to do business in the State of New York, which insurance must be kept continuously in force during the term of the license. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall be not less than \$1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days' written notice to the City Treasurer served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must name the City as an additional insured party.
- 4. The Peddling and Soliciting permit issued for the food truck vending (the annual permit held by the vendor) may be revoked if the City determines that the mobile prepared food vendor's operations are causing parking, traffic congestion, or litter problems either on or off the property where the use is located or that such use is otherwise creating a danger to the public health or safety.
- 5. If the food truck is proposed to operate after dark, the food truck vendor shall provide a lighting plan which meets the lighting standards in *Article 4* |§ 305-41, Lighting.

§ 305-34 Fences, Walls, and Other Structural Screening Elements

Location	Height (feet)
Residential uses	
Front yard	4
Side and rear yards adjacent to residential uses, except that this limitation shall not apply to living hedges	6
Side and rear yards adjacent to nonresidential uses and arterials, except that this limitation shall not apply to living hedges	8
On corner lots within the triangle formed by the street intersection, created by the right-of-way line of each street extended to a point and a line drawn between two points on the right-of-way line of each street, each located 40 feet from the street intersection	4

A. Maximum Height Requirements.

Location	Height (feet)
Nonresidential uses	8

B. Design Elements.

- 1. Fences in the front yard and on corner lots within the triangle formed by the street intersection shall be of a material such as post or rail or other similar material which does not interfere, impede or obstruct visually any private driveway or public highway; the determination as to whether the fence material does not interfere, obstruct or impede visually any private driveway or public highway shall be made by the Code Enforcement Officer.
- 2. Fence surfaces are regulated as follows:
 - [a] In residential districts, fences not more than sixty-percent solid may be located in any front yard.
 - [b] All solid fences shall be installed so that the finished side shall face outward; all bracing shall be on the inside of the fence, and the outward-facing side shall be of similar materials and colors as the inward-facing side.
 - [c] No chain-link fencing shall be permitted in the front yard of a residential structure or a property located in a residential district.
 - [d] All required fences and walls shall be maintained and, when necessary, repaired or replaced.

§ 305-35 Garage Sales

A. Number of Sales; Duration; Hours.

- No person or nonprofit corporation shall operate, conduct, manage or present a garage sale upon his/her/its premises or other property under its control more often than three (3) times per calendar year: Said sale shall not be continuous for a period of time of more than three (3) consecutive days.
- 2. No sale shall be conducted before 8:00am or after 7:00pm.

B. Persons and Sales Excepted.

- 1. The provisions of this Section shall not apply to or affect the following persons or sales:
 - [a] Persons selling goods pursuant to an order of a court of competent jurisdiction.
 - [b] Persons acting in accordance with their powers and duties as public officials.

[c] Any sale that is part of a city-sanctioned event, such as a city-wide garage sale.

§ 305-36 Home Occupations

A. Purpose.

In order to protect residential areas from adverse impacts associated with home occupations while allowing residents a choice in the use of their home as a place of livelihood, the following standards have been developed to maintain the peace and quiet of residential neighborhoods and guarantee residents freedom from excessive noise, traffic or other adverse effects of commercial and business uses conducted in residential areas.

B. Permit Required.

A home occupation shall be permitted in residential zoning district only upon issuance of a Special Use Permit by the Planning Board in accordance with *Article 1 | § 305-104, Special Use Permits*.

C. General Requirements.

- 1. To be deemed a home occupation, the use must be clearly incidental and secondary to the residential use of the property.
- 2. The occupation or profession shall be carried on within the principal building, unless the Planning Board grants a Special Use Permit to allow the home occupation in an accessory structure.
- 3. A home occupation shall be conducted by the resident of the dwelling unit.
- 4. A home occupation may employ no more than one (1) nonresident employee who reports to the dwelling.
- 5. There shall be no exterior display, other than a sign, not to exceed two (2) square feet in area, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
- 6. No offensive odor, noise, vibration, smoke, dust, heat or glare shall be produced, nor will the storage or handling of hazardous material be allowed.
- 7. No more than twenty-five percent (25%) of the floor area of the residence will be allowed for the use of the home occupation.
- 8. Parking requirements in compliance with § 305-45C.6, Off-Street Parking and Loading.

D. Approval.

- 1. The Planning Board shall not grant a Special Use Permit for a home occupation in a residential zoning district, unless the Planning Board determines that the home occupation complies with the requirements of this section and those of *Article 1* [§ 305-104, Special Use Permits
- 2. The Planning Board may impose additional conditions for home occupations considered to be exceptional or for home occupations in unique locations.
- 3. If all criteria are not met, the home occupation is subject to a variance per Article 1 |§ 305-105, Use and Area Variances.

E. Revocation

A special use permit may be revoked by the City of Auburn Code Enforcement Officer for violating any of the standards set forth in paragraphs B(1) through (8). In the event that a special use permit is revoked, the aggrieved party may appeal the revocation to the Planning Board and will be afforded an administrative hearing. The Planning Board shall have the authority to sustain or overturn the revocation.

§ 305-37 Industrial, Heavy

A. Performance standards.

In addition to the standards and requirements of this chapter, all heavy industrial industrial uses proposed to be established shall provide documentation of conformance with the following standards as a minimum condition of permit issuance.

- 1. Vibration.
 - [a] Vibration shall be measured at or beyond any adjacent lot line or residential district line as indicated, and such measurements shall not exceed the particle velocities so designated. The instrument for these measurements shall be a three-component measuring system capable of simultaneous measurement of vibration in three mutually perpendicular directions.
 - [b] The maximum vibration is given as particle velocity, which may be measured directly with suitable instrumentation or computed on the basis of displacement and frequency. When computed, the following formula shall be used:
 - [1] PV=6.28 F X D
 - [2] PV=Particle velocity, inches per second
 - [3] F=Vibration frequency, cycles per second
 - [4] D=Single amplitude displacement of the vibration, inches per second

- [c] The maximum particle velocity shall be the vector sum of the three individual components recorded. Such particle velocity shall not exceed 0.20 at the adjacent lot line and 0.02 in an adjacent residential district.
- [d] Where vibration is produced as discrete impulses and such impulses do not exceed a frequency of 100 per minute, then the maximum particle velocity values may be multiplied by two.
- 2. Dust and particulates.
 - [a] The total emission rate of dust and particulate matter from all vents, stacks, chimneys, flues or other openings or any process, operation or activity except solid waste incinerators within the boundaries of any lot shall not exceed the levels set forth below. Emissions of dust and particulates shall be in accordance with the State of New York rules and regulations governing air contamination and air pollution, and, in case of conflict, the most restrictive shall apply.
 - [b] The emission rate of particulate matter in pounds per hour from any single stack shall be determined by selecting a continuous four-hour period which will result in the highest average emission rate.
 - [c] Particulate matter emission from materials or products subject to becoming windborne shall be kept to a minimum by paving, oiling, wetting, covering or other means such as to render the surface wind-resistant. Such sources include vacant lots, unpaved roads, yards and storage piles of bulk material such as coal, sand, cinders, slag, sulfur, etc.
 - [d] The maximum emission rate of particulate matter from all stacks shall be 3.0 pounds per hour per acre of lot area.
- 3. Sulfur oxides. The maximum emission rate of sulfur oxides from all stacks shall be in accordance with the regulations adopted by the State of New York, Department of Environmental Conservation.
- 4. Smoke.
 - [a] For the purpose of grading the density of equivalent opacity of smoke, the Ringelmann Chart as published by the United States Bureau of Mines shall be used.
 - [b] The emission of smoke darker than Ringelmann No. 1 from any chimney, stack, vent opening, or combustion process is prohibited; however, smoke of a shade not to exceed Ringelmann No. 3 is permitted for up to three minutes total in any one eight-hour period.
- 5. Odor.
 - [a] Odor thresholds shall be measured in accordance with ASTM D1391-57, "Standard Method for Measurement of Odor in Atmospheres (Dilution Methods)," or its equivalent.

- [b] Odorous materials released from any operation or activity shall not exceed the odor threshold concentration at or beyond the district boundary line measured either at ground level or habitable elevation.
- 6. Toxic matter.
 - [a] The ambient air quality standards for the State of New York Level III shall be the guide to the release of airborne toxic materials across lot lines. Where toxic materials are not listed in the ambient air quality standards of the State of New York, the release of such materials shall be in accordance with the fractional quantities permitted below of those toxic materials currently listed in the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists. Unless otherwise stated, the measurement of toxic matter shall be at ground level or habitable elevation and shall be the average of any twenty-four-hour sampling period.
 - [b] The release of airborne toxic matter shall not exceed 1/30 of the threshold limit value beyond the district boundary line.
- 7. Detonable materials.
 - [a] Such materials shall include but are not limited to all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles and ozonides; unstable oxidizing agents such as perchloric acids, perchlorates, and hydrogen peroxide in concentrations greater than 35%; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.
 - [b] The storage, utilization or manufacture of materials or products which decompose by detonation is limited to five pounds. Quantities in excess of five pounds of such materials may be stored or utilized, but not manufactured, only when permitted by the Auburn Fire Department.
- 8. Fire hazard solids. The storage, utilization or manufacture of solid materials which are active to intense burning shall be conducted within walls having a fire resistance no less than two hours or protected by an automatic fire extinguishing system. The outdoor storage of such materials shall be permitted no closer than 40 feet to all lot lines.
- 9. Fire hazard liquids and gases.

- [a] The storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted only in accordance with this section, exclusive of the storage of finished products in original sealed containers (60 gallons or less), which shall be unrestricted.
- [b] The total storage capacity of flammable liquids and gases shall not exceed those quantities permitted in the following tables:

Storage Capacity of Flammable Liquids

Flash Point	Above Ground	Below Ground
Less than 70° F	10,000 gallons	20,000 gallons
70° F. to 200° F.	40,000 gallons	80,000 gallons

Storage Capacity of Flammable Gases

Above Ground	Below Ground
300,000 Standard cubic feet at 60° F. and 29.92 inches Hg.	-

10. Glare. Any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of 0.5 footcandle when measured in a residential district.

11. Noise.

- [a] Noise shall be measured with a sound-level meter having an A-weighted filter constructed in accordance with specifications of the American National Standards Institute (ANSI). Measurements are to be made at any point as indicated in the table.
- [b] Impact noise shall be assured using the fast response of the sound-level meter. Impact noises are intermittent sounds such as from a punch press or drop forge hammer. Measurements are to be made at any point as indicated in the table.
- [c] Between the hours of 7:00 p.m. and 7:00 a.m., the permissible sound levels in a residential district shall be reduced by five decibels for continuous and by 10 decibels for impact noises.
- [d] The following sources of noise are exempt:

- [5] Transportation vehicles not under the control of the industrial use.
- [6] Occasionally used safety signals, warning devices, and emergency pressure relief valves.
- [7] Temporary construction activity between 7:00 a.m. and 7:00 p.m.
- [e] Maximum permitted sound level from a heavy industrial source measured in any adjacent nonindustrial district or industrial district lot adjacent to the site:

Sound measured in	Continuous Slow Meter Response	Impact Fast Meter Response
Residential	50 dB(A)	60 dB(A)
Commercial	60 dB(A)	70 dB(A)
Industrial lot	70 dB(A)	80 dB(A)

- [f] Certification of standards. All heavy industrial and light industrial uses proposed to be established shall include with the documentation of conformance with the aboveenumerated performance standards a certificate from a registered professional engineer in the State of New York that the proposed use can meet the performance standards of the appropriate district. Furthermore, the Code Enforcement Officer may employ consultants to evaluate the environmental effects with respect to performance standards and include the cost of such consultants as part of the fee for the permit or certificate of occupancy.
- 12. Environmental reviews. The permitting of a new heavy industrial use is hereby declared to be a Type I action as defined by the rules and regulations of the New York State Department of Environmental Conservation for the implementation of New York State Environmental Quality Review Act.
- 13. Existing uses. To the extent that a heavy industrial use has been established prior to the enactment of this chapter and regardless of the limitations or permissions granted by any discussion of preexisting uses elsewhere in this chapter, no such existing use shall be required to meet the performance standards herein established. However, no such existing use shall become less conforming with said performance standards than was the case at the time of this enactment.
- 14. Conflict with other standards. Should any standard herein established conflict with a similar standard established by another governmental agency, then the more restrictive standard shall apply.

§ 305-38 Junkyards and Auto Wrecking Yards

A. General Requirements.

Junkyards and auto wrecking yards are subject to the performance standards for heavy industrial uses and to the following regulations:

- 1. Junkyards shall be enclosed by a fence or wall having a minimum height of eight (8) feet which is adequate to discourage entry onto the premises except through designated gates and entryways.
- 2. Such walls and fences shall be not less than 10 feet from all property lines and shall be not less than 25 feet from any public street.
- 3. No materials or wastes shall be deposited on any premises in such form or manner that they may be transferred off such premises by natural causes or forces.
- 4. Junkyards shall be located at least 500 feet from any adjacent nonindustrial district.

§ 305-39 Kennels

A. Purpose.

The purpose of animal boarding regulations is to ensure that operations are compatible with and do not disrupt the surrounding neighborhood as well as provide, a safe and adequate property for the animals being boarded. All kennel establishments are subject to *§104-20* in the City of Auburn Municipal Code.

§ 305-40 Landscaping

A. Authorization.

Landscaping is permitted in any zoning district. When site plan review is required for a particular use, said landscaping shall be deemed to be a mandatory element of any permit granted for said use.

B. Purpose.

This Section is intended to establish the minimum standards for the preservation, installation and maintenance of landscaping materials in order to:

- 1. Protect property values;
- 2. Provide privacy from view, light, glare, dirt, and noise;
- 3. Buffer incompatible land uses;

- 4. Prevent the erosion of soil;
- 5. Provide shade;
- 6. Improve the environment; and
- 7. Enhance the appearance of properties in the City.

C. General Requirements.

The following shall apply to all landscape plans:

- 1. All development subject to the provisions of this Section shall provide for a landscaped or natural area, which is not less than twenty-five percent (25%) of the property area.
- 2. Landscape treatments shall be designed as an integral part of the entire development and shall be distributed throughout the development site.
- 3. Vegetation shall be compatible with soil conditions on the development site and with the regional climate. Existing vegetation may remain on site, provided such species are approved by the Planning Board when granting approval of the landscape plan.
- 4. Each planting area shall be of adequate size for the landscaping approved. The interior dimensions of any landscaped area or median shall be a minimum of seven (7) feet wide to ensure proper growth of vegetation planted therein.
- 5. All landscaped areas shall have adequate irrigation and drainage for that landscaping to ensure proper growth of vegetation.
- 6. Landscaped areas in or near parking areas or roadways shall be bordered with approved concrete curbing or swales.
- All landscaped areas shall contain clean, friable, weed-free topsoil to depths necessary to sustain growth for trees, shrubs and groundcover. In addition, all landscaped areas shall contain two (2) inches of wood mulch. Permeable interlocking pavers or decomposed granite may also be utilized in heavily trafficked areas.
- 8. Trees are the preferred form of vegetation and every effort shall be made to preserve existing site trees, particularly existing trees with a caliper larger than ten (10) inches. Each landscape plan must contain at least one (1) tree per 1,000 square feet of landscaped area.
- 9. Trees planted in a tree well or planter strip shall be provided with a minimum seven-foot (7) by seven-foot (7) planting area. Trees planted in an island planter shall be provided with a minimum four-foot by eight-foot planting area. Planter dimensions are measured from the interior side of the curb. Trees must be planted behind the curb at a distance no less than one half (½) the minimum planter width.

- 10. Each landscape plan shall contain the following varieties of trees:
 - [a] Forty percent to sixty percent (40% 60%) large deciduous trees.
 - [b] Twenty percent to thirty percent (20% 30%) evergreen trees.
 - [c] Twenty percent to thirty percent (20% 30%) small or flowering trees.
- 11. A landscaped area at least ten (10) feet in depth shall be provided along all exterior lot lines of parking areas unless a greater landscaped area is required according to the provisions of the given zoning district.
- 12. All nonresidential development located adjacent to residential districts shall provide screening and/or buffering using landscaping. Such screening and/or buffering shall be designed so that a person standing on the adjacent residential parcel on the minimum setback line, five feet above the finished grade, would not be able to readily observe uses, activities or automobile lights originating from said nonresidential development. This standard may be met by using various techniques such as plant materials, earthen berms or combinations thereof as approved by the Planning Board. Vegetation shall be the preferred screening device. Such techniques can be applied within the required side and rear yards.
- 13. Landscaping shall provide privacy and screening for adjacent land uses, and shall take into account visual, noise and air quality factors. More stringent standards may be required by the Planning Board, particularly for industrial development, to ensure adjacent properties are provided adequate visual and noise screening.
- 14. The location and dimensions of proposed buffers, screening and fence areas specifying materials and vegetation; including existing vegetative cover and proposed areas of lawn and groundcover.
- 15. A general landscaping plan and planting schedule specifying types and size of vegetation. The size of vegetation at installation and upon maturity shall be noted on the plans.
- 16. The landscape plan shall be drawn to scale, including dimensions and distances, and shall clearly delineate existing and proposed structures, uses, parking areas, access aisles, drainage pattern and the location, size and description of all landscape materials existing and proposed, including but not limited to all trees and shrubs, and shall include those existing plant materials that are to be removed and such other information as may be required by the Code Enforcement Officer and the Planning Board.
- 17. The landscape plan shall clearly show all existing and anticipated changes to vegetation and natural features, including but not limited to streams, state wetlands and federal wetlands. Natural features shall be preserved and incorporated in the landscaped area wherever possible.
- 18. Landscape plans shall be prepared and certified by a New York State licensed professional.

19. In the event that designated wetlands exist on site, a copy of the letter of notification sent to the New York State Department of Environmental Conservation and/or the United States Army Corps of Engineers must accompany the landscape plan.

D. Landscaping Specifications

- 1. Tree and shrub size and variety shall be outlined on the landscape plan, and shall be large enough to establish an aesthetically pleasing effect.
- 2. Specific species of all vegetation shall be outlined on the landscape plan and approved by the Planning Board.
- 3. Native vegetation is preferred and shall be used for plantings whenever possible.
- 4. Nonliving materials shall not be substituted for the required landscaping.
- 5. For tree planting requirements, exclusive of those within rights-of-way, a minimum of thirty percent (30%) species native to Northeastern United States shall be required. The Planning Board shall have the discretion to modify tree shading requirements under power lines and other obstructions which prohibit strict compliance with shading requirements.
- 6. New development shall be required to have landscaping in place and completed prior to final certificate of occupancy. In the event that seasonal conditions prevent completion of the required landscaping until the following planting season, the Planning Board shall set a completion date, and the property owner or developer shall post a certified check in the amount of fifty percent (50%) of the cost of the landscaping as verified in writing by the landscape architect or by the licensed professional that sealed the landscape plan. Said certified check shall be made payable to the City of Auburn and shall be redeemable after completion and approval of said landscaping work by the stated completion date. In the event that the landscaping plan is not completed by the prescribed date, the owner or developer shall forfeit the deposited amount, and the City shall find the site in violation of this Ordinance until landscaping is completed as originally approved.
- 7. Prior to final approval of the site plan, the property owner or developer shall enter into an agreement with the City of Auburn to assure completed plantings. An irrevocable letter of credit, bond, or other surety shall be required to guarantee maintenance of approved landscaping for a period of three years from planting. If the approved landscape plan is not followed during this time, the surety or bond shall be forfeited and shall be used to complete the landscape plan as approved. Prior to the release of the bond and upon notification by the property owner or developer of completion, the site shall be inspected by the Code Enforcement Officer.
- 8. All landscaped areas required and/or permitted by this Section shall be maintained and preserved according to the landscape plan as originally approved or as amended by the City Planning Board. The property owner shall be responsible for the continued proper

maintenance of all landscape materials and shall keep them in a proper neat and orderly appearance, free from refuse and debris at all times. Proper maintenance shall include at a minimum: watering, weeding, mowing, mulching, fertilizing and pruning. All unhealthy or dead plant material shall be replaced within six (6) months or by the next planting season.

§ 305-41 Lighting

A. Purpose.

To minimize light pollution and light trespass for the enjoyment and use of property and the night environment and to conserve energy while increasing nighttime visibility, security and productivity.

B. Requirements.

The following requirements shall apply to all outdoor lighting devices used for illumination or advertisement:

- 1. Except as otherwise provided in this Section, all lighting devices or fixtures shall be shielded in such a manner that light rays emitted by the device or fixture, whether directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
- 2. Requirements for lighting device or fixture heights, shielding, placement and aiming to minimize light trespass and direct glare emitted by a lighting system shall be as follows:
 - [a] The maximum allowable height of wall-mounted lighting devices or fixtures shall be equal to the horizontal distance of the fixture to the property line with a maximum height of fifteen (15) feet.
 - [b] Direct illumination from lighting devices or fixtures shall not be visible from six (6) feet above grade at the property line.
 - [c] No use shall produce glare as to cause illumination beyond the property on which it is located in excess of 0.5 footcandles.
 - [d] Light fixtures shall be designed to prevent light pollution by shielding the light source and directing light downwards, away from the night sky.
 - [e] Recessed lighting is encouraged, where appropriate, to prevent light pollution and shielding neighboring properties from unnecessary glare.
- 3. The use of flashing, rotating or pulsating lights in/on any outdoors sign or other lighting device is prohibited per Article 5 |*Sign Regulations*. This provision shall not apply to flashing, rotating or pulsating lights intended to warn of hazards and danger.
- 4. The operation of searchlights for advertising purposes is prohibited.

5. Off-street lighting shall be shielded and/or directed in such manner that it only illuminates the user's premises and does not spill over into neighboring areas or interfere with use of residential properties.

C. Exemptions.

The provisions of this Section do not apply to:

- 1. Incandescent lamps of 150 watts or less; glass tubes filled with neon, argon or krypton; outdoor advertising signs constructed of translucent material and wholly illuminated from within and fossil fuel light sources.
- 2. The illumination of outdoor recreational facilities, public or private, which shall be shielded such that the glare or beam does not emit beyond property lines, and no such facility shall be illuminated after 11:00 p.m. except to conclude a specific sporting event or any other activity conducted at a ball park, outdoor amphitheater, arena or similar facility in progress prior to 11:00 p.m.
- 3. Seasonal holiday display lighting.
- 4. Lighting that illuminates the American flag.
- 5. The Planning Board may grant a special exemption upon a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that would suffice.

§ 305-42 Micro-Brewery/Craft Brewery and Brew Pubs

A. Micro-Brewery/Craft Brewery.

- 1. The brewing operation shall not include the production of any other alcoholic beverage.
- 2. The brewery shall not produce more than 75,000 barrels of beer or ale per year.
 - [a] No brewing equipment or storage is permitted on the exterior of the building. This shall not include purpose built exterior facilities for the storage of raw materials or used for processing.

B. Brew Pubs.

- 1. A brew pub license holder must have a bonafide restaurant.
- 2. The brew pub license holder may have up to five separate locations, and may produce 5,000 barrels of beer per location, not to exceed 20,000 barrels per year.
- 3. No brewing equipment or storage is permitted on the exterior of the building.

§ 305-43 Motor Vehicle Repair Stations

A. Applicability.

This Chapter applies to all new motor vehicle repair station and a new motor vehicle service station that is reconstructed by more than 50 percent of its assessed value.

B. Facility Requirements.

- 1. No part of any building used as a motor vehicle service station shall be erected within twentyfive (25) feet of any boundary lines of any residential district.
- 2. Any repair of motor vehicles shall be performed in a fully enclosed building, and no motor vehicle shall be offered for sale on the site, except in accordance with an approved site plan.
- 3. No motor vehicle parts or partially dismantled motor vehicle shall be stored outside of an enclosed building.
- 4. Up to five (5) unlicensed motor vehicles may be temporarily stored for a period not to exceed two (2) months, at a motor vehicle repair station if adequate off-street parking spaces are available.

C. Access and Circulation.

- 1. Ingress and egress points shall be located a minimum of forty (40) feet from the intersection of right-of-way lines of any streets.
- 2. No gasoline or oil pump, no oiling or greasing mechanism and no other service appliance shall be installed in connection with any filling station or public garage within ten (10) feet of any street line.
- 3. The entire area of the site traveled by motor vehicle shall be paved/hard surfaced.

§ 305-44 Motor Vehicle Service Stations

A. Applicability.

The standards outlined in this Chapter applies to all new and any existing motor vehicle service station that is reconstructed by more than 50 percent of its assessed value.

B. Permitted Activities.

- 1. The retail sale of motor fuels and related petroleum products.
- 2. Car washing services including hand-washing and drive-thru stations.
- 3. The sale of perishable items and soft drinks associated with a convenience store.

C. Prohibited Activities.

- 1. No vehicle shall be parked on the site of a gas station other than those of customers and employees.
- 2. No storage of vehicles shall be permitted.
- 3. No vehicle shall be parked at or near a street intersection so as to obstruct the vision of motorists.
- 4. No vehicle may be offered for sale on the premises.
- 5. Hydraulic hoists and pits, and the repair of any equipment.

D. Location Requirements.

- 1. Gasoline stations shall be established no closer than five hundred feet (500') from any other gasoline station in the city. Said distance shall be measured in a straight line from the nearest property line of the sites on which each such gasoline station is located.
- 2. Notwithstanding the immediately preceding sentence, a gasoline station proposed to be located on a corner lot adjoining an intersection may be located within five hundred feet (500') of another gasoline station located on a corner lot adjoining the same intersection; however, no more than two (2) gasoline stations may be located on corner lots adjoining any one intersection.

E. Facility Requirements.

- 1. Products for sale, lease, and/or rental. No display of items for sale, lease, or rental shall be permitted, except within a building.
- 2. Building material. A proposed gas station, and a station that is reconstructed by more than 50 percent of its assessed valuation shall use exterior finish materials that are determined by the Design Review Committee to be compatible with the surrounding neighborhood.
- 3. Restroom entrance screening. Each rest room entrance shall be from within a building, or screened from the view of adjacent properties and street rights-of-way by solid decorative screening.
- 4. Storm drainage. If drainage is to a street, storm water shall be carried under the sidewalk in an approved manner.

F. Access and Circulation.

These requirements shall apply to all new gas stations, and a station that is reconstructed by more than 50 percent of its replacement cost, as determined by the Code Enforcement Officer.

- 1. A gas station site shall not have more than two vehicle access points (i.e., driveways) on any street.
- 2. The Planning Board may prescribe the exact location, dimension and use of driveways as necessary to reduce potential traffic hazards.
- 3. No portion of a driveway shall be allowed to encroach nearer than five feet to the beginning of the curve of a street corner, or be located closer than five feet to a property line abutting a residential zoning district.
- 4. No driveway shall exceed a width of 30 feet.
- 5. There shall be a minimum distance of 22 feet of full height curb between curb cuts along any street.
- 6. Ingress and egress points shall be located at a minimum of forty (40) feet from the intersection of right-of-way lines of any street.
- 7. No part of any building used as a gas station, and no filling pump or other service appliance shall be erected within twenty-five (25) feet of any boundary lines of any residential district.
- 8. The entire area of the site traveled by motor vehicles shall be paved/hard surfaced.
- 9. All construction, reconstruction and repairs to the curb, gutter, sidewalk and approaches and public right-of-way dedications and curb returns, shall be subject to City Engineer approval.

G. Pedestrian Access.

- 1. A minimum of one continuous four foot (4') wide internal pedestrian walkway shall be provided from the perimeter public sidewalk of each abutting street to the nearest entrance to the gasoline station convenience market.
- 2. Internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, or scored/stamped concrete.

H. Landscaping Requirements.

A new gas station, and a station that is reconstructed by more than 50 percent of its assessed valuation shall comply with the requirements in *Article 4 | § 305-40, Landscaping*.

I. Application Requirements.

A Special Use Permit application for a gasoline station shall include all information and materials normally required for a Special Use Permit in accordance with *Article 1 |§ 305-104, Special Use Permits* and a photo-simulation showing the gas station in place on the project site, together with its relationship to existing surrounding land uses.

J. Required Findings for Approval.

The Planning Board shall not grant a Special Use Permit for a Gasoline Station, unless it first makes all of the following findings, in addition to those required by *Article 1 |§ 305-104, Special Use Permits.*

- 1. The proposed use will not substantially increase vehicular traffic on any street within a residential zoning district;
- 2. The proposed use will not, by virtue of curb cuts and vehicular access, impair the suitability of nearby commercially zoned property for commercial use; and
- 3. The proposed use will not substantially increase traffic hazards to pedestrians when located near a school, religious facility, auditorium, theater, or other place of assembly.

§ 305-45 Motor Vehicle Wash

A. Permit Required.

A Motor Vehicle Wash shall be permitted in the DD Downtown zoning district only upon issuance of a Special Use Permit by the Planning Board in accordance with *Article 1 §* 305-104, Special Use Permits.

B. General Regulations.

In all districts, the Code Enforcement Officer shall not issue such a permit unless the motor vehicle wash conforms to the following:

- 1. All vehicle stacking areas shall be clearly identified through the use of pavement markings, signs and/or curbing and landscaping features and shall be designed so they do not interfere with safe pedestrian and vehicle circulation on the site and along the public right-of-way.
 - [a] Each stacking space shall be no less than ten (10) feet in width and twenty (20) feet in length. An automatic tunnel wash shall provide a minimum of ten (10) stacking spaces.
 Each automatic wash bay shall provide a minimum of two (2) stacking spaces.
- 2. Additional stacking or queuing space may be required by the *Article 6 | Site Plan Review*, to ensure the safety of pedestrians and motorists.
 - [a] All vehicle stacking areas shall be located a minimum of thirty (30) feet from any lot line adjoining a residential property.
 - [b] Motor vehicle washes shall be sited and designed in such a way to reinforce the walkable, historic characteristic of the city and shall pay special attention to the relationship between the building and the public street.

- [c] The capacity of the stacking lanes should not interfere with the overall traffic flow within the parking lot.
- [d] Landscaping along side and rear lot lines shall include a five (5) to ten (10) foot wide vegetative buffer of trees and shrubs or a six (6) foot fence screening, constructed of low maintenance natural materials, including brick, stone or wood with a vegetative buffer of two (2) to five (5) feet from the lot lines.
- [e] Luminaries or lighting fixtures shall not exceed sixteen (16) feet in height in vehicular areas and ten (10) feet in height in pedestrian areas.
- [f] Flood lighting shall be prohibited.
- [g] No outdoor lighting shall have an intensity greater than one half (½) foot candle at the development property line.

C. Required Findings for Approval.

The Planning Board shall not grant a Special Use Permit for a motor vehicle wash in the DD Downtown zoning district, unless it first makes all of the following findings, in addition to those required in this section and by *Article 1 | § 305-104, Special Use Permits*.

- 1. The property is located only in the Northern Gateway section of the Downtown district;
- 2. The property has frontage along an arterial street;
- 3. The property is a minimum of 30,000 square feet;
- 4. The proposed use will not be adjacent to a Single-Family, Two-Family or 3-4 unit Multi-Family Dwelling.
- 5. The proposed use will not detract from the walkability of the district; and
- 6. The proposed use will not substantially increase traffic hazards to pedestrians.

§ 305-46 Off-Street Parking and Loading

A. Applicability.

Off-street parking and loading requirements pertain to all parking as required in the district Bulk and Use tables.

B. Restrictions and Other Uses.

All areas designated as off-street parking space shall be unobstructed and free of other uses, except off-street loading.

C. General Regulations.

- 1. Location.
 - [a] Except for access to a garage or permitted parking area, establishment of a parking area in the front yard of the following residential uses is prohibited:
 - [1] All residential uses within the R1 Single Family zoning district,
 - [2] All residential uses within the R2 Multi-Family zoning district,
 - [3] Dwelling, Multiple Family 3-4 units,
 - [4] Dwelling, Multiple Family 5+ units unless approved during Site Plan Review,
 - [5] Dwelling, Single-Family,
 - [6] Dwelling, Single-Family Semidetached,
 - [7] Dwelling, Townhouse, and
 - [8] Dwelling, Two-Family
 - [b] Except for parking in an established driveway directly in front of a garage or side yard, parking in a front yard of the following residential uses is prohibited:
 - [1] All residential uses within the R1 Single Family zoning district,
 - [2] All residential uses within the R2 Multi-Family zoning district,
 - [3] Dwelling, Multiple Family 3-4 units,
 - [4] Dwelling, Multiple Family 5+ units unless approved during Site Plan Review,
 - [5] Dwelling, Single-Family,
 - [6] Dwelling, Single-Family Semidetached,
 - [7] Dwelling, Townhouse, and
 - [8] Dwelling, Two-Family
 - [c] Preferred location of parking areas in the Neighborhood Commercial zoning district is within side and rear yards.
 - [d] Establishment of a parking area shall be prohibited in the Downtown Core in the DD Downtown zoning district.
- 2. Surfacing.

Open off-street parking areas shall be surfaced with a dustless, all-weather material including concrete, asphalt, pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids, or comparable material, and shall be so graded and drained as to dispose of all surface water accumulation, as approved by the Code Enforcement Officer.

- 3. Pervious and Porous Materials.
 - [a] Where feasible and appropriate, the use of pervious pavement or porous materials in the construction of parking facilities is encouraged, including the use of pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, or comparable structured and durable systems.
 - [b] The porous or pervious surfaces can cover the entire lot, or certain areas, such as parking stalls.
 - [c] All materials shall be installed per industry standards. Appropriate soils and site conditions shall exist for the pervious pavement or pervious pavement system to function. Documentation that verifies appropriate soils and site conditions shall be provided by the property owner prior to installation.
- 4. Number of Spaces.

Minimum number of parking spaces shall be provided as required by the regulations specified in the Bulk and Use Table, unless approved by the Planning Board based on a parking demand analysis.

5. Drainage.

Parking areas 3000 Sq. Ft. or larger, including provisions for vehicular circulation shall be properly sloped for drainage as approved by the Code Enforcement Officer. On-site retention and filtration of stormwater shall be provided where practical. Water from the parking areas shall not drain across a public walkway.

6. Lighting.

Any illumination of off-street parking areas shall be so arranged as to direct the light away from the street and away from adjoining premises in such a way to comply with the performance standards of *Article 4 | § 305-41, Lighting*.

7. Marking of Parking Spaces.

All parking areas containing five (5) or more parking spaces or containing angled parking shall have the parking spaces and aisles clearly marked on the pavement, using paint or other marking devices approved by the Code Enforcement Officer. Such markings shall conform to the approved parking plan and shall be maintained in a clearly legible condition.

8. Curbs.

Parking lots 3000 Sq. Ft. or larger shall be designed with discontinuous concrete or granite curbing, or alternative provision, to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch continuous concrete or granite curb.

9. Signs.

Signs accessory to parking areas shall be regulated by Article 5 |, Sign Regulations.

10. Accessible Parking.

Accessible parking spaces shall be provided as required by the Americans with Disabilities Act (ADA) and the New York State Uniform Fire Prevention and Building Code.

11. Snow Storage.

All parking garages and parking areas 3000 Sq. Ft. or larger shall provide a storage area for snow which will not displace any required parking or access thereto or provide documentation acceptable to the reviewing agency as to an alternative disposal method.

D. Access to Parking and Loading.

Plans for any use requiring movement of vehicles across public walks or access through a public alley or street shall be reviewed through Site Plan Review before any permits are issued. The following factors will be considered when determining whether to approve the proposed plan:

- 1. The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this Ordinance, and access points needed for the proper functioning of the use.
- 2. Where a residential use is served by an alley, direct access to the street through a curb cut shall be discouraged, except where such curb extends into a corner side yard.
- 3. The use shall not substantially increase congestion of the public streets or impede pedestrian traffic.
- 4. The space allocated to the use shall be adequate to keep vehicles clear of sidewalks, alleys and similar areas.
- 5. The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians. In no instance shall a driveway be allowed on a limited access roadway ramp or combined limited access roadway ramp frontage road.

E. Design Standards

- 1. Minimum Setbacks.
 - [a] In all districts, parking garages shall be governed by the setback requirements applicable in the relevant district to principal or accessory buildings, whichever is appropriate.

- [b] Parking areas set back from lot lines and streets. In all districts, no part of any parking area, other than driveways for ingress and egress, shall be located closer to a street or lot line than the minimum setback required for a one-story principal building in the relevant district or by the buffer and landscaping requirements of Article 4 /§ 305-26, Buffers Areas and § 305-40, Landscaping, whichever is less.
- 2. Parking Dimensions.
 - [a] Each off-street parking space shall have the following minimum dimensions, in feet:

	Parallel Parking		Perpendicular Parking	
	Width	Length	Width	Length
Standard	9	24	9	18

- 3. Ingress and Egress Dimensions.
 - [a] All parking areas serving non-residential use shall have clearly defined driveway(s) not wider than 30'. Such driveways shall be defined with the use of curbing along the street and an appropriate tree lawn between the sidewalk and street.
 - [b] All parking areas serving residential uses shall have a clearly defined driveway not wider than 20' for single- and two-family residences or clearly defined driveway(s) not wider than 24' for other residential uses. Such driveways shall be defined with the use of curbing along the street and an appropriate tree lawn between the sidewalk and street, or other means approved by the Code Enforcement Officer.

F. Shared Parking.

In the case of two or more different uses located on the same lot, the sum of the space required for all uses individually may be reduced to an amount no less than 50 percent of the largest number of spaces required by any single use, upon a determination by the Planning Board that such a reduced amount of parking spaces will be adequate to serve all uses on the lot due to their different character and hours of operation.

G. Landscape Standards.

- Not less than five percent (5%) of the interior of a parking area designed for eleven (11) to twenty-five (25) cars shall be devoted to landscaped areas. Not less than ten percent (10%) of the interior of a parking area designed for twenty-six (26) cars or more shall be devoted to landscaped areas. Interior parking lot landscaping shall be considered as part of the twentyfive percent (25%) minimum landscaping requirement.
- 2. Landscaped islands shall be located at the ends of each parking bay which contains eleven (11) or more parking spaces, separating adjacent rows of parking spaces at least every second parking bay and elsewhere as determined appropriate by the Planning Board in order to direct

vehicle movement, provide for plant growth and vehicle overhang, provide for pedestrian circulation and otherwise help assure proper traffic circulation, pedestrian safety, and aesthetics.

- 3. Unless modified by the Planning Board, the minimum width of landscaped islands shall be seven (7) feet when located at the ends of parking bays and ten (10) feet where separating opposing rows of parking spaces or adjacent to circulation aisles. All corners shall be rounded with a curb radius of not less than three (3) feet unless otherwise required by the Planning Board.
- 4. The landscaping of off-street parking areas shall include at least one shade tree of not less than three inches caliper for each six (6) parking spaces. Main traffic circulation aisles shall be emphasized with such shade trees. Other landscaped islands may be planted with flowering trees and/or other plantings, as appropriate. The shade trees are in addition to ground cover, shrubs and hedges which are to be provided where required per § 305-40, Landscaping, and to serve their intended function while not interfering with safe sight distance for pedestrians and vehicles.
- 5. The Planning Board may also permit non-landscaped islands, if appropriate, for purposes such as pedestrian circulation and snow storage. Such islands shall not be less than seven (7) feet in width.
- 6. In addition to the buffer requirements of *Article 4* |§ 305-26, *Buffers Areas*, all off-street parking and loading facilities shall be landscaped along their periphery.
- 7. The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard that may include architectural features such as benches, kiosks or bicycle parking.

§ 305-47 Outdoor Seating

A. Purpose.

The purpose of this Chapter is to allow for outdoor seating including patio tables, chairs, and benches that are incidental in nature to the primary use of the property.

B. General Regulations.

- 1. No more than 25% of the total on-site seating may be provided outdoors.
- 2. The outdoor eating area must be directly accessible to the interior eating area. Areas that must be accessed via public sidewalks or property not controlled by the applicant or property owner are not considered directly accessible
- 3. No such areas shall be permitted within the public right-of-way, except as permitted by *Chapter 248, Sidewalk Cafes* of the City of Auburn Municipal Code.

- 4. All such areas are subject to Minor Site Plan approval from the Design Review Committee when added incidental to an approved primary use. All such plans shall indicate the maximum size of the area, the maximum number of seats and tables, and the general layout of seating areas and aisles.
- 5. A minimum of one trash receptacle for each four tables or 12 seats must be provided. At least one is to be located at the exit area into the public right-of-way or the interior restaurant.

§ 305-48 Outdoor Storage of Materials and Equipment

A. Storage of Materials and Equipment.

- 1. No construction or landscaping material of any kind shall be stored outdoors in any zoning district, except in one- or two-family lots, unless:
 - [a] Allowed as part of an approved site plan;
 - [b] Used in the construction or alteration of a structure on the same lot or in the same development and stored for not more than thirty (30) days after completion of construction; or
 - [c] Such outdoor storage is limited to machinery, equipment or supplies essential to the operation of storage of any products grown on the premises of a farm or nursery.
- 2. No front yard shall be used for any open storage, living, sleeping or housekeeping purposes, or other storage of vehicles including, but not limited to, motor homes, camping trailers or vehicles, or boats. This shall not be construed to prohibit parking of said vehicles within a duly established driveway. To be considered parked; a vehicle must be in operable condition with current and valid State Registration.
- No heavy equipment storage shall be permitted within the in the Single-Family Residential (R-1) and Multiple-Family Residential (R-2) zoning districts except when said equipment is intended for the maintenance of the parcel and is stored within a fully enclosed structure.
- 4. All enclosed storage shall be within structures, which meet the requirements of the New York State Code, Rules and Regulations. Storage in mobile homes not connected to public utilities or tractor trailer bodies are not allowed in any district.
- 5. No outdoor storage shall occur within hundred (100) feet of a residential district. Outdoor storage shall provide a combination of distance and appropriately dense plantings or setbacks from residential districts.
- 6. Upon written approval by the Code Enforcement Officer, the temporary outdoor display of plants, trees and landscaping materials may be permitted for a period not to exceed six (6)

months per year. Such displays shall be maintained to provide a neat, orderly appearance at all times.

B. Storage of Automotive Vehicles.

- 1. Automotive vehicles of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.
- 2. Automotive vehicles of any kind or type shall not be parked on any residentially zoned property in a required front yard, exclusive of a dedicated driveway.

§ 305-49 Projections into Yards

A. General Regulations.

- 1. Projections permitted in front, rear, and side yards:
 - [a] The ordinary projection of window sills, belt courses, cornices and other ornamental features not to exceed four (4) inches.
 - [b] Balconies, bay windows, chimneys and roof projections not to exceed two (2) feet.
 - [c] Retaining wall of any necessary height.
 - [d] In no case shall a carport project into a required side or front yard.
 - [e] Unenclosed steps not extending above the floor level of the first story, provided that such steps are at least five (5) feet from any lot line.
 - [f] Subject to height limitations established in § 305-34 Fences, Walls, and Other Structural Screening Elements, fences or walls along property lines, provided that such fence or wall shall be at least two (2) feet distant from any existing or future street line.
- 2. Decks, patios and terraces are allowed provided that they are located three (3) or more feet from any side or rear lot line. Decks, patios and terraces are prohibited in the front yard.
- 3. Porches may project into any front, rear or side yard provided that they are located ten (10) or more feet from the property line.
- 4. Stoops are permitted in the front, side or rear yard and may be covered or uncovered provided they are located ten (10) or more feet from the property line.
 - [a] Stoops shall be less than thirty-six (36) inches in height, four (4) feet in width, and three
 (3) feet in depth and connected to the street front or driveway by a sidewalk or pathway that leads to an elevated first story. The sidewalk or pathway shall not exceed 6' in width. An area that exceeds any of these dimensions shall be considered a porch or deck.

§ 305-50 Public Buildings, Public Services, and Public Utilities

The provisions of this Ordinance shall not be so construed as to limit or interfere with the development or use of public buildings used for governmental purposes or with the construction, installation, operation and maintenance for public utility purposes of water and gas pipes, mains and conduits, electric light and electric power transmission and distribution lines, telephone lines, sewers and sewer mains and incidental appurtenances or with any highway or railroad right-of-way existing or hereafter authorized by the City of Auburn or the State of New York. The above provision shall not be construed to permit yards, garages or other buildings for service or storage by said public utilities, except as otherwise permitted by this Ordinance.

§ 305-51 Short-Term Rentals

A. Purpose.

The purpose of this Article is to allow the homeowners of the City of Auburn to provide short-term rental units, simultaneously protecting the public interest and preserving the residential character of the community.

B. Permitting.

- 1. Short-Term Rentals are not permitted in any Single-Family Residential District (R-1).
- 2. Applications for a permit to operate a short-term rental unit shall be available from the Code Enforcement Officer. Applications shall include the following information:
 - [a] Parking. Off street parking shall be provided to accommodate the occupancy of the structure, one parking space for each bedroom in the dwelling plus other parking as required by § 305-46, Off-Street Parking and Loading of this Ordinance. Vehicles shall not be parked on front lawns.
 - [b] Garbage removal. Property owners shall indicate the means by which garbage is removed from the property. If there is a dumpster located on the property, the location of the dumpster shall be depicted on the plat submitted with the application.
 - [c] Maintenance. The applicant shall indicate the manner in which lawn maintenance, snow removal, and repairs to the dwelling unit shall be maintained during the permit period.
 - [d] House rules. The applicant shall submit a copy of the house rules.
 - [e] Insurance and Bed Tax. Applicant shall provide proof of insurance coverage and bed tax number.
- 3. Upon receipt of the application and fee, the Code Enforcement Officer shall determine if the applicant has complied with all of the requirements of this Ordinance. If the applicant has fully

complied, then the Code Enforcement Officer shall issue the property owner a short-term transient rental permit.

- 4. If an applicant is required to obtain any other permits required by the City of Auburn, Cayuga County or State of New York in order to rent or lease their dwelling unit on a short-term basis, then the Code Enforcement Officer shall not issue the applicant a permit under this Article without sufficient proof that such other requirements imposed by the City of Auburn, Cayuga County or State of New York have been satisfied.
- 5. The Code Enforcement Officer shall have forty-five (45) days to determine whether the applicant has complied with the requirements of this Ordinance. Failure of the Code Enforcement Officer to act within forty-five (45) days shall constitute an approval unless the applicant and the Code Enforcement Officer mutually agree to extend this time limit.

§ 305-52 Sidewalk Cafes

A. General Regulations.

Sidewalk cafes shall be permitted upon application to the City Manager in compliance with *Chapter* 248 of the City of Auburn Municipal Code.

- 1. Sidewalk cafes shall operate in connection with the operation of a restaurant on the first floor of the adjoining premises, which fronts or empties onto the street at the approximate location where the sidewalk café license is requested.
- Adequate pedestrian access must be provided, which is considered to be eight (8) feet of unobstructed access between chair/table and curb edge or street furniture. Access may be less under certain circumstances, but cannot be less than five (5) feet of unobstructed access. A seating location diagram must be provided to verify adequate access.
- 3. Hours of operation may be required to be limited depending upon location.
- 4. All sidewalk cafes must comply with all New York State Alcohol and Beverage Control laws and public health regulations.

§ 305-53 Swimming Pools

A. General Regulations.

A private swimming pool and bathhouse accessory to a residential building and limited to use by the occupants thereof and their guests, subject to the following conditions and issuance of a permit:

1. Only a single private outdoor swimming pool per dwelling is permitted as an accessory use to a residential structure.

- 2. All outdoor swimming pools shall meet the New York State Building Code.
- 3. All outdoor swimming pools hereafter constructed and all existing pools which have a minimum depth of 24 inches of water are subject to the following:
 - [a] The edge of the pool shall not be located closer than ten (10) feet to any property line nor in the front yard nor occupy more than 10% of the lot area.
 - [b] Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than four feet (4) in height which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension, except for doors and gates, and, if a picket fence is erected or maintained, the horizontal dimension shall not exceed four inches. A dwelling, house or accessory building may be used as part of such enclosure.
 - [c] All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when the pool is not in actual use. Such door must be locked. The door of any dwelling which forms a part of the enclosure need not be so equipped.
 - [d] No person in possession of land within the City, either as owner, purchaser, lessee, tenant or a licensee, upon which is situated a swimming pool having a minimum depth of 24 inches shall fail to provide and maintain such fence as herein provided.

§ 305-54 Telecommunication Antennas, Private

A. General Regulations.

Telecommunication antennas accessory to a principal use, including dish antennas, are permitted provided:

- 1. No part of such accessory shall be located in a front yard;
- 2. Antennas shall not be attached to the front of the primary structure;
- 3. Antennas shall not exceed 1 meter in diameter or diagonal measurement;
- 4. Height of the antenna, including any supporting structure, shall not exceed the maximum building height for the principal use as defined in the Bulk and Use Tables.

§ 305-55 Temporary Structures/Temporary Storage Units

Temporary structures may be permitted in any district for uses incidental to construction work for a period of time not to exceed six (6) months, provided that such buildings shall be removed forthwith upon the completion or abandonment of the construction work.

Permits for any other temporary structures or for any extension of the six (6) month time limit shall be issued only upon authorization of the Common Council.

§ 305-56 Temporary Uses

A. Summary of Uses Addressed.

This Article addresses the establishment and operation of activities that are temporary in nature. Such uses are generally permitted in any zoning district. Where such a use is limited to a particular district or districts such limitation will be noted herein.

B. Permitted Temporary Uses.

Subject to the specific regulations and time limits which follow, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses of land are permitted as herein specified:

- A mobile home in any district as a temporary residence placed by public or private emergency services in response to the loss of shelter as a result of natural or man-made disaster. Such use shall be limited to the period of permanent shelter reconstruction and in any event no longer than 12 months following loss of shelter. No such use shall be undertaken unless such mobile home shall have first been properly connected to City water and sewer lines and to all required public utilities.
- 2. Indoor and outdoor arts and craft shows, exhibits and sales in any commercial or industrial district and, subject to proper approval of the City, in any public park in a residential district. Such use shall be limited to a period not to exceed five (5) days.
- 3. Contractors' offices and equipment sheds containing no sleeping or cooking accommodations in any district when accessory to a construction project. Such use shall be limited to a period not to exceed the duration of such project as determined through the Site Plan approval process.
- 4. Real estate offices containing no sleeping or cooking accommodations, unless located in a model dwelling unit, in any district when accessory to a new housing development. Such use shall be limited to the period of the active selling or leasing of dwelling units in such development as determined through the Site Plan approval process.
- 5. A festival on property owned by any not-for-profit group or organization and when approved by the Code Enforcement Officer on the basis of the adequacy of the parcel size, parking provisions and traffic access and the absence of undue adverse impact on surrounding properties in the residential district. Such use shall be limited to a period not to exceed 72 hours. Such use need not comply with the front yard requirements of this Chapter, except that structures or equipment which might block the view of operators of motor vehicles on the public streets shall not be located within 30 feet of the intersection of the curblines of any two streets. Such use need not comply with the maximum height requirements of this Chapter.

6. Other temporary uses found by the Code Enforcement Officer to comply with the provisions of this Section.

C. Limitations.

- 1. Except as expressly provided otherwise in *Article 4 |§ 305-56B, Permitted Temporary Uses* above, temporary uses shall comply with the yard, space, and bulk regulations applicable in the district in which such temporary use is located.
- 2. Before approving any temporary use, the Code Enforcement Officer shall make an assessment of the total number of off-street parking spaces which will be reasonably required for the use on the basis of the particular use, its intensity and the availability of other parking facilities in the area and shall approve such temporary use only if such off-street parking is provided.
- 3. No temporary use shall be operated during any hours or on any days of the week except such as are designated by the Code Enforcement Officer on the basis of the nature of the temporary use and the character of the surrounding uses.
- 4. Any restrictions deemed appropriate by the Code Enforcement Officer under the provisions of this Chapter shall be noted upon the permit issued for the temporary use.

D. Conflicts with Other Laws.

Where other laws, ordinances, or regulations of the City of Auburn require issuance of a license, permit or other instrumentality for a use regulated by this Article, such other laws, ordinances, or regulations shall supersede this Article.

§ 305-57 Tiny Houses and Tiny House Clusters

A. General Requirements

- 1. Tiny houses are not permitted as individual dwelling units on parcels within the City of Auburn.
- 2. All tiny houses must be part of a Tiny House Cluster development.
- 3. A minimum of four (4) tiny houses and a maximum of twelve (12) tiny houses are permitted per Tiny House Cluster.
- 4. Architectural Details.
 - [a] All tiny houses must have a minimum of one and one-half (1 ¹/₂) stories.
 - [b] All tiny houses must have permanent foundations.
 - [c] Front facades must have enough window coverage to be at least twenty-five percent (25%) transparent.

- 5. All Tiny Houses must have front porches.
 - [a] Porches shall be oriented towards common open space or street.
 - [b] Porches shall be a maximum of sixty (60) square feet and a minimum of six (6) feet deep on the common open space side of the building.
 - [c] The square footage of porches may be reduced to forty (40) square feet on units less than three hundred fifty (350) total gross square feet.
- 6. Centralized Common Area
 - [a] All Tiny House Clusters must meet the minimum requirements for open space and common areas as set forth.
 - [b] The common open space area shall include useable public spaces, such as lawn, gardens, patios, plaza or scenic viewing areas. Common tables, chairs and benches are encouraged, with all houses having access to it.
 - [c] Four hundred (400) square feet of common open space is required per unit.
 - [d] Fifty (50) percent of units must have their main entry on the common open space.
 - [e] All units must be within five (5) feet of each common open space(s).
 - [f] Passive trails are allowed and may count towards the common open space requirement.
 - [g] Common open space shall be located outside of stromwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten (10) percent.
- 7. Tiny house clusters, not owned under single ownership, must be part of a condominium or homeowners association to oversee maintenance of the common areas.

B. Permitting.

All Tiny House Clusters are subject to major site plan review, as described in *Article 6 | Site Plan Review* of this Zoning Ordinance.

C. Maintenance of Common Areas.

Maintenance of open space and utilities: before approval is granted, the applicant shall submit covenants, deeds and homeowner association bylaws and other documents guaranteeing maintenance and common fee ownership of public open space, community facilities, private roads, driveways, and all other commonly owned and operated property. These documents shall be reviewed and accompanied by a certificate from an attorney that the site complies with the requirements of this Chapter prior to approval.

§ 305-58 Wireless Telecommunications Facility

In addition to requirements set forth in district Bulk and Use Tables, Wireless Telecommunications Facility shall be regulated by the Code of the City of Auburn *Chapter 300: Wireless Telecommunication Facilities*.

Article 5 | Sign Regulations

§ 305-70 Intent

A. Purpose.

The purpose of this Article is to promote and protect the public health, safety, and welfare by providing comprehensive time, place, and manner restrictions on signage which shall include controls on height, quantity, location, spacing, shape, scale, lighting, motion, design, maintenance, and appearance. Regulations apply to the physical aspects of the sign, and not the content or message.

- 1. The provisions of this Article are intended to ensure that all signs and advertising features:
 - [a] Are functional and compatible with the aesthetic appearance of the property and/or building on which they are located, the surrounding neighborhoods, and the long-term vision of the City as outlined in the Comprehensive Plan;
 - [b] Serve to protect and enhance community appearance;
 - [c] Protect the safety of motorists, pedestrians, and cyclists by reducing the frequency and magnitude of hazards caused by obstructions and distractions;
 - [d] Preserve and create more attractive business and residential environments; and
 - [e] Are harmonious in color, size, and material with the building to which they relate, thereby preserving the existing character of the community and providing visual continuity across districts.

§ 305-71 General Regulations

A. Purpose.

All signs must be constructed in accordance with New York State Uniform Fire Prevention and Building Code, shall be maintained in good condition, shall be kept free of defects or hazards and shall not be allowed to become dilapidated or deteriorated.

- 1. When signs are required as part of the Site Plan Review, the Planning Board and the Design Review Committee shall consider the compatibility of the sign's general character in context to its location, color(s), lettering, size and overall design.
- 2. Except as otherwise provided, no person shall erect, substantially modify, relocate or substantially reconstruct any sign without first obtaining a sign permit from the Code Enforcement Office.

- 3. For the purposes of this Article, substantial modification shall mean any change in the configuration, orientation, illumination, or purpose of the sign. Substantial reconstruction shall mean the removal and replacement of more than fifty percent (50%) of the existing signage surface area or structural elements.
- 4. No sign permit shall be required for the repainting or repair of a sign in conformance with this Chapter.
- 5. All signs shall be sited so as not to interfere with a clear view of intersecting streets and shall be located at least twelve and one half (12.5) feet from any property line.
- 6. No sign shall impair or cause confusion of vehicular or pedestrian traffic in its design, color or placement.
- 7. Every principal building or structure shall have street identification numbers subject to *§505* of the Fire Code of New York State.
- 8. The Code Enforcement Officer shall require the proper maintenance of all signs, and such signs, together with their supports, shall be kept in good repair. The display surfaces shall be kept neatly painted at all times. The Code Enforcement Officer may order the removal of any sign that is not maintained in accordance with the provisions of this Chapter.
- 9. All signs shall be advertising the business on the property.
- 10. No off-premise advertising is permitted.
- 11. Any signage not expressly permitted in this Section is prohibited in the City of Auburn.
- 12. All applicants proposing signs that encroach into the public right-of-way must provide an indemnity agreement, in a form acceptable to the City, holding harmless and indemnifying the City, its officers and employees from and against any and all claims and liability resulting from encroachment into the public right of way. Applicants must also provide proof of insurance acceptable to the City and naming the City as an additional insured on a primary, non-contributory basis.

§ 305-72 Design Standards for All Districts

A. Sign Area Calculations for All Districts.

- 1. The signable area does not include the sign's supporting frame or structure, if any, provided that such frame or structure is not designed to display text or graphics.
- 2. Single-faced. For a sign composed of one sign face, the sign area shall be determined based on the outer dimensions of the frame surrounding the sign face, but excluding the sign structure supporting the sign unless it is part of the communication of the sign or used to differentiate it. In the case of a freestanding sign that includes blank spaces with the intention of adding wording in the future, the blank spaces shall be included in measuring the sign area.
- 3. Individual Letters or Figures. For a sign composed of individual letters, logos, or figures, the sign area is measured by that of the smallest rectangle or other geometric shape that encompasses all the letters, logos, or symbols, including any open areas within the sign face or faces individually.
- 4. Double-Faced. The area for a sign with more than one face is computed by adding together the area of all sign faces, except where the two sign faces are placed back-to-back.

B. Three-Dimensional Signs.

The sign area of a three-dimensional sign is calculated as total area of the smallest rectangle, circle, or square that fully encloses the largest profile of the three-dimensional sign.



C. Sign Height for All Districts.

The total height of a ground or bracket sign is measured from the highest point of the sign or supporting structure to the top of the adjacent curb, or to the crown of the road where no curb exists.

D. Signage Lighting.

- 1. Freestanding or ground signs may be illuminated via ground mounted fixtures or sign mounted fixtures.
- 2. External illumination fixtures must be shielded and directed such that a minimum of light pollution is created.
- 3. Signage accent lighting shall be of a lesser intensity than the illumination for the sign panel itself.
- 4. Permitted signage lighting fixtures include lanterns, goose-necks, and shielded, architecturalgrade spot lights.
- 5. Illumination of directly/internally-illuminated signs shall be of the diffused lighting type.
- 6. All additional lighting must be in conformance with *Article 4 §* 305-41, *Lighting*.

E. Signage Materials.

- 1. All signage shall be of professional quality and constructed of robust, durable, and weather-resistant materials.
- 2. All wood signage components must be sealed and protected from the elements. Unpainted or unfinished treated and untreated lumber shall not be permitted.
- 3. Signage materials shall be like or complementary color, character, type, and quality to those found on the related principal structure.
- 4. Segmental block and/or non-mortared stone is permitted for signage base materials only if like materials are in use throughout the principal structure.
- 5. All sign posts and brackets shall be constructed of robust, durable, and weather-resistant materials.

§ 305-73 Regulated Permanent Signs

A. Purpose.

The following regulated permanent signage types are considered permitted signs in the City of Auburn which contribute to the total maximum permitted square footage of sign area, unless otherwise noted in this Article:

B. Wall Sign.

- 1. No portion of a wall sign may project above the roof line or above the parapet wall of a building with a flat roof.
- 2. A wall sign may not cover windows or architectural details.
- 3. Wall signs may be internally or externally illuminated.
- 4. Signage area calculation:



C. Awning Sign.

- 1. Awning signs may not extend outside the awning.
- 2. Signs are allowed on ground floor awnings only.
- 3. Awning signs may be externally illuminated only.
- 4. Signage area calculation:



D. Canopy Sign.

1. Canopy signs may not extend outside the canopy.

- 2. Signs are allowed on ground floor canopies only.
- 3. Canopy signs may be externally illuminated only.
- 4. Canopy signs shall not exceed one and a half (1.5) feet in height or the height of vertical thickness of the canopy, whichever is greater.
- 5. Canopy signs attached below the canopy must have a minimum clearance of 10 feet.
- 6. The sign area of a canopy sign shall be counted toward the total allowable wall sign area of the parallel face to which the marquee is attached.
- 7. Signage area calculation:



E. Window Sign.

- Window signs shall not be considered temporary signage if they are not intended to be changed or replaced within a calendar year from date of installation, or text exceeds six (6) inches in height.
- 2. Signs hanging from a ceiling or post that are not affixed to the glass of the window but within twelve (12) inches of the window shall be considered as a window sign.
- 3. Signage area calculation:



F. Projecting/Perpendicular Sign.

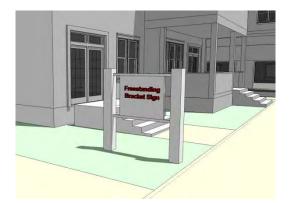
- 1. No portion of a projecting sign may be higher than the top of the building.
- 2. No portion of a projecting sign may be located higher than the second floor of the building.
- 3. Any part of a sign extending over pedestrian areas must have a minimum height clearance of ten (10) feet.
- 4. The projecting sign may not project more than three (3) feet from the building line and shall not be nearer than four (4) feet to the curb line of the street.
- 5. The sign post or bracket is not included in the signage calculation.
- 6. Signage area calculation:



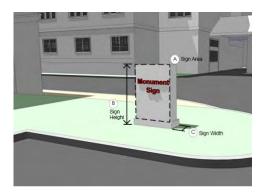
G. Freestanding Bracket Sign.

- 1. A freestanding bracket sign may be located only on a site frontage adjoining a public street.
- 2. The sign post shall have a maximum height of six (6) feet.
- The sign shall be mounted on one or more posts not to exceed a diameter greater than eight (8) inches.

- 4. The sign post or bracket is not included in the signage calculation.
- 5. Signage area calculation:

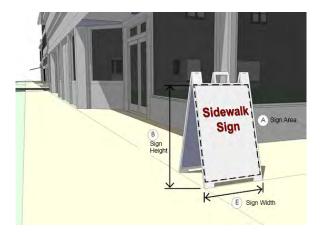


- H. Monument Sign (single and multi-tenant).
 - 1. One (1) monument sign allowed for each frontage along a Primary or Secondary Street.
 - 2. Must be set back at least twelve and one-half (12.5) feet from the front property line and in no case may interfere with safe vehicle and pedestrian traffic.
 - 3. May not be closer than eighty (80) feet from any other monument sign located on the neighboring lots on the same frontage.
 - 4. A monument sign may be used as a multi-tenant directory sign indicating the name of the occupants of a building or multiple buildings. Each business may have no more than one sign within the multi- tenant monument sign.
 - 5. Signage area calculation:



- I. Sidewalk/A-Frame Sign.
 - 1. A sidewalk sign must be located at least ten (10) feet from any other sidewalk sign.
 - 2. Sidewalk signs must be placed indoors at the close of each business day.

- 3. Sidewalks cannot obstruct vehicular or pedestrian traffic and must comply with ADA clearance and accessibility requirements.
- 4. Sidewalk signs may not be illuminated.
- 5. Signage area calculation:



J. Subdivision Entry or Other Identification Sign.

- 1. One (1) sign identifying the name of a project located at the entrance to a development that has:
 - [a] Greater than ten (10) single-family detached or single-family attached, twenty (20) townhouses, or twenty (20) multi-family housing units
 - [b] One (1) such sign shall be permitted for each entrance on a different street or highway.

K. Signs in Shopping Centers, Malls, and Plazas.

- 1. Each shopping center or mall may have one (1) double-faced monument sign no more than the maximum area prescribed by this Article on each side, except that if the sign is single-faced, the area of the sign shall not exceed than the maximum sign area prescribed by this Article.
- 2. Tenants.
 - [a] Each tenant of a shopping center or mall shall be allowed a sign, however, such sign shall not exceed 5% of the portion of the shopping center leased by the tenant and shall not exceed the maximum sign area prescribed by this Article.
 - [b] Tenant signs shall be more than three (3) feet off the ground and shall not exceed the height of the façade.
 - [c] All façade signs shall be of a uniform, harmonious design as prescribed by this Article and shall be affixed to the façade of the building.

§ 305-74 District Regulations

A. Maximum Sign Area by District.

- Each property shall be permitted a maximum square footage of sign area based on the zoning 1. district in which it is located.
- Regulations per district are subject to the maximum square footage as defined below. In no 2. instance, exclusive of a variance granted by the Zoning Board of Appeals per Article 8 / Administration and Enforcement, no business or organization may exceed the maximum square footage as follows:
 - [a] R-1 District: 6 SF [d] C District: 60 SF [g] I District: 200 SF [b] R-2 District: 12 SF
 - [e] NC District: 40 SF
- [h] I-2 District: 200 SF

[c] CC District: 100 SF [f] HC District: 200 SF

[i] DD District: 100 SF

Permitted Signage by District. Β.

	R-1	R-2	CC	С	NC	HC		I-2	DD
Wall Sign	P*	P*	Р	Р	Р	Р	Р	Р	Р
Awning Sign			Р	Р	Р	Р			Р
Canopy Sign			Р	Р	Р	Р	Р	Р	Р
Window Sign	Ρ*	P*	Р	Р	Р	Р	Р	Р	Р
Projecting Sign			Р	Р	Р	Р			Р
Freestanding Bracket Sign			Р		Р	Р			Р
Monument Sign			Р	Р		Р	Р	Р	
Sidewalk Sign					Р				Р
Subdivision Sign	Р	Р	Р	Р	Р				
Signs in Shopping Center / Mall Sign						Р			

care facility, and family home daycare.

The following signs are permitted in each district as defined below.

	R-1	R-2	СС	С	NC	HC	I	I-2	DD
Wall Sign	1	1	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade
Awning Sign			1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade
Canopy Sign			1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade
Window Sign	1	1	1	1	1	1	1	1	1
Projecting Sign			1 per building	1 per building	1 per building	1 per building			1 per building
Freestanding Bracket Sign			1 per lot		1 per lot	1 per lot			1 per lot
Monument Sign			1 per lot	1 per lot		1 per lot	1 per lot	1 per lot	
Sidewalk Sign					1 per building				1 per building
Subdivision Sign	1 per subdivision								
Signs in Shopping Center / Mall Sign						1 per shopping center or mall			

C. Maximum Number of Signs Based on the Zoning District in which it is Located.

Each district is permitted a maximum number of sign type per the following regulations. The maximum sign area may be split among permitted sign types, with a maximum of three (3) signs regardless of the district.

D. Maximum Square Footage.

Each property shall be permitted a maximum square footage of total sign area based on the zoning district in which it is located. The maximum sign area may be split among permitted sign types, not to exceed the allowed maximum of three (3) signs.

	R-1	R-2	CC	С	NC	HC	I	I-2	DD
Wall Sign	2 sf	2 sf	1.5 sf per 1ft of building length						
Awning Sign			30% of awning area	30 % of awning area	30 % of awning area	30 % of awning area	30 % of awning area	30 % of awning area	30 % of awning area
Canopy Sign			30% of canopy area						
Window Sign	2 sf	2 sf	30% of window area	25% of window area					
Projecting Sign			16 sf	16 sf	16 sf	16 sf			6 sf
Freestanding Bracket Sign			6 sf		8 sf	8 sf			4 sf
Monument Sign			50 sf	50 sf		80 sf	100 sf	100 sf	
Sidewalk Sign					9 sf				9 sf
Subdivision Sign	10 sf	15 sf	15 sf	15 sf	15 sf				
Signs in Shopping Center / Mall Sign						80 sf			

§ 305-75 Supplemental Sign Standards for the Downtown District

	Permitted Sub-areas	Width	Height	Depth/Projection	Letter Height	
Awning sign	Downtown Mixed- Use Core; Gateways	75% of awning width max 18 in max		n/a	5 in min; 10 in max	
Wall sign	Downtown Mixed- Use Core; Gateways	50% of façade width max	2 ft max	6 in max	18 in max	
Projecting sign	Downtown Mixed- Use Core; Gateways	4 ft max	4 ft max	4 ft max	8 in max	
Window sign	Downtown Mixed- Use Core; Gateways	50% of window width max	Varies	n/a	8 in max	
Freestanding Bracket sign	Gateways	3 ft max (exc. post)	2 ft max (exc. post); post 6 ft max	n/a	8 in max	
Monument sign	Gateways		5 ft max	18 in max	18 in max	
Sidewalk sign	lewalk sign Downtown Mixed- Use Core; Gateways		42 in max	n/a	n/a	
Marquee sign	Downtown Mixed- Use Core	Entrance width plus 2 ft each side	Max 50% story height	4 ft min; 10 ft max	n/a	
Outdoor display case	Downtown Mixed- Use Core; Gateways	3.5 ft max	3.5 ft max	5 in max	n/a	

In addition to other standards as set forth in the preceding sections of this Article, permitted signs in the Downtown District are subject to the following design standards.

§ 305-76 Permitted Signs Not Requiring a Permit

A. Signs Permitted in any Approved District without a Permit.

All other signs require a permit, subject to the requirements of *Article 5 §* 305-79, *Permitting*:

- 1. Flags of any nation, state, municipality, or political subdivision, flags officially designated as a national, state, or local symbol, or flags of fraternal, religious, and civic organizations. Flags may be freestanding or wall-mounted.
 - [a] Poles for freestanding flags are limited to the maximum height of the district or thirty (35) feet, whichever is less.
 - [b] Poles for freestanding flags must be setback a minimum of ten (10) feet from any lot line.
 - [c] Wall-mounted flags may not extend over the public right-of-way.
 - [d] There is no limit on the number of such flags per lot.

- [e] External illumination of flags is permitted but must be focused on the flagpole and flag.
- 2. Historical markers, tablets and statues, memorial signs and plaques; names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material; and emblems installed by governmental agencies, religious or nonprofit organizations.
- 3. Non-illuminated warning, private drive, posted or no trespassing signs, not exceeding two (2) square feet per face.
- 4. Number and name plates identifying residences, mounted on house, apartment or mailbox, not exceeding one (1) square foot in area.
- 5. Lawn signs identifying residences, not exceeding one (1) square foot per face. Such signs are to be non-illuminated except by a light which is an integral part of a lamppost if used as a support, with no advertising message thereon.
- 6. Integral graphics or attached price signs on gasoline pumps at automotive service stations.
- 7. Seasonal and holiday decorations, including lighting, are exempt from the provisions of this Chapter and may be displayed in any district without a permit.
- 8. Decals, logos, emblems, or price signs that identify the name of a business under sixty-four (64) square inches.
- 9. Signs incidental to places of worship, libraries, museums, schools, private clubs or societies, and other public or semi-public uses which shall not exceed sixteen (16) square feet in area, and shall be located on the premises of such institution provided that signs are located not closer than ten feet to any property line. One sign permitted per lot.
- 10. One home occupation sign shall be permitted for an approved home occupation, wherever such uses are permitted. Such sign shall be no larger than two (2) square feet and shall not be closer than ten (10) feet from any property line, and, if a freestanding bracket sign, shall not exceed six (6) feet in height above the natural grade which the sign is located. Home occupation signs in the R-1 and R-2 district are only permitted one (1) wall sign or one (1) window sign not to exceed 20% of the window area.
- 11. Murals or similar designs, images, or expressions on the exterior of a building, generally for the purpose of decoration or artistic expression, including, but not limited to paintings, markings, and etchings and does not include any on or off-site advertisement for a commercial, industrial, or other non-municipal entity, person, or corporation.
- 12. Light pole banners on private property are allowed as follows:
 - [a] Light pole banners are permitted for light poles in private parking lots and must be mounted so that they are held taut between support posts.

- [b] Light pole banners are limited to a maximum area of six (6) square feet per banner.
- [c] Light pole banners must be mounted to project perpendicular from light poles.
- [d] Light pole banners must not be used as a temporary off-premise sign.
- 13. Directional Signs:
 - [a] Directional Signs used to identify circulation paths and provide operational information are permitted for any parking lot, whether a principal or ancillary use.
 - [b] Directional signs are permitted for each entrance/exit, driveway intersection, drivethrough lane, and other circulation points.
 - [c] Directional signs are limited to eight (8) square feet in area.
 - [d] Directional signs may be internally or externally illuminated.
 - [e] Directional signs that provide information on the operation of a parking lot, such as "Unauthorized Users May Be Towed," are permitted as needed for any parking lot, whether a principal or accessory use.
 - [f] Directional freestanding signs are limited to four (4) square feet in area and must be five (5) feet from any lot line that abuts a street.

B. Temporary Signs.

Temporary signs, which shall not exceed six (6) square feet in area unless otherwise stated in this Section, provided that such sign is erected or displayed not less than five (5) feet from the property line.

- 1. One sign is permitted per lot, except that on a corner lot two signs, one facing each street, shall be permitted. Such signs shall not be posted more than two weeks prior to the event and no longer than three (3) days after the event.
- 2. In addition to temporary signs, signs authorized below are permitted within the City of Auburn, and are authorized only under the circumstances and limitations described.
 - [a] Special Events.
 - [1] A temporary banner or portable sign promoting a special event at a commercial establishment may be erected for a period not to exceed fourteen (14) days.
 - [2] The size of the banner shall not exceed six (6) square feet.
 - [3] Temporary sidewalk signs are allowed in accordance with *0, Sidewalk/A-Frame Sign*.

- [4] Such signs must be located on or adjacent to the commercial establishment's property, must not interfere with normal pedestrian traffic and must be kept in an attractive and safe condition.
- [5] Directional signs are not permitted.
- [b] Residential Events.
 - [1] For residences, signs announcing special events, garage or rummage sales, auctions or birthdays may be displayed on the premises not more than two (2) times a year for each of the types of events described above.
 - [2] For each particular event, one (1) sign not to exceed six (6) square feet on either side may be displayed on the premises for a period not to exceed seven (7) days.
 - [3] In addition, up to a maximum of two (2) directional signs may be displayed during the hours of the event.
 - [4] All such signs must be kept in an attractive and safe condition.
 - [5] No sign is authorized on City property or in the public right-of-way.
- [c] Banners for Charitable Events.
 - [1] A charitable, service, educational, religious or not-for-profit organization may erect a street banner announcing a coming event.
 - [2] The banner may be placed for a period not to exceed fourteen (14) days.
 - [3] The banner must be made of canvas or other material of equal or better durability and must be kept in an attractive and safe condition.
 - [4] The banner may not exceed fifteen (15) square feet, and may not include advertisements for commercial products or services.
 - [5] The banner must be removed no later than three (3) business days after the event terminates.
- [d] Realty Sales or Rental Property.
 - When a property is for sale or rent, one (1) sign per realtor announcing the sale or rental is permitted at that residence, except in the case of corner lots where one (1) sign per street frontage will be allowed.
 - [2] The sign may not exceed nine (9) square feet on either side.
 - [3] In the case of all realty sales or rental signs, signs must be kept in an attractive and safe condition and must be removed within three (3) days of completion of transaction.
 - [4] No sign is authorized on City property or in the public right-of-way, and no directional signs are authorized.

- [e] Contractors' Signs.
 - [1] One (1) temporary sign per contractor performing services may be displayed on the premises where such services are being performed and only during the performance of such services.
 - [2] The sign shall not exceed nine (9) square feet on either side and shall be removed within two (2) days of completion or cessation of the work.
 - [3] The sign must be kept in an attractive and safe condition and may not be placed on City property or on the public right-of-way.
- [f] Political Posters.
 - [1] There shall be no limit on the number of political signs per lot.
 - [2] Political signs may be placed up to the right-of-way line, but shall not be placed in public rights-of-way or on public land for any reason.
 - [3] Political signs may not be placed more than thirty (30) days before the election and must be taken down twenty-four (24) hours after the election has been completed.

§ 305-77 Murals on Private Property

The City of Auburn finds that non-commercial murals that are located on private non-residential property and are visible to the public, directly affect the public health, safety, and welfare of the City.

A. Purpose and Intent.

- 1. To encourage the installation of murals on private property as a vital part of Auburn's urban landscape.
- 2. To ascertain that private property murals do not create unsafe distractions to drivers and jeopardize public safety.
- 3. To ascertain that murals on private property are not commercial.
- 4. To maintain for the city's residents, workers and visitors an aesthetically attractive environment and to advance the aesthetic and cultural interests of the City.
- 5. To preserve the value of property located adjacent to the property where a private property mural is erected.
- 6. To effectively balance legitimate efforts of property owners to display murals with the public safety needs and aesthetic interests of the City.

- 7. To protect free speech rights provided by the Constitution of the State Georgia and the United States Constitution.
- 8. To inform and answer questions of the residents and business located in the neighborhood where a private property mural may be installed with the goal of developing neighborhood pride regarding the mural.
- 9. To encourage artistic expression.

B. Applicability.

A mural that has been approved as set forth in this Article shall not be considered a sign that is subject to the limitations set forth in Article 5 |*Sign Regulations*.

C. Guidelines for Murals.

- 1. A mural may be installed on private, non-residential property only after the issuance of a permit in accord with this Article. The requirements of this Article shall not apply to residential property as defined in *Article 2 | Definitions*.
- 2. All commercial messages shall be regulated by Article 5 |*Sign Regulations.* In addition, Article 5 |*Sign Regulations* shall regulate all displays of non-commercial messages which qualify under Article 5 |*Sign Regulations* as a substitute for a commercial message display.
- 3. Where a proposed mural has mixed commercial and noncommercial messages, the mural shall be deemed commercial, the Application (as defined in § 305-77D, *Permit Application* below) shall be denied, and the limitations of Article 5 |*Sign Regulations* shall apply to the entire display and not just to the portion that contains a commercial message.
- 4. The name of the artist creating the permitted mural and the name of a sponsor may be displayed on an adjacent plaque or similar display that is no more than eight (8) inches in height and eight (18) inches in length provided that such plaque or adjacent display is made a part of the mural application.
- 5. Refer to Article 5 /§ 305-79, Permitting for Permit Procedures.

D. Permit Application.

- 1. Before a mural may be installed, an Application for Mural Installation (the "Application") shall be submitted to the City of Auburn's Code Enforcement Officer.
- 2. The Application form shall require that the following information:
 - [a] The property address and parcel identification number where the proposed mural will be located;

- [b] A site plan setting forth in detail where the mural is to be located on the property, its overall dimensions, the materials to be used and the location of any plaque identifying the artist and/or the sponsor;
- [c] The artist's statement describing the proposed mural;
- [d] A photograph or detailed reasonably accurate graphic of the proposed mural;
- [e] A notarized statement signed by all property owners of record that they: 1) have reviewed the Application including the photograph or detailed reasonably accurate graphic of the proposed mural; 2) agree to the installation of the proposed mural on their property pursuant to the details set forth on the Application; and 3) approve the submission of the Application;
- [f] The resume of the proposed mural's artist and, if attribution is to be made on the permitted plaque, the text of such attribution; and
- [g] The name of any sponsor of the mural if the sponsor is to be identified on the permitted plaque.
- 3. The Code Enforcement Officer shall forward a copy of a completed Application to the Design Review Committee for consideration of two certifications.
 - [a] Non-commercial message verification. The Design Review Committee shall determine whether the proposed mural is commercial speech or contains a commercial message as defined in this Article.
 - [1] A finding that the proposed mural is not commercial speech and does not contain a commercial message shall be certified by the Design Review Committee.
 - [2] The display of the name of the artist or the sponsor on the plaque permitted by this Article shall not cause the mural to be deemed commercial speech.
 - [3] The determination that a display contains commercial speech shall result in denial of the application.
 - [4] A final decision by the Design Review Committee that the proposed mural is commercial speech or contains a commercial message shall be transmitted to the applicant within 14 days of the Design Review Committees decision.
 - [5] Where an applicant disagrees with the final decision of the Design Review Committee that the proposed mural is commercial speech or contains a commercial message, and does not wish to amend the Application or obtain a sign permit, the applicant may appeal the determination within thirty (30) days of the date that the final decision is transmitted to the applicant in writing.
 - [b] Traffic hazard determination. The Design Review Committee shall determine whether the proposed mural may result in a distraction or hazard to drivers.

- [1] Within thirty (30) days of the receipt of an Application, the Design Review Committee shall make a determination of whether the proposed mural is a traffic hazard or will create an undue and dangerous distraction to motorists.
- [2] The Design Review Committee shall provide written comments and a recommendation for approval or denial to the Code Enforcement Officer within 10 days of review of their review meeting.
- [3] Where an applicant disagrees with the final decision of the Code Enforcement Officer that the proposed mural creates a traffic hazard or an undue and dangerous distraction to motorists and does not wish to amend the Application, the applicant may appeal the administrative determination by filing an appeal of the administrative decision within thirty (30) days of the date that the final decision is transmitted to the applicant in writing, or by invoking another appropriate remedy in a court of competent jurisdiction.
- 4. The Design Review Committee shall provide written comments and a recommendation for approval or denial of the Mural Installation permit to the Code Enforcement Officer within 10 days of the meeting in which the review of the complete Mural Installation Application occurs.
- 5. If recommended for approval by the Design Review Committee, the Code Enforcement Officer may issue the permit for Mural Installation.
- 6. If not recommended by the Design Review Committee, no permit shall be issued until requested modifications are made to the application and re-submitted or the applicant moves forward with a Sign Permit application.

§ 305-78 Maintenance and Enforcement

A. Maintenance.

- 1. The painted parts of signs and any supports of the sign, unless such parts are galvanized or otherwise treated to prevent rust, must be painted at least once every three (3) years.
- 2. Any sign found to be broken, damaged, or unsafe upon inspection by the Code Enforcement Officer must be repaired or made secure by the applicant, sign owner, or property owner. The Code Enforcement Officer will give notice by registered or certified mail, return receipt requested, to any of the above-named persons to repair or remove the unsafe sign within five (5) days of receipt of said notice. If the sign is not repaired, made secure, or removed within thirty (30) days, or within any additional time the Code Enforcement Officer will revoke the sign permit and remove the sign.
- 3. If a sign is found to be a source of imminent peril to persons or property, the Code Enforcement Officer will remove the sign or otherwise secure the sign without notice to the applicant, sign owner, or property owner.

B. Enforcement.

- 1. Whenever the Code Enforcement Officer determines that there has been a violation of this Article, written notice will be served upon the applicant, sign owner, or property owner by registered or certified mail, return receipt requested, at the person's last known address. The notice will specify the alleged violation, provide a reasonable time frame within which the violation is to be corrected, state what legal remedies will be imposed upon failure to correct the violation, and inform the individuals of their right to appeal to the Zoning Board of Appeals. The notice of violation will automatically become a final order if the violation is not corrected within the time allowed or if an application for appeal is not submitted to the Code Enforcement Officer within seven (7) days from receipt of the notice.
- 2. If at any time the Code Enforcement Officer determines a sign is in disrepair, the owner/tenant of the property shall repair or remove said sign within fifteen (15) days of notice to the owner/tenant by the Code Enforcement Officer. Failure to do so shall result in removal by the Code Enforcement Office. The cost of this removal shall be charged to the owner of the property.

§ 305-79 Permitting

A. General Procedures.

In cases where a single sign permit is required for any given property or structure, the following procedure shall be adhered to:

- 1. No sign shall be erected, enlarged, expended, altered, or relocated unless a sign permit evidencing the compliance of such work with the provisions of this Chapter and other applicable provisions of this Chapter shall have first been issued.
- 2. Routine maintenance, changing or parts designed to be changed or changing the content of a sign in any manner which does not change the functional classification of the sign shall not, standing alone, be considered an alteration of the sign requiring the issuance of a sign permit.
- 3. Sign Permit Application. An application for a sign permit shall be made in writing to the Code Enforcement Officer upon forms prescribed by and provided by the Code Enforcement Office, and shall contain the following information:
 - [a] The name, address and telephone number of the applicant.
 - [b] Location of buildings, structures or land to which, or upon which, the sign is to be attached or associated.

- [c] A detailed drawing or blueprint showing a description of the construction details of the sign and showing the colors, lettering and/or pictorial matter composing the sign; position of lighting and other extraneous devices, and a location plan showing the position of the sign on any building or land and its positioning in relation to nearby buildings, structures or existing signs and to any private or public streets or highway.
- [d] Written consent of the owner of the building, structure or land to which or upon which the sign is to be erected in the event that the applicant is not the owner thereof.
- [e] A copy of any required or necessary electrical permit issued for said sign or a copy of the application thereof.
- 4. Review of Permit. The Code Enforcement Officer shall carefully consider the application for compliance with this Article and either issue or deny a sign permit. The Code Enforcement Officer may defer the authority to approve or deny a sign permit to the Planning Board at his/her discretion.
- 5. Appeals. Should an applicant choose to appeal a decision by the Code Enforcement Officer to deny issuance of a sign permit, an application for an appeal shall be filled out and submitted along with supporting documents to the Zoning Board of Appeals for action.
- 6. Whenever an activity requires Site Plan Review pursuant to *Article 6 | Site Plan Review* prior to approval and that activity will include signage as part of its operation, the review of such signage shall be a part of the Site Plan Review process.

B. Sign Site Plan Approval.

In cases where a single property or structure requires more than one (1) sign permit, a sign site plan will be required. All applications for sign site plan approval are to be submitted to the Code Enforcement Officer on forms provided. The Code Enforcement Officer shall process all complete applications in accordance with the following procedures:

- All sign site plan approval applications to be heard by the Code Enforcement Officer are hereby classified as "unlisted actions," under Part 617 of the State Environmental Quality Review (SEQR) regulations. All applications for sign site plan approval must be accompanied by a completed short form environmental assessment form for unlisted actions.
- 2. Upon receipt of a complete application, the Code Enforcement Officer, within sixty (60) days, must approve, modify or deny any application for a sign site plan. Any modification or denial of a sign site plan shall be accompanied by a brief statement of the reason for such modification or denial.
- 3. The Code Enforcement Officer may modify a sign site plan application, provided that such modification does not result in the need for any variances from these regulations. All sign site plan modifications must directly relate to the statements of purpose and intent set forth in this Ordinance.

- 4. The Code Enforcement Officer may defer the authority to approve or deny a sign site plan to the Planning Board at its discretion.
- 5. Once an application has been approved, the Code Enforcement Officer shall issue a sign permit. Said permit shall be valid for a period of one hundred and twenty (120) days from the date of issuance. The permit may be extended one (1) time, for a period of sixty (60) days, upon approval of the Code Enforcement Officer and upon payment of an additional fee, prior to the expiration of the initial one hundred and twenty (120) day period. If a certificate of compliance is not issued within the one hundred and twenty (120) day period, or if applicable, the renewal period for the sign permit, said sign permit shall expire.
- 6. Within seven (7) business days after the placement of the approved sign, the Code Enforcement Officer shall verify the sign is installed correctly and to the specifications approved. Upon presentation of the evidence of erection of the sign in compliance with this Ordinance and a sign permit, the Code Enforcement Officer shall issue a certificate of compliance.
- 7. Should the Code Enforcement Officer, upon inspection, find the sign not in compliance with the sign permit, the applicant shall be so notified by certified mail within ten (10) business days of the inspection. The applicant shall have up to thirty (30) business days from the date of the receipt of the certified mail notification letter to correct the cited deficiencies and to notify the Code Enforcement Officer of said change(s). In no event shall said additional thirty (30) day period extend the validation period for the sign permit.
- 8. The Code Enforcement Officer or other designated local official shall issue a permit number for each sign, which shall be kept on file in the Code Enforcement Office.

C. Fees.

The fees to be paid to the City of Auburn for the erection of each sign and for each of the conforming signs erected shall be consistent with the City of Auburn Consolidated Fee Schedule.

§ 305-80 Removal of Signs

Any sign, existing on or after the effective date of this Chapter, which no longer advertises an existing business conducted or product sold on the premises upon which the sign is located, shall be removed within thirty (30) days of the discontinuance of the business.

§ 305-81 Prohibited Signs

- A. Any signage not expressly permitted in this Chapter is prohibited in the City of Auburn.
- **B.** Banners, ribbons, streamers, spinners, balloons, or other similar moving, fluttering, revolving, flashing, smoke-generating or visual signal generating or animated devices that contain a message or content used for the purpose of advertising are prohibited.
- **C.** Any sign that advertises an activity, business, product, or service no longer conducted or available on the premises on which the sign is located.
- **D.** Digital or electronic signs which display constantly moving or flashing content.
- **E.** Roof signs which are designed and erected on and supported by the roof of the building or structure.
- F. Portable signs on wheels, except pursuant to Article 5 | § 305-76B, Temporary Signs.
- **G.** Signs that constitute a traffic hazard include those that:
 - 1. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color, including signs illuminated in red, green, or amber color to resemble a traffic signal.
 - 2. Make use of the words STOP, LOOK, DETOUR, DANGER, CAUTION, WARNING, or any other word, phrase, symbol, or character in a manner that misleads, interferes with, or confuses traffic.
- H. Billboards, except as expressly permitted as follows:
 - Cap and Replace. No new billboards shall be established within the City except through the cap and replace regulations. One (1) new digital billboard face can be placed in the HC Highway Commercial zoning district if the advertising company removes 4 existing billboard faces from any other zoning District.
 - 2. Permit Required. A new billboard, in accordance with the cap and replace regulations, shall be permitted in the HC Highway Commercial zoning district only upon issuance of a Special Use Permit by the Planning Board in accordance with Article 1 |§ 305-104, Special Use Permits.
 - 3. General Regulations. The Code Enforcement Officer shall not issue such a permit unless the billboard conforms to the following:
 - [a] Maximum Size shall be 25 feet by 12 feet and 300 square feet.
 - [b] Maximum height shall be 25 feet.

- [c] Minimum setback shall be equal to the height of the billboard, but no less than 12.5 feet, from all property lines.
- [d] A billboard may not be established within 300 feet of another billboard.
- [e] Minimum duration of message shall be no less than 8 seconds.
- [f] Transition time of the message shall be instantaneous.
- [g] Maximum Brightness shall be 5,000 cd/m2 (daytime), and 280 cd/m2 (nighttime)
- 4. Approval.
 - [h] The Planning Board shall not grant a Special Use Permit for a billboard, unless the Planning Board determines that the billboard complies with the requirements of this section and those of Article 1 |§ 305-104, Special Use Permits
 - [a] The Planning Board may impose additional conditions intended to protect health, safety and welfare of the general public.
- I. Notices, placards, bills, posters, cards, stickers, banners, signs, advertisings, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street, street furniture, right-of-way, public sidewalk, crosswalk, curb, lamppost, hydrant, tree, alley, telephone pole, public telephone, or lighting system, or other public alarm or communication system.

§ 305-82 Non-Conforming Sign

- **A.** Upon the adoption of this Chapter, any legally existing sign or advertising device which does not conform to the provisions of this Ordinance in terms of location, area, illumination, type, or height shall be considered a non-conforming sign. In addition, no non-conforming sign may be relocated, enlarged, replaced, redesigned, or altered in any way that increases its non-conformity.
- **B.** Upon the adoption of this Chapter, all non-conforming signs, except those granted a variance, shall cease and desist at the time when there is any one or more of the following:
 - 1. A change in ownership of the home or business to which the sign applies; such change must involve a change in the actual persons owning the home or business, rather than a mere change in their corporate status.
 - 2. A change in use.
 - 3. Destruction, damage, or disrepair of said sign to the extent that 51 percent of its replacement cost must be expended in its repair.

- 4. Creation of a hazard or disturbance to the health, safety and welfare of the general public as determined by the Code Enforcement Officer.
- 5. Nonconforming signs must be properly maintained, but may not be changed to another nonconforming sign, either due to a change in text, cosmetically, or structurally. Any change in the advertising copy to legal, non-conforming billboard signs would not be subject to this paragraph.
- 6. Nonconforming signs may not be structurally or electrically expanded or altered unless such alteration brings the sign into conformance with the provisions of this Section.
- 7. Nonconforming signs may not be relocated to another site on the same property.
- 8. Nonconforming signs may not be re- established after discontinuance for thirty (30) consecutive days.

§ 305-83 Amortization of Non-Conforming Signs

- A. Nonconforming signs shall be removed or converted to a permitted sign within three (3) years of official notification of a nonconforming status by the Code Enforcement Officer. Any legally existing billboard sign in existence as of the effective date of this chapter will be deemed a legal, non-conforming sign not subject to amortization.
- **B.** Such notice must be recorded with the City Clerk and mailed to the property owner. If the property owner fails to alter or remove the structure to comply with the regulations set forth in this Section within ten (10) days following the final date of the amortization period, such sign may be removed or altered by the City at the expense of the owner or sign applicant.

§ 305-84 Abandoned Signs

- **A.** Any sign located on property unoccupied for a period of sixty (60) days or more shall be deemed abandoned.
- **B.** Failure to remove an abandoned sign shall result in removal by the Code Enforcement Office. The cost of this removal, plus the cost for inspection of the premises, shall be charged to the owner of the property. The City Assessor shall assess this amount upon the real property. Said total amount shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged. The amount shall be collected by the City Treasurer in the manner provided by law for the collection of taxes or delinquent taxes.

Article 6 | Site Plan Review

§ 305-85 General Guidelines

A. Purpose.

The purpose of this Article is to provide the specifications and necessary elements to be included in a Minor and Major Site Plan for those uses which are subject to Site Plan Review including, but not limited to, proposed parking, access, screening, signs, landscaping, architectural features, location and dimensions of buildings, adjacent land uses and physical features meant to protect adjacent land uses.

B. Applicability.

This Article applies to all land use activities requiring minor and major site plan approval.

1. Minor Site Plans include the following types of development:

Multi-Family	Residential Uses
1. New multif	amily units or conversions up to 4 units.
2. Expansion of	of existing structures by more than 10% but less than 25% or more of current
square footag	je.
Non-resident	ial Uses
1. Non-reside	ntial or mixed-use development of less than 4,000 square feet and more than
250 feet from	a residential use or district boundary.
2. Expansion of	of less than 25% of the current gross square footage.
Parking Lots,	Parking Structures, Loading and Stacking Area
1. Any new pa	arking lot or parking structure with 3,000 square feet or less.
1. Expansion of	of a parking lot, parking structure, loading or stacking area by less than 25% of
total area. Ch	anges to parking lots, parking structures, loading or stacking areas may require
a major site p	lan review at the discretion of the Design Review Committee.

2. Major Site Plans include the following types of development:

Multi-Family Residential Uses

1. New multifamily units or conversions for 5 or more units.

2. Expansion of existing structures by 25% or more of current square footage.

Non-residential Uses

1. Non-residential or mixed-use development located within 250 feet of residential uses or zoning district boundary.

2. Non-residential or mixed-use development greater than 4,000 square feet of gross floor area.

3. Proposed addition of 25% or more of the current gross square footage.

Parking Lots, Parking Structures, Loading and Stacking Area

1. Any new parking lot or parking structure for more than 3,000 square feet.

2. Expansion of existing parking lots, parking structures, loading or stacking areas by more than 25% of current square footage.

- 3. Exclusions. The following activities are excluded from the requirement for site plan review:
 - [a] Construction of one- or two-family dwellings and ordinary related accessory structures and related land use activities;
 - [b] Expansion of existing single- and two-family residential structures and related land use activities;
 - [c] Landscaping and grading which is not intended to be used in connection with a land use reviewable under the provisions of the definition above;
 - [d] Ordinary repair or maintenance or interior alterations of existing structures or uses;
 - [e] Non-structural agricultural or gardening uses.
- 4. A major site plan may be required if the Design Review Committee determines that:
 - [a] A proposed adjustment to a previously approved minor site plan is not consistent with the intent and objectives of the original site plan approval.
 - [b] If the Design Review Committee determines the impacts of an application for Minor Site Plan review have the potential to create significant detrimental impacts to the character, safety, etc.

C. Jurisdiction.

1. The Design Review Committee and Planning Board are hereby authorized to review and act on site plans submitted in accordance with this Chapter, Special Use Permit applications

submitted in accordance with Article 1 /§ 305-104, Special Use Permits, and amendments proposed to this Chapter and to act as lead agency for all matters requiring review under the New York State Environmental Quality Review Act (SEQRA) that may arise as a result of the requirements of this Chapter.

2. The Planning Board shall also conduct an annual review of this Chapter and issue a report in April of each year advising the City Council of any sections or provisions, if any, of this Chapter which should be amended.

D. Minor Site Plan Filing Approval and Procedures.

- 1. A minor site plan requires Design Review Committee approval. The Design Review Committee shall have authority in determining the compliance of a minor site plan with the provisions of this Ordinance.
- 2. Application. The following application requirements must be met and information provided before an application for Minor Site Plan Approval will be approved.
 - [a] A pre-submittal meeting with the Planning Department is required prior to filing an application for minor site plan approval. This may be waived by the Planning Department.
 - [b] Application fee paid in full in compliance with the City of Auburn Consolidated Fee Schedule.
 - [c] Minor site plan containing the following items:
 - [1] A statement and scaled drawing showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing and proposed vegetation, and other planned features;
 - [2] Anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations;
 - [3] Map of the area which clearly shows the location of the site with respect to nearby streets, rights-of-way, properties, easements and other pertinent features;
 - [4] A topographic or contour map of adequate scale and detail to show site topography;
 - [5] Compliance with the City's Design Standards (as applicable).
 - [d] If not the owner of the land under consideration, provide written approval from the owner to submit the sketch plan.
 - [e] Application form as provided by the Planning Department with all required supporting documents outlined on the Site Plan Review application.

- 3. Approval Procedures.
 - [a] Upon submission, Planning Department staff will notify the applicant within 10 business days of receipt if an application is complete.
 - [b] In the event the Planning Department deems an application incomplete or otherwise not properly filed, the applicant will be notified in writing and given the opportunity within a specified period of time (not less than seven (7) days after the date of the notice) to bring the application into compliance. An application which is the subject of such notice, but is not brought into compliance within the period specified in such notice, shall be denied for failure to comply with these rules.
 - [c] Within 10 business days of a notification of a completed application, the Planning Department will forward the application to the Design Review Committee.
 - [d] The Design Review Committee's review of the site plan shall include, but is not limited to, the following considerations:
 - [1] Location, arrangement, size, design and general site compatibility of buildings, lighting and signs;
 - [2] Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls;
 - [3] Location, arrangement, appearance and sufficiency of off-street parking and loading;
 - [4] Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience;
 - [5] Adequacy of stormwater and drainage facilities;
 - [6] Adequacy of water supply and sewage disposal facilities;
 - [7] Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's land and adjoining lands, including the maximum retention of existing vegetation;
 - [8] Adequacy of fire lanes and other emergency zones and the provision of fire hydrants;
 - [9] Special attention to the adequacy of and impact on structures, roadways and landscaping in areas with susceptibility to ponding, flooding, or erosion.
 - [10] Conformance with the City's Design Standards to the maximum extent possible.
 - [e] Within 30 days of receipt of a completed application, the Design Review Committee shall approve, approve with modifications, or deny the minor site plan. Where a site plan does not meet the requirements of this Ordinance, the Design Review Committee may refer said site plan to the Planning Board for their review.

- [f] The Design Review Committee may grant minor site plan approval with conditions only to the extent that such conditions specify the actions necessary to bring the application into complete compliance with applicable regulations or where additional conditions have been agreed to by the petitioner. If the proposed minor site plan is determined to be consistent with all applicable regulations, the Design Review Committee shall approve the minor site plan.
- [g] The date the Design Review Committee, Planning Director or designee signs the approved minor site plan shall establish the date of approval for a minor site plan.

E. Major Site Plan Filing Approval and Procedures

- 1. A major site plan requires Planning Board approval. The Planning Board shall have authority in determining the compliance of a major site plan with the provisions of this Ordinance.
- 2. Application. The following application requirements must be met and information provided before an application for major site plan will be approved.
 - [a] A pre-submittal meeting with the Planning Department is required prior to filing an application for major site plan approval. This may be waived by the Planning Department.
 - [b] Application fee paid in full in compliance with the City of Auburn Consolidated Fee Schedule.
 - [c] Major site plan containing the following items:
 - [1] Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;
 - [2] North arrow, scale and date;
 - [3] Boundaries of the property plotted to scale;
 - [4] Existing watercourses and wetlands;
 - [5] Grading and drainage plan showing existing and proposed contours;
 - [6] Location, design, type of construction, proposed use and exterior dimensions of all buildings;
 - [7] Location, design and type of construction of all parking and truck loading areas showing access and egress;
 - [8] Provisions for pedestrian access including sidewalks along public highways. Pedestrian facilities shall be ADA (Americans with Disabilities Act) compliant. Sidewalks must be constructed continuously across all driveways;
 - [9] Provisions for bicycle parking, such as bicycle racks or bicycle lockers, as appropriate.
 - [10] Location of outdoor storage, if any, and location, design and specific arrangements for storage and access to refuse collection containers;

- [11] Location, design and construction materials of all existing and proposed site improvements, including drains, culverts, retaining walls and fences;
- [12] Description of the method of sewage disposal and location, design and construction materials of such facilities;
- [13] Description of the method of securing public water and location, design and construction materials of such facilities;
- [14] Location of fire and other emergency zones, including the location of fire hydrants, access routes for emergency vehicles, location of fire hydrants, location of wires, cable and conduits for electric, telephone, cable television and similar services, and location of any easements;
- [15] Location, design and construction of materials of all energy distribution facilities, including electrical, gas and solar energy;
- [16] Location, height, size, materials and design and type of construction of all proposed signage;
- [17] Location and proposed design of all buffer areas, including existing vegetative cover;
- [18] Location and design of outdoor lighting facilities;
- [19] Identification of the location and amount of building area proposed for retail sales or similar commercial activity;
- [20] Landscaping plan and planting schedule;
- [21] Estimated project construction schedule;
- [22] Record of application for and approval status of all necessary permits from state and county officials;
- [23] Other elements integral to the proposed development as considered necessary by the Planning Board.
- [24] Short Environmental Assessment Form (EAF), Full Environmental Assessment Form or draft Environmental Impact Statement as determined by the Design Review Committee or Planning Board. The EAF should be completed to the extent possible using the New York State Department of Environmental Conservation Environmental Resource Mapper.

- 3. Completed Application. Upon submission, Planning Department staff will notify the applicant within 5 business days of receipt if an application is complete.
 - [1] In the event the Planning Department deems an application incomplete or otherwise not properly filed, the applicant will be notified in writing and given the opportunity within a specified period of time (not less than seven (7) days after the date of the notice) to bring the application into compliance. An application which is the subject of such notice, but is not brought into compliance within the period specified in such notice, shall be denied for failure to comply with these rules.
 - [2] Within 3 business days of a completed application, the Planning Department will forward the application to the Design Review Committee.
 - [3] Within 15 business days of receipt of a completed application, the Design Review Committee shall forward recommendations to the Planning Board for the first Planning Board meeting that project is scheduled to be reviewed. The Design Review Committee may request additional time to review the application and supporting materials upon consent of the applicant.
- 4. Notice. The Planning Department will mail one (1) notice to all owners of record of properties within 400 feet of the subject property. The notice will include the date and time of the first Planning Board meeting which the project is on the agenda, and address and description of the proposed project. Notice shall be mailed no fewer than 5 days prior to the meeting.
- 5. Site inspections. The Board, and any such persons as they may designate, may conduct such examinations, tests and other inspections of the site deemed necessary and appropriate.
- 6. Review. The Planning Board's review of the site plan shall include, as appropriate, but not be limited to, the following considerations:
 - [a] Location, arrangement, size, design and general site compatibility of buildings, lighting and signs;
 - [b] Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls;
 - [c] Location, arrangement, appearance and sufficiency of off-street parking and loading;
 - [d] Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience;
 - [e] Adequacy of stormwater and drainage facilities;
 - [f] Adequacy of water supply and sewage disposal facilities;

- [g] Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's land and adjoining lands, including the maximum retention of existing vegetation;
- [h] Adequacy of fire lanes and other emergency zones and the provision of fire hydrants;
- [i] Special attention to the adequacy of and impact on structures, roadways and landscaping in areas with susceptibility to ponding, flooding, or erosion.
- [j] Conformance with the City's Design Standards to the maximum extent possible.
 - [1] No approval or approval with conditions shall be granted until the Planning Board determines that the applicant is in compliance with all other provisions of this and other ordinances.
 - [2] Within 60 days of the receipt of a completed application for site plan approval, the Planning Board shall render a decision of approve, approve with modifications, or deny the site plan. The time within which a decision must be rendered may be extended by mutual consent of the applicant and Planning Board.
 - [i] Site plans requiring modifications shall be submitted to the Planning Department for final approval within a time period determined by the Planning Board. The Planning Department may forward the modified site plan to the Planning Board at their discretion.
 - [ii] If a Site Plan is denied, an applicant may submit an appeal within 30 days from the date of the decision to the Zoning Board of Appeals requesting relief from the Planning Board action.
- [k] Upon approval of the site plan, the date the Planning Board Chair signs the approved major site plan shall establish the date of approval for a major site plan. A final copy of the approved major site plan will be filed by the Planning Department with the City Clerk.
- [I] Costs incurred by the Planning Board for consultation fees or other extraordinary expenses in connection with the review of a proposed site plan shall be charged to the applicant.

F. Public Hearing.

- 1. The Planning Board may hold a public hearing.
- 2. In determining whether a public hearing is necessary, the Planning Board shall be guided by the expected level of public interest in the project.
- 3. Applicants may request a public hearing. When an applicant requests a public hearing, no Site Plan may be disapproved without such a hearing.

- 4. When the Planning Board requires a public hearing, a notice shall be published at least once, not less than 10 days in advance of such meeting, in a newspaper of general circulation of the City.
 - [a] A notice shall be mailed to the applicant.
 - [b] A notice shall be delivered to the Mayor, members of the City Council, Zoning Board of Appeals, and to the City Manager.
 - [c] A notice shall be mailed to every association of residents of the City and any other interested party who or which shall have registered their names and addresses for this purpose with the Planning Board.
 - [d] A notice shall be mailed to the owners of record of properties within 400 feet of the subject property.
 - [e] The notice required shall be posted upon instructions from the Planning Board and shall state the location of the building or lot in question and the general nature of the question involved.

G. Changes in Site Plan.

- At any time within 30 days following the initial site plan submission to the Planning Department, the applicant may submit to the Planning Department site plan modifications which do not materially affect the fundamental character of a proposed site plan, and the time periods state in this Section shall continue to apply.
- 2. If, subsequent to the approval of a site plan by the Planning Board, the applicant proposes any modification (other than to correct minor or technical omissions or inaccuracies) of the site plan, the procedures set forth in *Article 6 |§ 305-85E.2, Application* above shall be applicable to such modification, except that the materials submitted to the Planning Department shall relate only to such modification.
- 3. Minor modifications to the site plan may be approved by the Planning Department. Minor modifications include:
 - [a] Error correction that does not alter the site plan;
 - [b] Modifications that are not in violation of this Ordinance;
 - [c] Changes that do not affect overall site layout or properties outside of the site; and
 - [d] Location of dumpster containers and other refuse containers, including enclosures.

H. Subdivision Review.

Site plan review under the provisions of this Ordinance may occur simultaneously with subdivision plat review, where required. A single public hearing for approval of the site plan and its associated plat shall be permitted, as determined by the Planning Department.

I. Compliance.

- 1. No certificate of occupancy shall be issued until all improvements shown on the approved minor or major site plan are installed or a sufficient performance guarantee has been posted for improvements not yet completed. The sufficiency of such performance guarantee shall be determined by the Planning Board, after consultation with other appropriate agencies.
- 2. The Code Enforcement Officer shall be responsible for the overall inspection of site improvements, including coordination with the Planning Board and other officials and agencies, as appropriate.
- 3. Whenever the particular circumstances of proposed development require compliance with other requirements of the City of Auburn, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this Section with the procedural and submission requirements for such other compliance.

J. Period of Validity.

- 1. If construction of the approved development has not commenced within two (2) years from the time of minor or major site plan approval, that approval shall be deemed revoked.
- 2. Extensions not to exceed two (2) years may be granted by the Planning Department or Design Review Committee.
- 3. Multiple extensions may be granted at the discretion of the Design Review Committee.

Article 7 | Nonconformities

§ 305-86 General Guidelines

A. Purpose.

This Article regulates and limits the continued existence of uses, structures, and lots established prior to the effective date of this Chapter which do not conform to the regulations of this Chapter applicable in the zoning districts in which such nonconformities are located.

§ 305-87 Nonconforming Use

A. Continuance.

Except as provided in this Article, any lawfully existing nonconforming use located in a structure designed for a use permitted in the district in which it is located, or not involving the use of a structure, or involving only a structure which is accessory to a nonconforming use of land may be continued so long as it remains otherwise lawful, subject to the regulations contained herein.

B. Extension or Enlargement.

- 1. A nonconforming use existing at the date of adoption of this Ordinance may not be extended or enlarged except by Special Use Permit.
- 2. A nonconforming Structure or use may not be extended or enlarged to other structures or land acquired subsequent to the date of adoption of this Ordinance.
- 3. No Special Use Permit allowing the extension or enlargement of a nonconforming use shall be granted by the Planning Board unless the regulations of this Ordinance, other than allowed uses for the district in which said nonconforming use is located, can be complied with. The Planning Board may impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such proposed conditions shall be consistent with the spirit and intent of this Ordinance and shall be imposed for the purpose of minimizing any adverse impact such approval may have on the neighborhood of the property.

C. Changes.

1. No structure designed for a permitted use and devoted in whole or in part to a nonconforming use shall be structurally altered unless the use thereof shall thereafter conform to the use regulations of the zoning district in which it is located. No such alteration shall create any new parking, yard or space and bulk nonconformity nor increase the degree of any existing parking, yard or space and bulk nonconformity of such structure.

- 2. A nonconforming use of land not involving a structure or involving only a structure which is accessory to the nonconforming use of land, or a nonconforming use in a structure designed for a use permitted in the district in which it is located, shall not be changed to any use other than a use permitted in the zoning district in which the structure is located.
 - [a] When such a nonconforming use has been changed to a permitted use, it shall not thereafter be changed back to any nonpermitted use. For purposes of this Subsection, a use shall be deemed to have been so changed when an existing nonconforming use shall have been terminated and a permitted use shall have commenced and continued for a period of seven days. Any change of use in violation of this Subsection shall be deemed to be an abandonment of the lawfully existing nonconforming use.

D. Discontinuance.

- 1. When a nonconforming use has been discontinued for a period of 6 consecutive months (from a date determined by the Planning Department or Code Enforcement Officer), such a nonconforming use shall not be re-established and any subsequent use of such structure or land shall be in conformity with the provisions of this Ordinance for the district in which such structure or land is located.
- 2. Any period of such discontinuance caused by government action, strikes, material shortages or acts of God, and without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for purposes of this Section.

E. Repair and Restoration.

- 1. Normal maintenance and incidental repair or replacement, and installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing, may be performed on any structure that is designed for a permitted use but devoted in whole or in part to a nonconforming use; provided, however, that this Subsection shall not be deemed to authorize any violation of this Section.
- 2. In the event that any structure designed for a permitted use and devoted in whole or in part to a nonconforming use is damaged or destroyed, by any means, to the extent of more than 50% of the cost of replacement of the structure new, such structure shall not be restored unless the use of such structure shall thereafter conform to the use regulations of the zoning district in which it is located and unless such restoration is accomplished without creating any new parking, yard or space and bulk nonconformity or increasing the degree of any parking, yard or space and bulk nonconformity existing prior to such damage or destruction.
- 3. Where any such structure is damaged or destroyed by any means not within the control of the owner thereof to the extent of 50% or less of the cost of replacement of the structure new, repair or restoration of such structure may be made; provided, however, that no repairs or restorations shall be made which would create any new parking, yard or space and bulk nonconformity or increase the degree of any parking, yard or space and bulk nonconformity

existing prior to such damage or destruction, nor shall any repairs or restoration except in conformity with the applicable zoning district regulations be made unless a building permit is obtained and restoration is actually begun within one year after the date of such partial damage or destruction and is diligently pursued to completion.

- [a] Exception for a Single-Family Dwelling. Where a single-family dwelling is damaged or destroyed by any means not within the control of the owner thereof to the extent of 100% of the cost of replacement of the structure new, repair or restoration of such structure may be made; provided, however, that no repairs or restorations shall be made which would create any new parking, yard or space and bulk nonconformity or increase the degree of any parking, yard or space and bulk nonconformity existing prior to such damage or destruction, nor shall any repairs or restoration except in conformity with the applicable zoning district regulations be made unless a building permit is obtained and restoration is actually begun within one year after the date of such partial damage or destruction and is diligently pursued to completion.
- 4. In no event shall any damage or destruction to such a structure by means within the control of the owner be repaired or restored except in accordance with *Article* 7 /§ 305-87E, Repair and Restoration.

§ 305-88 Nonconforming Structures

A. Continuance.

Any nonconforming structure which is devoted to a use which is permitted in the zoning district in which it is located may be continued so long as it remains otherwise lawful, subject to the restrictions in *Subsections B through D* of this Section and *Article 7 |§ 305-91, Certificate of Nonconformity*.

B. Expansion.

Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no such enlargement, maintenance, repair or alteration shall either create any additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure.

C. Additions, Alterations, Maintenance, and Repairs.

- 1. A nonconforming structure shall not be extended or enlarged by Special Use Permit in accordance with *Article 1 | § 305-104, Special Use Permits.*
- 2. Should a nonconforming Structure be moved for any reason, its placement or use shall thereafter conform to the regulations for the district into which it is relocated.
- 3. A nonconforming Structure is required to be maintained in accordance with all applicable laws, ordinances, rules and regulations.

D. Damage or Destruction.

- 1. In the event that any part of a nonconforming structure which contributed to its nonconformity is damaged or destroyed, by any means, to the extent of more than 75% of the cost of replacement of said part new, such part shall not be restored unless it shall thereafter conform to the regulations of the zoning district in which it is located.
- 2. When such a part of a nonconforming structure is damaged or destroyed, by any means, to the extent of 75% or less of the cost of replacement of such part new, no repairs or restoration except in conformity with the applicable zoning district regulations shall be made unless a building permit is obtained and restoration is actually begun within one year after the date of such partial destruction and is diligently pursued to completion.

E. Moving.

1. No nonconforming structure shall be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

F. Discontinuance.

- 1. A nonconforming Structure, or portion thereof, shall be deemed discontinued if the structure is vacant for six (6) consecutive months or sooner if there is a clear manifestation of the intent on the part of the owner to abandon the nonconforming structure.
- 2. If deemed discontinued, such nonconforming structure shall not be reestablished, and any subsequent use shall conform with the provisions of the district in which such structure is located.

§ 305-89 Nonconforming Lots of Record

A. General Regulations.

A Lot of Record may be considered as complying with the minimum requirements of this Ordinance provided that such lot does not adjoin other land held by the same owner, part of which such other land could be combined with the nonconforming lot of record to create a conforming lot without thereby creating a new nonconforming Lot.

§ 305-90 Exception for Repairs Pursuant to Public Order

A. Purpose.

Nothing in this Article shall be deemed to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares such structure to be unsafe and orders its restoration

to a safe condition, provided that such restoration is not otherwise in violation of the various provisions of this Article prohibiting the repair or restoration of partially damaged or destroyed structures or signs.

§ 305-91 Certificate of Nonconformity

A. Burden of Owner to Establish Legality of Nonconformity.

- 1. The burden of establishing that any nonconformity is lawfully existing under the provisions of this Article shall, in all cases, be upon the owner of such nonconformity and not upon the City.
- The owner of any nonconformity may at any time apply to the Code Enforcement Officer for a certificate of nonconformity to establish the legality of nonconformity as of a specified date. Such application shall contain such information as may be required by the Code Enforcement Officer as necessary to establish the legality of a particular nonconformity.
- 3. If, upon reviewing an application for a certificate of nonconformity, the Code Enforcement Officer shall determine that the use, structure or sign in question was lawfully existing at the time of the adoption of the provision creating the nonconformity in question and remains lawfully existing subject only to such nonconformity at the time of such application, and that any required affidavit is in order, he/she shall issue a certificate evidencing such facts and setting forth the nature and extent of the nonconformity and the date, if any, upon which such nonconformity is required to be terminated; otherwise he/she shall decline to issue such certificate and shall declare such building, structure or sign to be in violation of this Chapter.

§ 305-92 General Nuisances

A. General Regulations.

Upon a complaint registered with the Code Enforcement Officer by 50% of the property owners within 200 feet of a nonconforming use and which is considered to be a general nuisance or a hazard to the health, safety, welfare and morals or to the uses or structures adjoining such nonconforming use or uses, the Board of Appeals shall hold a public hearing and make a finding with respect to the nuisance or hazardous condition which exists and shall determine the necessity of terminating such nonconforming use. Such uses shall be terminated within such reasonable time as shall be determined by the Board of Appeals as related to the reasonable amortization of the capital investment in such uses.

Article 8 Administration and Enforcement

§ 305-93 Code Enforcement Officer

A. Operational Considerations.

The Code Enforcement Officer is hereby designated as the enforcement officer and is given the duty, power and authority to enforce the provisions of this Chapter.

B. Jurisdiction and Authority.

- 1. The Code Enforcement Officer shall receive and examine all applications for all permits and certificates of occupancy under this Chapter and *Chapter 125, Building Construction and Fire Prevention*, of this Municipal Code.
- 2. If the application conforms to all applicable codes, laws, rules and regulations, and ordinances, the Code Enforcement Officer shall issue a building permit as provided in *Chapter 125*, unless approval must be obtained from any other official, board, agency or the City Council, then the Code Enforcement Officer shall refer such application to the appropriate review authority or authorities and shall issue a building permit only upon direction of the review authority or authorities.
- 3. The Code Enforcement Officer shall issue a written notice of violation to any person, firm or corporation violating any provisions of this Chapter in the manner provided in *Chapter 125* of this Municipal Code. The Code Enforcement Officer shall, to the extent possible, integrate the procedures and duties established by this Chapter with those established by *Chapter 125* of this Municipal Code, and the jurisdiction and authority herein granted shall be in addition to such granted by said *Chapter 125*.

§ 305-94 Planning Board

A. Establishment.

Pursuant to the provisions of *Article 12-A* of the General Municipal Law, a Planning Board is hereby established in and for the City of Auburn.

B. Appointment.

The Planning Board shall consist of minimum of five (5) members serving for a minimum of three years. The members of the Planning Board shall be appointed by the Mayor. The terms of the initial appointees shall be for one, two and three years and thereafter for three years each. Appointments upon the retirement of the initial terms shall be for three years each.

C. Minimum Meeting and Hearing Attendance Requirements.

Members of the Planning Board are expected to attend all regularly scheduled and specially scheduled meetings of the board. In the event that a member of the Board is absent from three (3) consecutive meetings, or in the event a member of the Board is absent from three (3) meetings within any one (1) calendar year, then such member may be removed from the Board as provided in E(1) below.

D. Training and Attendance Requirements.

- 1. Each member of the Planning Board shall complete, at a minimum, four (4) hours of training each year designed to enable such members to effectively carry out their duties.
- 2. Training may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity.
- 3. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.
- 4. To be eligible for reappointment to the Planning Board, such member shall have completed required training pursuant to this Section.
- 5. The training required by this Subsection may be waived or modified by the City Council when, in the judgment of the City Council, it is in the best interest of the City to do so.
- 6. No decision of the Planning Board shall be voided or declared invalid because of a failure to comply with this Section.

E. Removal Procedure.

- 1. Failure to Meet Attendance Requirements.
 - [a] In the event a member of the Planning Board has failed to meet the minimum attendance requirements set forth in this Chapter, then the Planning Board Chair may remove such member from the Planning Board as herein provided:
 - [1] Such member shall be mailed a written notice specifying the nature of the failure of such member to meet the minimum attendance and training requirements of *Subsections C and D* above. A copy of such decision shall be filed with the City.
 - [2] If the Planning Board Chair finds that the reasons for failing to meet the minimum attendance requirements are excusable because of illness, injury, or other sufficient cause, the Planning Board Chair may elect to take no action.

- 2. Removal for Cause.
 - [a] Nothing contained herein shall be deemed to limit or restrict the City Council's authority to remove a member from the Planning Board for cause including conflict of interest or failure to abide by the rules and procedures outlined in this Chapter.
 - [b] Action by the City Council.
 - [1] Upon a finding that such member is in conflict with the provisions established in this Ordinance, the City Council may remove such member from the Planning Board as herein provided:
 - [i] Such member shall be mailed a written notice specifying the nature of the removal. A copy of such decision shall be filed with the City.

F. Powers and Duties.

- 1. In addition to those other powers and duties assigned to the Board by law, the City Planning Board is hereby empowered to perform the following functions:
 - [a] Approval or disapproval of site plans, special use permits, and subdivisions.
 - [b] Attach conditions and restrictions to an approved site plan that are reasonable, directly related and incidental to the site plan.
 - [c] Submittal of an advisory opinion to the Zoning Board of Appeals for use and area variances.
 - [d] Submittal of an advisory opinion to the City Council for proposed amendments to this Chapter.
 - [e] Review and submit advisory opinions to the City Council on land use plans, design standards, Municipal Code changes and any other decisions by the City Council that are referred to the Planning Board. Advisory opinions shall be transmitted within thirty (30) days of the option to the City Council for consideration.
- 2. Votes Necessary for Decision.

The concurring vote of a majority of the members of the Planning Board shall be required to act on a matter before the Planning Board.

3. SEQRA Compliance.

The Planning Board shall comply with the provisions of the State Environmental Quality Review Act (SEQRA) under *Article 8* of the Environmental Conservation Law and regulation promulgated thereunder, codified in *Title 6, Part 617*, of the New York Codes, Rules and Regulations.

4. Filing of Decisions and Notice.

The decision of the Planning Board on an application shall be filed in the office of the City Clerk within five (5) business days after the date such decision is rendered and a copy thereof sent to the applicant.

G. General Procedures.

- 1. The Planning Board shall act in strict accordance with the procedures specified in this Chapter.
- 2. Every decision of the Planning Board shall contain a full record of findings in the case. The Planning Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its proceedings and other official actions.
- 3. The concurring vote of a majority of the members of the Planning Board shall be necessary to approve site plans, special use permits and subdivisions.
- 4. The Planning Board may provide advisory opinions in the form of a positive recommendation or a negative recommendation, and shall provide to the Zoning Board of Appeals or City Council a reasonable explanation contained within the resolution in support of the Planning Board's opinion.

§ 305-95 Zoning Board of Appeals

A. Establishment.

Pursuant to the provisions of *Article 5-A | § 81* of the General City Law, a Board of Appeals is hereby established in and for the City of Auburn.

B. Appointment.

The Board of Appeals shall consist of seven members of which no more than four shall be of the same political party. The members of the Board of Appeals shall be appointed by the Mayor. The terms of the initial appointees shall be for one, two and three years and thereafter for three years each. Appointments upon the retirement of the initial terms shall be for three years each.

C. Vacancies.

Appointments to fill vacancies shall be for the unexpired term of the member or members whose term or terms become vacant. Such appointments to fill such vacancies shall be made in the same manner as the original appointment.

D. General Grant of Power.

The Board of Appeals shall perform all the duties and have all the powers prescribed by the laws of the State of New York and as herein provided.

E. Rules of Procedure.

The Board of Appeals shall perform and adopt rules in accordance with the provisions of this Chapter and any others not inconsistent herewith or with the laws of the State of New York.

F. Votes Necessary for a Decision.

The concurring votes of four members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Code Enforcement Officer or to decide in favor of the appellant any matter upon which the Board of Appeals is required to pass under the terms of this Chapter or to effect variation in this Chapter. If four members of the Board of Appeals are present this shall constitute a legal quorum.

G. Minimum Meeting and Hearing Attendance Requirements.

Members of the Board of Appeals are expected to attend all regularly scheduled and specially scheduled meetings of the board. In the event that a member of the Board is absent from three (3) consecutive meetings, or in the event a member of the Board is absent from three (3) meetings within any one (1) calendar year, then such member may be removed from the Board as provided in *Subsection I* below.

H. Training and Attendance Requirements.

- 1. Each member of the Board of Appeals shall complete, at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties.
- 2. Training may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity.
- 3. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.
- 4. To be eligible for reappointment to the Board of Appeals, such member shall have completed the training promoted by the City pursuant to this Section.
- 5. The training required by this Subsection may be waived or modified by the City Council when, in the judgment of the City Council, it is in the best interest of the City to do so.
- 6. No decision of the Board of Appeals shall be voided or declared invalid because of a failure to comply with this Section.

I. Removal Procedure.

- 1. Failure to Meet Attendance Requirements.
 - [a] In the event a member of the Zoning Board of Appeals has failed to meet the minimum attendance requirements set forth in this Chapter, then the Zoning Board of Appeals Chair may remove such member from the Zoning Board of Appeals as herein provided:
 - [1] Such member shall be mailed a written notice specifying the nature of the failure of such member to meet the minimum attendance and training requirements of *Subsections G and H* above. A copy of such decision shall be filed with the City.
 - [2] If the Zoning Board of Appeals Chair finds that the reasons for failing to meet the minimum attendance requirements are excusable because of illness, injury, or other sufficient cause, the Zoning Board of Appeals Chair may elect to take no action.
- 2. Removal for Cause.
 - [a] Nothing contained herein shall be deemed to limit or restrict the City Council's authority to remove a member from the Zoning Board of Appeals for cause including conflict of interest or failure to abide by the rules and procedures outlined in this Chapter.
 - [b] Action by the City Council.
 - [1] Upon a finding that such member is in conflict with the provisions established in this Ordinance, the City Council may remove such member from the Zoning Board of Appeals as herein provided:
 - [i] Such member shall be mailed a written notice specifying the nature of the removal. A copy of such decision shall be filed with the City.

J. Powers and Duties.

The Board of Appeals shall have all the power and duties prescribed by law and by this Ordinance, which are more particularly specified as follows:

- Interpretation. Upon appeal from a decision by an administrative official, to decide any question involving the interpretation of any provision of this Ordinance, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.
- 2. The Board of Appeals, on appeal from the decision or determination of the administrative official charged with the enforcement of this Chapter, shall have the power to grant use and area variances, as defined herein.

K. Hearing Appeals

The jurisdiction of the Board of Appeals shall be appellate only and shall be limited to hearing and deciding appeals from and reviewing any order, requirement, decision, interpretation, or determination made by the administrative official charged with the enforcement of the Zoning Ordinance. Such appeal may be taken by any person aggrieved, or by an officer, department, board or bureau of the City.

- 1. Procedure.
 - [a] Any person, firm or corporation who or which deems himself or itself aggrieved by any order, requirement, decision shall have the right to file a written appeal to the Board of Appeals within twenty (20) days of the issuance of such order, requirement, decision or determination.
 - [b] The Board of Appeals shall decide each appeal within sixty (60) days after the final hearing and shall give notice to all parties in interest.
 - [c] The decision of the Board of Appeals shall be immediately filed in its office and be a public record.
- 2. Public hearings.
 - [a] Upon filing with the Board of Appeals of an appeal as required by the terms of this Chapter, the Board of Appeals shall fix a time and place for a public hearing in accordance with *Article 1 §* 305-105D, *Public Hearings*.
- 3. Fees for appeals. Upon filing an appeal a fee as established by the City Manager in the fee schedule shall be paid.

§ 305-96 Historic Resources Review Board

A. Jurisdiction and Appointment.

- 1. The membership, means of appointment, means of removal, terms, vacancies, and similar considerations shall be in accordance with *Chapter 178, Historic Preservation*, of the Municipal Code of the City of Auburn.
- 2. Any activity proposed under this Chapter which would take place within an historic district or at an historic landmark as defined in *Chapter 178* of the Municipal Code or within the Historic Resources Protection District established by this Chapter shall be reviewed by the Historic Resources Review Board prior to action by any other agency.

3. The Historic Resources Review Board shall forward a recommendation to such other agency regarding the proposal within 30 days of the receipt of a request for the same. This recommendation shall be in accordance with the intent and regulations set forth in *Chapter 178, Historic Preservation*.

§ 305-97 Design Review Committee

A. Jurisdiction and Authority.

The Design Review Committee is hereby assigned the responsibility of reviewing all proposed projects subject to minor and major site plan review.

B. Membership.

The Design Review Committee shall be comprised of representatives from the following City departments:

- 1. Code Enforcement
- 2. Planning & Economic Development
- 3. Corporation Counsel
- 4. Engineering Services
- 5. Police
- 6. Fire
- 7. Municipal Utilities

C. Duties and Responsibilities.

The Design Review Committee will review and approve minor site plan applications, and review and provide recommendations to the Planning Board on applications for major site plan, special use permit, and subdivision. All minor and major site plan applications and special use permit applications will be reviewed for the completeness, code compliance, and issues of public health, safety and welfare.

§ 305-98 Planning Department

A. Jurisdiction and Authority.

1. The Planning Department (Office of Planning and Economic Development) is hereby assigned the responsibility of coordinating the actions of the Design Review Committee and advising other agencies administering aspects of this Chapter regarding matters which are within the technical and professional competence of the Office.

- 2. The Planning Department (Office of Planning and Economic Development) shall review and advise the Planning Board prior to its consideration of a site plan, special permit, planned development district, or zoning amendment as to the conformance of said proposal with sound planning and design principles and the laws and regulations of the City of Auburn regarding public works and the siting thereof.
- 3. The Planning Department (Office of Planning and Economic Development) shall review and advise the Zoning Board of Appeals prior to its consideration of a use or area variance as to the conformance of said proposal with sound planning and design principles and the laws and regulations of the City of Auburn regarding public works and the siting thereof.

§ 305-99 Engineering Services Division

A. Jurisdiction and Authority.

- 1. The Engineering Services Division shall review and approve the issuance of all permits for construction of and siting of public works to insure that such activity is being undertaken in conformance with sound engineering principles and the laws and regulations of the City of Auburn.
- 2. The Engineering Services Division shall review and advise the Planning Board prior to its consideration of a site plan, special permit, planned development district, or zoning amendment as to the conformance of said proposal with sound engineering principles and the laws and regulations of the City of Auburn regarding public works and the siting thereof.
- 3. The Engineering Services Division shall review and advise the Zoning Board of Appeals prior to its consideration of a use or area variance as to the conformance of said proposal with sound engineering principles and the laws and regulations of the City of Auburn regarding public works and the siting thereof.
- 4. In advising the Planning Board or Zoning Board of Appeals or in reviewing a permit application, the Engineering Services Division shall at least address the adequacy of proposed utility design and location and highway access, after a consultation with the Director of Municipal Utilities and the Superintendent of Public Works, respectively.

§ 305-100 Corporation Counsel

A. Jurisdiction and Authority.

1. The Corporation Counsel is hereby assigned the responsibility of providing legal advice and representation to other agencies administering aspects of this Chapter.

- 2. Attend all hearings of the Board of Appeals and the Planning Board and shall normally attend any meeting of any such body and act as the legal advisor to the body holding such hearing or meeting.
- 3. Provide all appropriate advice and aid to the Code Enforcement Officer in the enforcement of this Chapter and shall, where appropriate, initiate such legal actions as may be necessary to the proper enforcement of this Chapter.
- 4. Review and give his or her opinion concerning the legal sufficiency of any Charter provision, code, ordinance, rule or regulation, or amendments thereto, relating to land use development and regulation presently in force or proposed for adoption by any official, department, bureau, board, commission or agency of the City.
- 5. Be available, on reasonable request, for consultation with the Code Enforcement Officer, the Director of Planning, the Board of Appeals, and the Planning Board concerning matters properly subject to their jurisdiction and authority.

§ 305-101 New Building Permits

A. Procedures and Requirements for Permits.

All persons desiring to undertake any new construction, structural alteration or changes in the use of a building or lot shall apply to the Code Enforcement Officer for a building permit which shall be issued only in accordance with all applicable requirements and procedures specified in all applicable laws, codes, rules or regulations, ordinances and this Chapter and this Municipal Code.

- 1. No application for a permit, special permit, site plan, variance, zoning change, or other procedure required under this Chapter shall be processed which is incomplete.
 - [a] Permitted uses. A building permit for a permitted use may be issued by the Code Enforcement Officer on his or her own authority, subject to *Article 8 | § 305-93, Code Enforcement Officer*.
 - [b] Uses permitted by special permit or requiring minor or major site plan approval.
 - [c] Uses permitted after an appeal or request for variance. A building permit may be issued by the Code Enforcement Officer upon order of the Board of Appeals and after a public hearing held by the Board of Appeals for the purpose of deciding upon the appeal or a request for a variance.
- 2. After the building permit and any other applicable permit(s) have been issued to the applicant, he or she may proceed to perform the work permitted by the permit(s) and, upon the completion of the work, shall apply to the Code Enforcement Officer for a certificate of occupancy to be issued in accordance with *Chapter 125* of this Municipal Code.

- 3. If the Code Enforcement Officer finds that the work has been performed in accordance with the building permit and any other applicable permit(s), he or she shall issue a certificate of occupancy allowing the premises to be occupied in accordance with *Chapter 125* of this Municipal Code.
- 4. Revocation of Building Permit.
 - [a] The Code Enforcement Officer or the Board of Appeals may revoke a building permit at any time if it appears that the application is in any material respect false or misleading or that work being performed upon the premises differs materially from that specified in the application or that a permit has been issued in error and conditions are such that a permit should not have been issued. The Code Enforcement Officer shall follow the procedures set forth in *Chapter 125* of this Municipal Code. [Amended 9-19-1996 by Ord. No. 32-1996.]

§ 305-102 Existing Building Permits

Nothing in this Chapter shall be deemed to require any change in the plans, construction or designated use of any structure or prevent issuance of a certificate of occupancy in the event that:

- **A.** A building permit for the same was lawfully issued prior to the effective date of this Chapter or any amendment thereof;
- **B.** Such permit had not by its own terms expired prior to such effective date;
- **C.** The holder of such permit has taken substantial action, made substantial expenditures or incurred substantial obligations in reliance on such permit; and
- **D.** Construction pursuant to such permit is commenced prior to the expiration of such permit and within 90 days of such effective date and is thereafter diligently pursued to completion.

§ 305-103 Certificate of Occupancy

- A. Procedures and Requirements for Certificate of Occupancy.
 - The purpose of a certificate of occupancy is to certify that the premises comply with the provisions of this Chapter and other applicable laws, rules and regulations, ordinances and this Municipal Code and that the premises may be used for the purposes set forth in the certificate of occupancy.
 - 2. Prior to the use or occupancy of any building for which a building permit or other permit (s) is required, or for any change of use of any existing building or for any change of use of land, a certificate of occupancy shall be obtained from the Code Enforcement Officer in accordance with the procedure provided in *Chapter 125* of this Municipal Code.

B. Procedures and Requirements for Certificate of Nonconforming Use.

The owner of the premises occupied by a lawful nonconforming use or building may secure a certificate of nonconforming use from the Code Enforcement Officer. Such certificate shall be authorized by the Board of Appeals and shall be for the purpose of insuring to the owner the right to continue such nonconforming use.

§ 305-104 Special Use Permits

A. Procedures and Requirements.

- 1. Application for a special permit shall be made in writing upon forms supplied by the Code Enforcement Officer and such forms shall be deemed to be complete prior to action by the Planning Board.
- 2. Upon receipt of a complete application for a special permit from the Code Enforcement Officer the Planning Board shall schedule a public hearing to consider the same.
- 3. Public hearings regarding special permits.
 - [a] Upon filing with the Planning Board of a special permit request as required by the terms of this Chapter, the Planning Board shall fix a time and place for a public hearing thereof as follows:
 - [1] Public notice. By publishing a notice at least once, not less than 10 days in advance of such hearing, in a newspaper of general circulation of the City.
 - [2] Notice to applicant. By sending a notice thereof to the applicant.
 - [3] Notice to local officials. By delivering a notice to the Mayor, to the members of the City Council, to the Zoning Board of Appeals, and to the City Manager.
 - [4] Notice to interested parties. The City shall mail one (1) notice to all owners of record of properties within 400 feet of the subject property. Notice shall be mailed no fewer than 5 days prior to a hearing.
 - [5] Nature of notice and posting. The notice required shall be posted upon instructions from the Planning Board and shall state the location of the building or lot in question and the general nature of the question involved.
 - [b] At said public hearing the Planning Board will receive testimony and technical reports regarding the compatibility of the proposed activity with the neighborhood where it will be established. Compatibility will be determined based upon the following standards:
 - [1] The proposed use will not generate traffic beyond the capacity of the road serving the site or contribute to traffic congestion or pose a hazard to pedestrians.
 - [2] Noise, smoke, dust, noxious matter, heat, glare, or vibration emanating from the proposed use will not exceed that customarily associated with the neighborhood.
 - [3] Storage and waste material will be screened from general public view.

- [4] The general appearance of the use will be compatible with the predominant scale and physical character of the neighborhood.
- [5] All requirements of this Chapter applicable to the proposal are being met.
- 4. Only upon determination of neighborhood compatibility and compliance with the terms of this Chapter may the Board grant a special permit.
- 5. Fees for special permits shall be set by the City Council.

§ 305-105 Use and Area Variances

A. Jurisdiction and Authority.

Use and area variances require Zoning Board of Appeals approval. The Zoning Board of Appeals shall have authority in determining whether an application for a Use or Area Variance is complete or incomplete, and unnecessary hardship in context of the provisions of this Ordinance.

B. Application.

- 1. All variance applications to the Zoning Board of Appeals shall be in writing on forms prescribed by the Zoning Board of Appeals. Every appeal shall include the following:
 - [a] The name and address of the applicant.
 - [b] The name and address of the owner of the district lot to be affected by such proposed variance.
 - [c] A brief description and location of the district lot to be affected by such proposed variance.
 - [d] A statement of the present zoning classification of the district lot in question, the improvements thereon and the present use thereof.
 - [e] A statement of this Section or part thereof of this Chapter under which the variance is made and the reasons why it should be granted.
 - [f] A reasonably accurate description of the present improvements and the additions or changes intended to be made under this application, indicating the size of such proposed improvements, material, and general construction thereof. In addition, there shall be attached a plot plan of the real property to be affected indicating the location and size of the lot and size of improvements thereon.
- 2. Upon filing a variance application a fee as established by the City Council in the fee schedule shall be paid.

- 3. Complete application.
 - [a] Upon filing a variance application a fee as established by the City Council in the fee schedule shall be paid. The City shall mail one (1) notice to all owners of record of properties within 400 feet of the subject property when application is for a use variance and within 100 feet of the subject property when application is for an area variance. The notice will include the date and time of the first Zoning Board of Appeals meeting which the project is on the agenda, and address and description of the proposed project. Notice shall be mailed no fewer than 5 days prior to a hearing.

C. Approval Procedures.

- 1. Upon receiving an application, the Zoning Board of Appeals will determine if the application is complete.
- 2. In the event the Zoning Board of Appeals deems an application incomplete or otherwise not properly filed, the applicant will be notified in writing and given the opportunity within a specified period of time (not less than seven (7) days after the date of the notice) to bring the application into compliance. An application which is the subject of such notice, but is not brought into compliance within the period specified in such notice, shall be denied for failure to comply with these rules

D. Public Hearings.

- 1. Once the Zoning Board of Appeals deems an application complete for a variance request, the Zoning Board of Appeals shall fix a time and place for a public hearing thereof as follows:
 - [a] Public notice. By publishing a notice at least once, of not less than ten (10) days in advance of such hearing, in a newspaper of general circulation of the City.
 - [b] Notice to applicant. By mailing a notice thereof by registered or certified mail to the applicant.
 - [c] Notice to local officials. By delivering a notice to the Mayor, to members of the City Council, to the Planning Board, and to the City Manager.
 - [d] Notice to interested parties.
 - [1] By mailing a notice thereof to every association of residents of the City and any other interested party who or which shall have registered their names and addresses for this purpose with the Zoning Board of Appeals.
 - [2] Notice shall also be mailed to the owners of record of properties within 400 feet of the subject property when the application is for a use variance and within 100 feet of the subject property when the application is for an area variance in a residential zone.

[e] Nature of notice and posting. The notice required shall be posted upon instructions from the Zoning Board of Appeals and shall state the location of the building or lot in question and the general nature of the question involved.

E. Use Variances.

- No such use variance shall be granted by the Zoning Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:
 - [a] The applicant cannot realize a reasonable return, provided that lack of return is substantial, as demonstrated by competent financial evidence;
 - [b] The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;
 - [c] The requested use variance, if granted, will not alter the essential character of the neighborhood; and
 - [d] The alleged hardship has not been self-created.
- 2. The Zoning Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

F. Area Variances.

- 1. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:
 - [a] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - [b] Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance;
 - [c] Whether the requested area variance is substantial;
 - [d] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

- [e] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.
- 2. The Zoning Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

G. Impositions of Conditions.

- The Zoning Board of Appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this Chapter and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.
- 2. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the administrative official charged with the enforcement of this Chapter and to that end shall have all the powers of the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.
- 3. Pursuant to § 81 of the General City Law, the Zoning Board of Appeals shall have the power to vary or modify the application of any of the regulations or provisions of this Chapter relating to the use, construction, structural changes in, equipment or alteration of buildings or structures, or the use of the land, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this Chapter, so that the spirit of this Chapter shall be observed, public safety and welfare secured and substantial justice done.

H. Lapse.

Unless otherwise specified by the Zoning Board of Appeals, a decision shall expire if the applicant fails to obtain any necessary building permit or comply with the conditions of such permit within six (6) months from the date of authorization thereof.

- Should the six-month period elapse, the Code Enforcement Officer shall be empowered to extend the variance for one additional six-month period upon making a determination that no building permit has been issued or requested that have or would result in a substantial change in the character of the neighborhood.
- 2. When such permits have been requested or issued, the officer shall report the same to the Zoning Board of Appeals and refer the matter of extension to the Zoning Board of Appeals for consideration and disposition.

§ 305-106 Pending Applications

This Chapter and any amendment thereof shall apply to all applications pending and not yet finally decided by the authorized personnel or Board on the effective date thereof, except, however, where a public hearing has been held with respect to such pending application prior to such effective date. Where such circumstances exist the regulations in effect at the time of the hearing shall be the basis for action on such pending application.

§ 305-107 Procedure and Requirements for Amendments

A. Purpose.

Amendments may be initiated by the City Council, Zoning Board of Appeals, Planning Board, the owner of or other person having contractual interest in property to be impacted by the amendment, or the owners of 50% or more of the frontage of property to be impacted by the proposed amendment.

B. Procedures.

- 1. Amendments initiated by the City Council or Zoning Board of Appeals shall be transmitted to the Planning Board for consideration in accordance with this Section.
- 2. Amendments initiated by property owners shall be addressed to the City Council and submitted to the Planning Board along with the fee required by the duly enacted fee schedule and the following information:
 - [a] The applicant's name and address and his interest in the subject property.
 - [b] The owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
 - [c] The name, residence and the nature and extent of the interest, as defined by § 809 of the General Municipal Law of New York, of any state officer or any officer or employee of the City of Auburn or the County of Cayuga in the subject property if known to the applicant.
 - [d] The precise wording of any proposed amendment to the text of this Chapter.
 - [e] A statement of the need and justification for the proposed amendment.
 - [f] A statement as to the conformity of the proposed amendment to the Comprehensive Plan and the reason for any deviation from such plan.
 - [g] In the event that the proposed amendment would change the zoning classification of any property:
 - [1] A street address or legal description of the property proposed to be reclassified.

- [2] The names and addresses of all owners of property located on the same frontage or frontages as the front or side lot line of the property proposed to be reclassified or on a frontage immediately across from any such frontage or on a corner diagonally across from a corner on which the property proposed to be reclassified is located or within 50 feet of the rear lot line of the property proposed to be reclassified, as shown in the records of the office of the City Assessor.
- [3] The present zoning classification and existing uses of the property proposed to be reclassified.
- [4] The area of the property proposed to be reclassified, stated in square feet or acres, or fraction thereof.
- [5] A map, drawn to scale, clearly showing and locating the property proposed to be reclassified and its present zoning classification and existing uses and all existing uses and zoning classifications within 200 feet of such property.
- [6] Where site plan approval is required by this Chapter, a site plan as defined by *Article* 6 | *Site Plan Review* shall be supplied.
- [7] Such other information or documentation as the Planning Board may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.

C. Public Hearings.

Upon filing with the Planning Board of an amendment request as required by the terms of this Chapter, the Planning Board shall fix a time and place in accordance with *Article 1 | § 305-105D*, *Public Hearings* and *Article 6 | Site Plan Review*.

§ 305-108 Fees

Fees authorized by this Chapter shall be set by the City Manager in accordance with the procedures established in the City of Auburn Consolidated Fee Schedule.

§ 305-109 Penalties for Offenses

A. Fines and Imprisonment.

- 1. General. Any person, firm or corporation violating any provision of this Chapter, other than those charged with illegal conversions, shall be punished by a fine not to exceed \$250 or imprisonment not exceeding 15 days, or by both such fine and imprisonment.
- 2. Conversions. Any person, firm or corporation who or which illegally converts any residential property in the City of Auburn in violation of the terms and conditions of this Chapter shall be subject to a fine not less than \$500 nor more than \$1,000 or imprisonment not exceeding 15 days, or to both such fine and imprisonment.

3. Other. Each day that a violation is continued shall constitute a separate offense.

B. Injunctive Relief.

Injunctive relief. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used in violation of this Chapter, or of any rule or regulation made under authority conferred hereby, the City Manager or, with his/her approval, the Code Enforcement Officer or other proper official, in addition to other remedies, may institute any appropriate action or proceedings to prevent or remove such unlawful erection, maintenance or use or to prevent any illegal act, conduct, business or use in or about such premises.

STEP 2 Nomination Study

Public Art Ordinance

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

Section 1. Purpose

The purpose of this Chapter is to facilitate and encourage Public Art in the City of Auburn by creating a streamlined application and review process, and guidelines for siting, installation and maintenance of public art.

Section 2. Applicability

The provisions of this Ordinance are applicable to public art that is installed on publicly owned land within the City of Auburn including, but not limited to, city parks, streets and sidewalks within the public right-of-way, and any city-owned property. Murals on private property shall be regulated by Chapter 305, Article V, Signs.

Section 3. Definitions

ABANDONED PUBLIC ART

Public art that is not removed from the site by the owner or artist within 60 days of the stated agreement, or upon written notification from the City. The City is authorized to dispose of any abandoned public art pieces that havebeen stored by the City.

ARTIST

A practicing fine artist, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions, receipt of honors and awards, and training in the arts.

ARTWORK

See Public Art.

DE-ACCESSION

The formal process used to permanently remove an artwork owned by the City from the public art collection, usually through sale or exchange or any other transaction by which title of the outgoing artwork is transferred from the City to an individual, institution, agency, gallery, vendor or dealer. Under certain conditions, it may also include disposal by intentional destruction.

DEED OF GIFT

A formal, legal agreement that transfers ownership of and legal rights in the property to be donated.

DONATION

A charitable contribution to the City, during lifetime or testamentary transfer, whether whole or fractional interest, including, but not limited to, cash and cash equivalents, real property, personal tangible property, publicly traded equity and debt securities, closely held securities, restricted securities, life insurance policies, intellectual property, artifacts and/or artworks which would contribute to the City's goals and priorities outlined in the Public Art Plan.

EXTRAORDINARY ARTWORK MAINTENANCE

Any non-routine repair, restoration or conservation to the sound condition of artworks that requires specialized services.

MURAL

A hand-painted, hand-tiled, or digitally printed image which is on the exterior wall of a building located on public or private property and is visible from a city park, sidewalk, street or other right-of-way. Murals on private property are regulated by Chapter 305, Article V, Signs.

PERMANENT ARTWORK

Artwork exhibited with the expectation of indefinite duration.

PUBLIC ART

Refers to all forms of visual art that are located within the City right-of-way or on public land within the City of Auburn. Murals and artwork on private property are not regulated by this Chapter.

The aforesaid forms of visual art include, but are not limited to, the following mediums:

1.Paintings of all media including both portable and permanently affixed works such as frescoes and murals;

2. A sculpture of any form and in any material or combination of materials, including but not limited to, statues, monuments, fountains, arches, reliefs, mobiles, kinetic, electronic and neon sculptures.

3. Other Public Art shall include inscriptions, stained glass, fiber works, carvings, mosaics, photographs, drawings, collages, textile works, prints and crafts, both decorative and utilitarian, in any medium including, but not limited to, clay, fiber, wood, metal, glass, stone, plastic and other materials; and

4. Artist-designed landscapes and earthworks, including the artistic placement of natural materials or other functional art objects.

PUBLIC ART COMMISSION

The regulating entity appointed by the City Council to establish policy and procedures to administer the Public Art Plan and program.

PUBLIC ART PLAN

A comprehensive guidebook for Public Art in the City which is intended to be the major tool by which the Public Art Commission achieves its mission. The Public Art Plan is a working document that will assist the Public Art Commission, City Common Council and other public bodies in planning and funding for art-related projects, identifying key sites for Public Art, and will provide Artists guidance when responding to proposals and projects.

PUBLIC ART PROGRAM

All responsibilities and activities of the Public Art Commission in accordance with this Ordinance (cite Resolution Number and Ordinance Date once adopted).

PUBLIC PROPERTY

All spaces owned by the City of Auburn, indoor or outdoor, that are accessible and visible to the general public.

REQUEST FOR PROPOSAL (RFP)

A process in which Artists are asked to submit a detailed proposal for a specific site or project.

ROUTINE MAINTENANCE

Regular routine inspection and care of artwork, such as cleaning and applying protective surface coatings. A trained technician, City employee or 3rd party contracted by the City trained to provide such services will carry out any required maintenance procedures.

TEMPORARY ARTWORK

Artwork exhibited for a limited duration.

Section 4. Design Criteria

There are no absolute criteria for acceptable Public Art, except for general tenets which include:

- A. Artistic merit and quality as evidenced by an artist's past history of exhibitions or sales, awards or other recognition, or an outstanding first work; as well as the inherent quality in terms of timelessness, vision, design, aesthetics, and excellence.
- B. **Intentionality of the Artist** concerning the meaning and proposed or desired effect of the work as public art upon the viewing public.
- C. Local significance and site-specificity by creating a sense of excitement on public property and presenting fresh ways of seeing the community and City while also recognizing the historic and environmental context of the site.
- D. **Representation of a variety of styles and tastes in the collection** by acknowledging existing works in the Public Art collection, striving for cultural diversity of style, scale, and media, and representing the eclectic tastes of the community.
- E. **Unrestricted public viewing,** primarily the opportunity for public access, but also suitability for public participation, social and political attitudes, and functional considerations.
- F. **Safety and durability** including the ability and structural integrity of the Artwork to withstand weather conditions, minimize the possibility of injury, and protect against theft and vandalism.
- G. **Installation and maintenance of work** from practicality of fabrication and transport, to installation and long-term maintenance and associated costs.
- H. **Compatibility with established patterns of use at the site** by situating Artwork such that it is accessible, visible, and appropriately scaled to the site, and such that it does not seriously disrupt the flow of pedestrian or vehicular traffic or adversely alter the environmental conditions of the selected site.

Section 5. Approval Process

- A. Prior to the installation of any Artwork, a complete Public Art application must be submitted electronically to the City Manager's Office, including all requirements as detailed in Section 5. B. Application.
- B. Application Requirements.
 - 1. Project description, including purpose, Artist's rationale and/or intention for the proposed work; history and provenance of the Artwork; relationship of the project to other community interests and activities; as well as potential materials and media.
 - 2. Illustrative and/or construction drawings of the proposed work. A scale model of the proposed work is strongly recommended (if applicable).
 - 3. For 3D Artwork, scaled site plan and color images of the proposed installation location and its context.
 - 4. Scaled illustrative drawings or model showing the Artwork in relation to the proposed site.
 - 5. Description of short- and long-term maintenance requirements and costs. For temporary installations, a general liability insurance certificate listing the City of Auburn as additionally insured with at least \$1 million of general liability coverage must be included.
 - 6. Artist resumé, annotated exhibition list, and digital images of other works.
 - 7. Project timeline, including (as applicable) fabrication, delivery, installation, maintenance schedule, and removal.
 - 8. Project budget, including both committed and anticipated funding sources.
 - 9. General letters of support. Applicants are encouraged to include letters of support, particularly from neighborhood groups. For Murals on non-residential private property, a letter of support from the private property owner is required.
- C. Review Procedures.
 - 1. Within 30 days of receipt of an application, the City Manager's Office shall review the application for completeness.
 - a. Shall the application be deemed incomplete, the City Manager's Office shall provide the applicant with written notification and a detailed description of the determination.
 - b. If the proposed application is not complete, the applicant has the right to change the proposed site or design of the Public Art installation and have the application reconsidered.

- c. Once an application is deemed complete, the City Manager's Office shall forward the application to the applicable City departments, the Public Art Commission, and other related agencies for approval of the installation's proposed site.
- D. The Public Art Commission shall review the application at its next regularly scheduled meeting to determine if the submission fulfills the design criteria and requirements detailed herein. Either the Public Art Commission or, upon invitation, the Artist may present the application at a public meeting for comment and review.
- E. Upon considering community input, economic feasibility, maintenance requirements, and the appropriateness of the design, the Public Art Commission shall either approve, approve with modifications, or deny the application. Failure to act on an application does not result in a default approval. An application may only be denied based upon objective criteria as set forth in this Ordinance. If the Commission denies the application, the Commission shall provide the applicant with written reasons as to why the application was denied within ten (10) business days of its decision.

Section 6. Establishment of the Public Art Commission

- A. Powers and duties.
 - 1. The Public Art Commission (herein referred to as the Commission) shall provide leadership to enhance the experience of public space, be an effective decision-making body to recommend and implement approved Public Art policy and procedures, and maintain thoughtful public participation, outreach, and communications concerning public art.
 - 2. The Commission shall approve all Public Art applications and said approval shall be necessary prior to the installation of public art in the City of Auburn unless exempted by the terms of this Ordinance.
 - 3. The Commission shall initiate and develop proposals to receive recommendations and to solicit contributions for additions to the existing collection of Public Art.
 - 4. The Commission shall be responsible for the development and oversight of a Public Art Plan including criteria and guidelines for the selection, acquisition, exhibition, and display of new Public Art, either temporary or permanent. The criteria and guidelines shall relate but are not limited to economic feasibility, maintenance, security, and aesthetics. No Public Art shall be acquired, loaned, or installed, nor shall existing Public Art be deaccessioned or removed from public places without prior review by the Commission.
 - 5. The Commission is authorized to establish a jury, advisory group, or consult with Public Artists when reviewing an application or acquiring a piece of Public Art.
 - 6. The Commission shall submit an annual report to the City Council on its activities and shall report to the Mayor on a regular basis.

- B. Membership.
 - 1. The Commission shall consist of a minimum of seven (7) voting members who must be residents of the City of Auburn.
 - 2. The Commission shall be composed of the following members:
 - a. When possible, two (2) individuals chosen from the following disciplines: landscape architecture, architecture, urban planning, interior design, engineering, or a related design discipline.
 - b. Two (2) professional Artists.
 - c. One (1) citizen knowledgeable in the field of Public Art, education, or community affairs.
 - d. One (1) citizen knowledgeable of the real estate and development community.
 - e. One (1) at-large citizen.

3. Nonvoting members of the Commission shall include at least one representative from the Planning and Economic Development and a member of the Department of Public Works.

4. Members of the arts community may serve as non-voting, at-large members of the Commission to provide specific knowledge and expertise.

- 5. All members of the Commission shall be residents of the City of Auburn.
- C. Terms of office.
 - 1. The membership of the first term of the Commission shall be filled by the City Council of the City of Auburn with the following appointments:
 - a. Three members to serve a two-year appointment;
 - b. Two members to serve a three-year appointment;
 - c. Two members to serve a four-year appointment.
 - 2. Terms shall be two (2) years in length with the exception of four members of the first established commission, staggered such that not more than three (3) of the two-year terms expire in any calendar year.
 - 3. Once a person has served three (3) full and consecutive terms on the Commission, that person shall not be eligible for reappointment for a length of time equal to one (1) full term on the Commission.

- 4. If any member shall fail to attend three (3) consecutive meetings or more than half of the meetings in one (1) calendar year without just cause as determined by the Commission, then that member shall be replaced by the Chairperson of the Commission.
- 5. Any vacancy that results from an expired term or resignation shall be by the Common Council.
- D. Officers.
 - 1. The Commission shall have a Chairperson and a Vice Chairperson, as elected by a majority vote of the Commission.
- E. Compensation of members.
 - 1. The members shall receive no compensation for their services.
- F. Meetings.
 - 1. The Commission shall meet for the purpose of organization as soon as reasonably possible after January 1 of each year.
 - 2. The Commission shall meet at such times as it finds necessary throughout the year, but not less often than once every quarter.
 - 3. All meetings of the Commission must be open to the public as required by the New York Open Meetings Law. A quorum shall consist of four (4) voting members of the Commission.
 - 4. Public notice of the time and place of a meeting scheduled at least one (1) week prior thereto shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
 - 5. The Commission shall establish and publish rules and regulations governing the conduct of its meetings, the procedure and criteria to be utilized in approving or denying Public Art applications and any other matters within its power and duties, provided that the rules and regulations are not contrary to the terms and intent of this Ordinance.
- G. Conflicts of interest.
 - 1. All members of the Public Art Commission shall abide by the adopted City of Auburn Code of Ethics.
 - 2. Any conduct that creates an appearance of impropriety or may otherwise impair a Commission member's judgment in the selection of a project site, artist, or artwork is prohibited.
 - 3. Anyone in a position to receive financial gain from the selection of sites, Artists, or artworks shall abstain or recuse themselves from the Commission.

- 4. Committee members must declare any conflict of interest and recuse themselves if a conflict of interest arises.
- 5. A Committee member may not participate in discussion or voting on an application submitted by said member.

Section 7. Public Art Guidelines/Regulations

- A. Ownership of Public Art
 - 1. All Artwork commissioned and/or acquired by the City of Auburn will be owned by the City of Auburn.
 - 2. Artwork loaned to the City will be covered by the City's insurance for the duration of the loan.
 - 3. Acceptance of a gift or loan of Artwork by the City of Auburn means a commitment to its preservation, protection, and display for public benefit within the reasonable resources of the City of Auburn.
- B. Acquisitions.
 - 1. An acquisitions program is the most active and visible means of promoting and enhancing the public art collection. By purposefully acquiring individual works, the Commission can make a broad variety of art available and distribute installation locations across the City. Attending to site-specific themes will enhance sense of place and strengthen community character while citizen involvement will advance a greater appreciation for public art and a high quality physical environment.
 - 2. Acquisitions of Public Art shall be free of restrictive conditions by the Artist or donor unless, at the discretion of the Commission, such conditions are reasonable and not detrimental to the City.
 - 3. The Artist is the rightful owner with all power and authority to loan, donate, or sell to the City and will indemnify and hold the City harmless from any actions, claims, or proceedings challenging title to ownership.
 - 4. All acquisitions of art work must be accompanied by the following statement:

The donor or the Artist, in cases where an artist loans or makes a donation, or a piece is purchased by the City, represents and warrants to the City of Auburn, New York, that it intends to loan, donate, or sell (as the case may be) the artwork to the City. The donor or artist also represents that he has not entered into any agreement that may impair this agreement. The City recognizes and respects artists' rights as set forth in the Visual Arts Rights Act of 1990 (VARA) and Section 14.03 of the New York State Arts and Cultural Affairs Law, including, but not limited to, the right to claim authorship, the right to not have his name used on

any work not created by the artist, and the right not to have his work intentionally distorted, mutilated or modified so as to prejudice the artist's reputation. However, the City expressly reserves the right, in its sole discretion, to relocate or remove from display visual art, and an artist shall sign a waiver to allow such relocation or removal.

- 5. Through the Public Art Plan, once established, the Commission and community will identify potential locations for public artwork across the City, as well as the highest priority sites. As resources become available, individual acquisition efforts will focus on these sites.
- 6. Once specific site selection occurs, the Commission will select an artist using one of the following methods:
 - a. Open Request for Proposals. Artists submit proposals in response to a public advertisement, which includes a detailed project description and budget, explanation of honorarium, and application requirements. Submissions will include, at a minimum, the Artist's resume and slides of his work. After reviewing the responses, the Public Art Commission will extend interview invitations to a number of the Artists, ultimately selecting one for the commission.
 - b. Limited Invitational/Curated Pool of Artists. A select group of artists submits proposals in response to a direct invitation, which includes a detailed project description and budget, explanation of honorarium, and application requirements. Submissions will include the artist's resume, slides of his work, and a written narrative of his proposal. After reviewing the responses, the Commission will extend interview invitations to a small number of the Artists, ultimately selecting one for the Commission.
 - c. Blind Request for Proposals. Artists submit proposals in response to a public advertisement, which includes a detailed project description and budget, explanation of honorarium, and application requirements. Submissions will include narrative and two-dimensional depictions of the proposed concept, but not contain any artist information; each submission will have an identification number for evaluation purposes. After reviewing the responses, the Commission will extend interview invitations to a number of the artists, ultimately selecting one for the commission.
 - d. Direct Invitation. A single Artist submits a proposal in response to an invitation, which includes a detailed project description and budget, explanation of honorarium, and proposal requirements. The Commission will interview the Artist, who will present his concept using both two- and three-dimensional portrayals.
- 7. After the Commission agrees on the artist selection method, it will prepare materials for advertisement and distribute them as required. The Commission will review each submission to determine if it is complete and responsive to the request. The Commission will return incomplete submissions to the Artist, noting why the proposal is incomplete.

- 8. The Commission will review complete submissions and, except when using Direct Invitation, select Artists for interviews. Given the scope of some projects as well as the number of respondents, the Commission may first establish a jury which will be responsible for the selection of the Public Art. The Commission and/or jury may develop a short list for consideration and subsequently identify those to be interviewed. The Commission and/or jury may ask interviewees, in addition to a formal meeting with the Commission and/or jury, to make a public presentation regarding their body of work and initial concepts for the Commission.
- 9. Following the interviews and consideration of public comments and compatibility with the design criteria set forth in Section 5, the Commission and/or jury will either approve or deny the submission. Following approval, the selected Artist will enter into a contract with the City which will facilitate acquisition and will clearly stipulate the rights and responsibilities of both parties.
- 10. When the Artist and the City have satisfied contractual requirements, fabrication and installation can begin immediately. The appropriate City agency will monitor all work. The Commission will initiate any related marketing and outreach programs and will encourage community dialogue regarding the commissioned artwork.
- C. Donations and Unsolicited Offers.
 - 1. The City may also obtain public art through donations, as well as unsolicited offers. Gifts that Artists or owners offer must conform to the Public Art Plan's goals and objectives, and public participation will help achieve community acceptance of a proffered piece.
 - 2. All costs for installation shall be negotiated by the City and the donor at the time of donation.
 - 3. Should the City choose to remove a piece of donated artwork from public display for a period of at least one (1) year, the City shall make a good faith effort to attempt one (1) of the following actions:
 - a. Negotiate with the donor an extended period of time for the piece to remain out of public display; or
 - b. Offer to return the piece, at donor expense, to the donor. If the original donor cannot be contacted after reasonable efforts or chooses not to accept the return of the piece, the City reserves the right to sell, convey, or otherwise discard the piece.
 - 4. The City has the authority to decline gifts, donated pieces, and unsolicited pieces of Public Art.

- D. On-Loan Items.
 - 1. Displaying works that an Artist or owner has loaned is an effective way to expand public art in the community. The on-loan program allows the City to complement or supplement the permanent pieces in the collection for a limited time. It provides opportunities to display well-known works and those that are new or unfamiliar, and it offers the chance to highlight aspiring artists and experienced masters alike.
 - 2. The Commission and artist shall agree upon a reasonable length of time, not to exceed the negotiated agreement, for the art to be displayed.
 - 3. At the end of the agreed time period, as contracted between the City and the Artist, the Artist is responsible for removing the installation.
 - 4. Should the Artist fail to remove the installation within the negotiated time period, the piece will be considered abandoned. The City retains the right to remove the installation in accordance with Section 10 of this Ordinance.

Section 8. Siting, Installation, and Maintenance

- A. Siting.
 - 1. The siting and location of all Public Artwork will be the responsibility and right of the City. Decisions on siting will be made by the Commission in consultation with appropriate City staff.
 - 2. Site selection for Public Art will be reviewed with the following criteria, which may include, but is not limited to:
 - a. The safety and security of the proposed site;
 - b. Ease of access for routine maintenance using standard City equipment;
 - c. Visibility and accessibility by a broad public audience;
 - d. The context of the proposed Artwork at the proposed site as it relates to social, cultural, historical, ecological, physical and functional context; and
 - e. Community support for the proposed site.
 - 3. Public art shall be identified with suitably designed and sized plaques approved by the Commission.
- B. Installation.
 - 1. Installation, maintenance, alteration, refinishing, moving, and removal of Artwork in public places shall be done in consultation with the Artist.

- 2. Installation of individual works will be through the combined efforts of the Artist and City staff, or other contractor as specificed in the contract.
 - a. The Artist will be responsible for installation with the appropriate City department(s) providing oversight. If the Artist is not able to direct the installation, then City staff shall consult with an expert in art handling and maintenance to assist in the installation at the expense of the Artist.
 - b. The Artist will provide the City with detailed drawings of the piece and descriptions of transportation, unpacking and/or handling methods and scheduling.
- 3. The Commission will encourage donors to cover installation costs associated with proposed gifts. In all cases, donors must provide sufficient information to generate accurate estimates of such costs.
- C. Maintenance.
 - 1. The City of Auburn will be responsible for routine maintenance and emergency response for all Public Art acquired, donated, or on-loan to the City.
 - 2. For all acquired pieces, the Artist will define techniques, methods, materials, schedules and costs for regular repairs, and will provide this information at or before installation. Donations and/or loans of Public Art must include sufficient funding to adequately cover maintenance.
 - 3. In some circumstances, the Artist might elect to engage a particular technician for repairs, and therefore must include special provisions allowing the technical access to the piece in contracts between the Artist and the City. The City or Commission reserves the right to require the Artist (and/or donor or owner) assume all costs for specialized or extraordinary artwork maintenance.
 - 4. When emergency repair of artworks is necessary, the City will contact the artist regarding proposed remedies. Absent such advice, recommendations from the Commission for routine maintenance will serve as the principal guide for addressing emergency conditions.
 - 5. Artwork loaned or acquired by the City shall be insured by the City's insurance to cover damage, vandalism, theft, fire, and damage from natural disasters. Normal wear and tear are excluded from insurance coverage by the City. Therefore, repairs and maintenance for normal wear and tear of pieces acquired or loaned by the City and put on public display shall be provided by the City at its discretion. "Wear and tear" includes such things as normal aging or exposure to the elements, or similar circumstances (e.g., rust, cracks, fading). The City shall make a good faith effort to maintain the Artwork, pedestal, and plaque in good condition, on par with other art works on public display owned by or loaned to the City.
 - 6. The City of Auburn Department of Public Works is responsible for maintaining all files related to the installation, routine maintenance and emergency response of public art pieces.

Section 9. Appeals Process

The Public Art Commission recommends an appeals step as part of the Public Art acquisition process. The intention is to ensure that public art process and criteria are followed. Therefore, appeals would be based on process issues only.

- A. Information about the appeal and selection procedures will be shared with the public at the start of each acquisition process in order to promote understanding Public Art and to ensure an open process. In addition, should it be necessary, Commission decisions may be appealed in writing based on the following criteria:
 - 1. The decision was based on something other than the established review criteria;
 - 2. The required information or other pertinent supporting material was not used during the review process; and/or
 - 3. Conflict of interest procedures were not followed.
- B. Appeals should be submitted in writing after the appellant has first consulted with the Commission to review the considerations that went into the acquisition or donation process. Appeals should be submitted to the Common Council in writing within two (2) weeks of written notification or public announcement of the selection, acquisition, or donation.
- C. Upon receipt of the appeal letter, the Common Council and the Commission Chairperson will meet within two (2) weeks with the appellant to hear their grounds for reconsideration. The Common Council has the authority to determine whether or not there are grounds for reconsideration based on the appeal criteria listed above. If there are grounds, the Common Council will review the process and decision. After the reconsideration, a letter will be sent to the appellant.
- D. Notice of appeals will be shared with the City Council.
- E. All appeals will be reported in the annual report.
- F. Since this is a City program, only City residents have the ability to submit appeals.

Section 10. De-Accession Policy and Procedure

- A. The Commission will not plan to de-accession permanent Artwork from the public art collection, whether acquired by direct purchase or through donation.
- B. De-accessioning Public Art should be an action seldom used and should not be used due to fluctuations in taste.
- C. After due consideration, the Commission can recommend such action, however, in cases that meet one (1) or more of the following criteria:

- 1. The Artwork has been abandoned.
- 2. The Commission finds the Artwork to be fraudulent or inauthentic;
- 3. The Artwork possesses substantial demonstrated faults in original design or workmanship;
- 4. The current condition of the Artwork presents a public or environmental hazard and repair/restoration is not feasible due to physical conditions and/or the expense would be disproportionate to the value of the Artwork;
- 5. The building housing the Artwork or other architectural support system for the piece is slated for demolition and relocation is not feasible;
- 6. The Artwork encumbers the use of public property; and/or
- 7. Public use and/or ownership of the site have or will change, rendering the artwork incompatible with the property.
- D. Should the Commission justify de-accessioning, it will seek opinions on the disposition of the subject piece from the artist community and general public.
- E. The Commission will give priority consideration to returning works to the Artist or their his/her, or in the case of donations, to the donor or his/her heirs.
- F. The City will store de-accessioned pieces as time and space allow.
- G. The Commission will disclose both the de-accession criteria and possible disposition of such artwork to the Artist and/or donor before finalizing any contractual agreements.
- H. In the case the City chooses to sell a piece of Public Art, all proceeds from the sale will be placed in a City account for acquisition of new works of Public Art or maintenance of the existing collection.

STEP 2 Nomination Study

Public Art Program Guide

This document was prepared for the City of Auburn and the New York Department of State with funds provided through the Brownfield Opportunity Area Program.

AUBURN SZAR

Public Art

Program

Guide

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What is the Program Guide?

Auburn's Public Art Program Guide will provide the City and the Public Art Commission with direction for developing a comprehensive Public Art Plan. At the beginning of each section of this Guide, a checklist identifies possible topics to include in the Public Art Plan. Case studies are also included to provide examples of public art plans and programs in other communities.

Purpose of the Public Art Plan

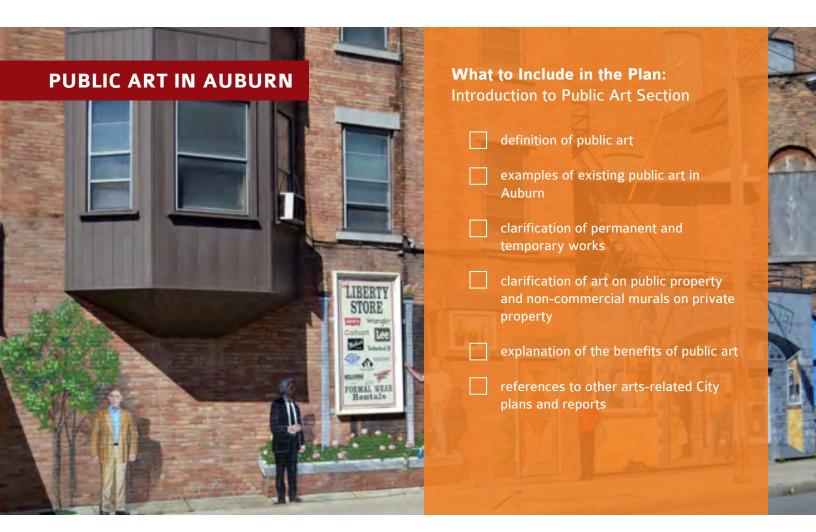
According to Auburn's draft Public Art Ordinance, the Public Art Commission is responsible for the development and oversight of the Public Art Plan. The Plan should establish a clear vision and goals for the City's Public Art Program, identify specific target locations suitable for public art, recommend best practices, clarify the roles and responsibilities of the Public Art Commission, and identify potential funding mechanisms for supporting the Public Art Program. The Public Art Plan should be the main tool with which the Public Art Commission achieves its mission and administers the Public Art Program. Completion of the Public Art Plan is a high priority, as it is the Commission's first step to facilitating decision making.

Auburn's Public Art Program

In addition to the Public Art Plan, the City's Public Art Ordinance will also regulate the installation of public art within Auburn. Once adopted, the Ordinance will outline an application process and guidelines for design, siting, and maintenance of public art. The Public Art Plan should explain how, in combination, the Plan, Ordinance, and Commission will work to encourage public art in the City of Auburn by establishing clear design criteria, roles and responsibilities, and a streamlined review and approval process.

Process of Creating the Plan

The Plan should also explain how it was created, referencing the Public Art Commission, the Public Art Subcommittee, expertise from local artists, and any public feedback incorporated into the Plan.



What is Public Art?

The Public Art Plan should define public art and identify which media the City will and will not consider public art. These media can include but are not limited to:

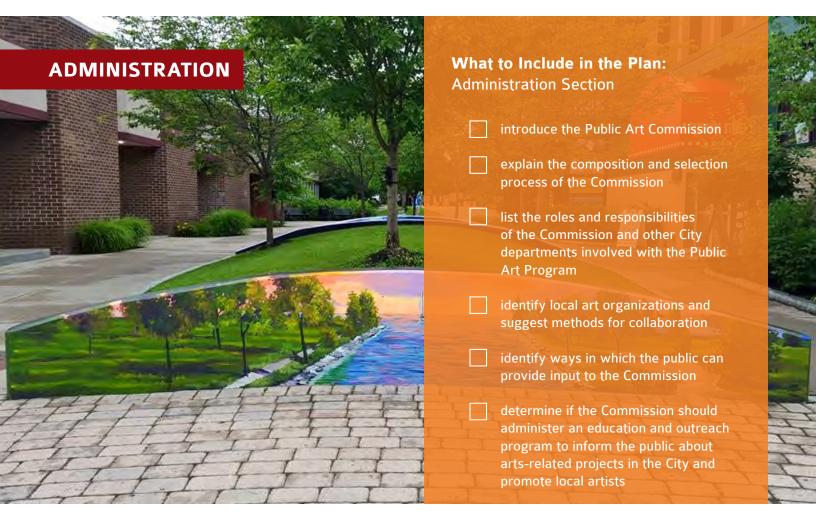
- paintings and murals
- landscapes and earthworks
- sculptures, statues, and monuments
- photographs, drawings, and collages

The Plan should also clarify the difference between temporary and permanent artworks. Another important distinction is that between art on public property or City right-of-ways and art on private property. For instance, the City will need to determine whether and how it should regulate non-commercial murals on private property.

Benefits of Public Art

In order to justify the establishment of a Public Art Program and any resulting City expenditure, the Plan should detail the well-documented benefits of public art. Research has shown that the arts foster economic development, improve the local business climate, and promote cultural tourism. Public art also enhances aesthetics and creates a strong sense of place within a community. Art in public places provides psychological and physiological benefits to citizens and visitors, thus improving overall quality of life.

The Plan should reference and expand upon existing arts-related plans and reports, such as the City's 2009 Comprehensive Plan which recognizes the importance of the arts to the City's character. The Comprehensive Plan's goals include developing downtown as a center for the arts and entertainment as well as adopting policies that promote the arts and culture as integral components of Auburn's economy.



Public Art Commission

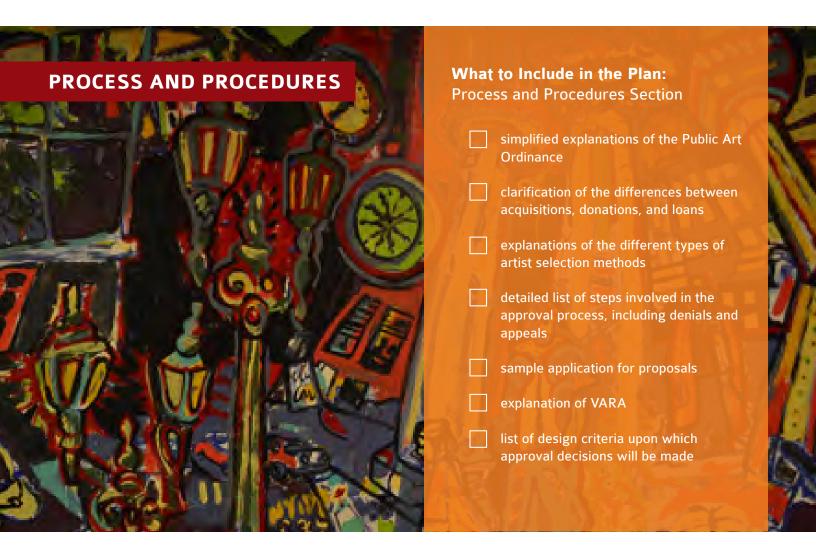
Since the Public Art Commission is the primary regulating entity of the Public Art Program, the Plan should establish the Commission's roles and responsibilities, such as soliciting public art proposals, approving public art applications, and advising the City Council on arts-related decisions. The Plan should also describe the composition of the Commission, the required expertise of Commission members, and the process through which members are selected, either by the Mayor or by existing members.

City Council and Other City Departments

In addition to appointing members to the Public Art Commission, the City Council is tasked with making all final decisions regarding the approval and installation of public art within the City. The Plan should also identify the role of other City departments within the Public Art Program. For instance, at least one representative from both the Office of Planning and Economic Development and the Department of Public Works should serve as nonvoting members on the Public Art Commission. The Department of Public Works will also be involved in the installation and routine maintenance of public art on City right-of-ways. The Plan should determine which City agency or employee should be responsible for accepting applications for public art.

Local Art Organizations

Auburn's economy and tourism industry are supported by its numerous historic sites and cultural institutions including the Auburn Public Theater, the Harriet Tubman Home, and the Schweinfurht Memorial Art Center. The Public Art Plan should list ways to leverage, coordinate, and partner with these existing institutions in order to further public art in the City of Auburn.



Public Art Ordinance

The Public Art Plan should reference and explain the Public Art Ordinance in a less technical manner such that it can be easily understood by the general public. Both the operational procedures and design criteria established in the Ordinance should be fleshed out in the Plan.

Soliciting Public Art

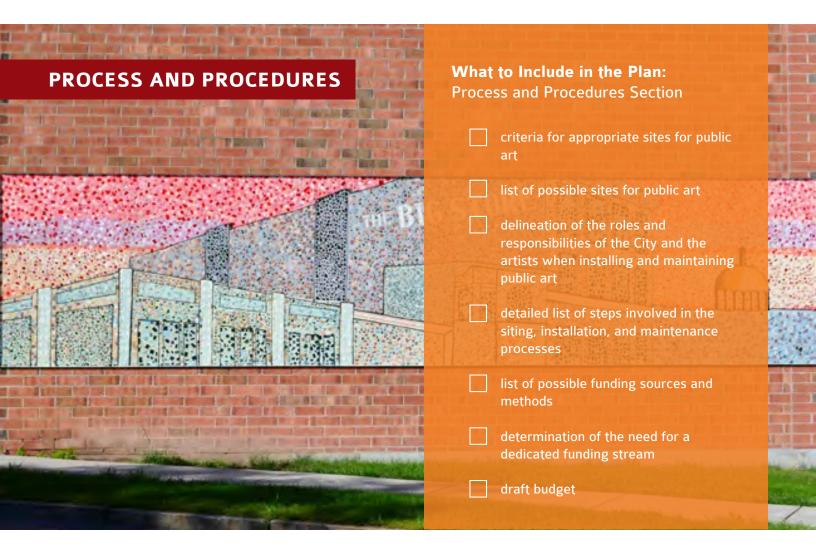
The Plan should distinguish between the three types of acquiring public art – acquisitions, donations, and on-loan items – and the different approval processes required for each type. The various types of artist selection methods, such as open requests for invitations and direct invitations, should also be differentiated.

Approval Process

The Plan should list the steps in the approval process, beginning with the Public Art Commission requesting proposals or qualifications and ending with the approved applicant entering into a contract with the City of Auburn. In such a case where the application is denied, the Plan should explain the process by which the applicant will receive an explanation of the decision. A sample application, including the Visual Arts Rights Act of 1990 (VARA) agreement, should be included in the Plan.

Design Criteria

Approved public art must be compatible with the design criteria identified in the Public Art Ordinance. The Public Art Plan should list these criteria and provide visual examples that either comply or do not comply with the stated criteria.



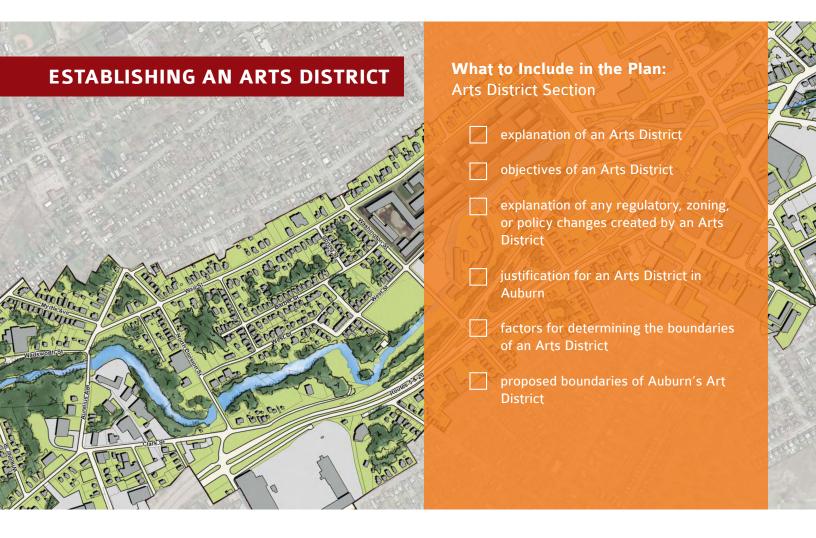
Siting, Installation, and Maintenance

Once an artwork is approved, an appropriate site must be selected. The Public Art Plan should include a list of potential sites for future artworks. The Plan should also list criteria for appropriate sites, such as safety and visibility. If City departments, artists, or the public are involved in the site selection process, their respective roles should be explained. Likewise, the roles of the City and the artist in regards to the installation and routine maintenance of the artwork should also be distinguished. If the artist is to provide the City with a maintenance schedule, the Public Art Plan should identify the components of this schedule, including best materials, costs, and techniques for emergency repair.

Funding

The implementation of a successful Public Art Program is predicated on securing adequate funding. Such funding provides the resources for the Public Art Commission to publicize requests for proposals (RFPs), provide compensation to artists, and routinely maintain the collection. The Public Art Plan should identify potential funding sources, such as percent-for-art programs or state grants, and should determine whether the City should create a dedicated funding stream for the Program. The Plan can also propose a simplified budget for the Program, detailing certain expense categories that might be included in the official budget.

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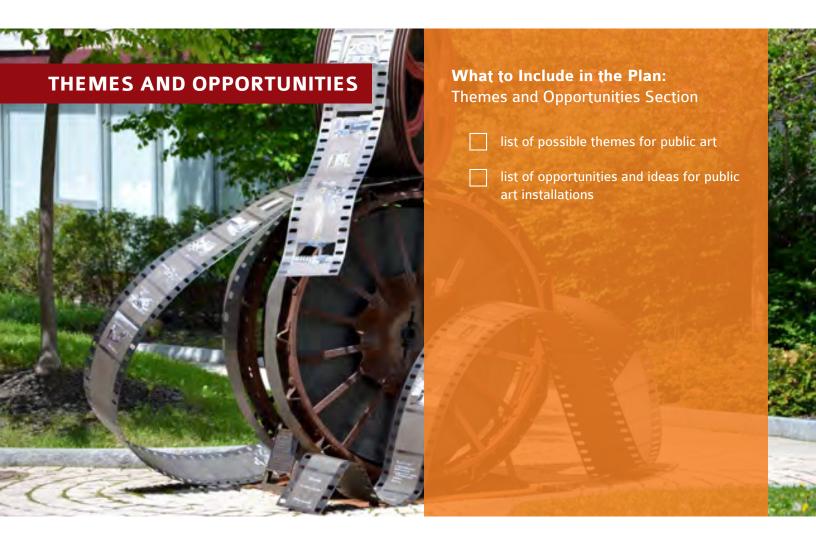
What is an Arts District?

If the Public Art Commission wishes to establish an Arts District within the City of Auburn, the Public Art Plan should define what an Arts District is and justify the reasons for its creation. Such reasons could include promoting art as a vehicle for revitalization, using art for placemaking and marketing purposes, and creating a unique experience for visitors and residents. If the Arts District requires zoning changes or provides incentives for artists, these policies should be explained in the Plan.

Boundaries of the Arts District

The Public Art Plan should finalize the boundary of the Arts District and determine whether this boundary is parcel-specific or a looser, geographic region. The location of the Arts District should consider such factors as walkability, available sites for arts-related uses and installations, and concentration of existing historic and cultural institutions. Other factors to consider when finalizing the boundary of the Arts District include:

- relation to the Historic District
- the possibility of River trail art installations
- the possibility of installations on medians or verges at entrances to the City (i.e. State Street, Route 5 & 20)
- reducing the area enclosed by the boundary, but maintaining impact and walkability
- including City parks in the boundary
- including the Willard Chapel in the boundary
- including Seymour Street in the boundary
- determining which areas should be given priority within the boundary (i.e. Seward Park, the medians)



Historical Themes

Part of what makes Auburn unique is its history of invention, creativity, and the arts. Existing public art in Auburn, like the Wheel to Reel sculpture, celebrates the City's history. Requests for proposals could ask artists to create works related to certain local themes such as:

- notable historical figures from or connected to the area such as Harriet Tubman, William Seward, Elizabeth Cady Stanton, and John D. Rockefeller
- agricultural and technological inventions
- advancement in women's rights, suffrage, and abolition
- breakthroughs in prison reform

Recreation Themes

If the finalized boundary of the Arts District includes City parks and areas along the Owasco River, themes for public art in these areas could relate to recreation.

Other Themes and Opportunities

In addition to the above-stated themes, the Public Art Plan can suggest other themes for public art within the City of Auburn. These themes can be location-specific, meaning that the site of the artwork should reflect and be reflected by the artwork itself. The Plan can also list ideas for public art in Auburn by creating a visual database of successful public artworks in other communities. These ideas can inspire artists and act as a resource for City departments and developers seeking artists to understand the breadth of public art, from manhole covers to murals.



Overview

The following case studies detail how other communities have established and administered public art programs and arts districts. When composing the Public Art Plan, these case studies can suggest different approaches for regulating, approving, and promoting public art.

Case Study ITHACA NEWYORK

In 2002, the City of Ithaca adopted **Public Art Guidelines** which outline specific criteria for the **Public Art Commission (PAC)**. The PAC was established in 1988 to speak to the City of Ithaca's "vision of a model community."

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in partnership with City departments, the PAC is tasked with developing and implementing the Public Art Plan, developing criteria and guidelines for art selection, and reviewing and advising the Common Council on all proposals for the display of public art

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created by the PAC and approved by Common Council, the Plan establishes goals and objectives for public art in the City of Ithaca



outlines specific responsibilities for the PAC including:

identify acceptable forms of art and accompanying definitions

establish regulations for acquired and donated art, which include provisions for safety, suitability, and siting, as well as damage and costs

establish regulations for on-loan items which include all of the provisions above, as well as provisions for insurance

> Approval Criteria

artistic merit and quality



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unrestricted public viewing

ability of artist to respond to site and context

realizes objectives of the acquisition program

installation and maintenance

representation of diverse styles and tastes

Case Study Saint Paul

In 2014, the City of Saint Paul updated its Public Art Ordinance to establish a powerful tool for creating a public arts program. The following elements are critical to the process of providing public art for the city:



privately funded, non-profit public art organization that partners with the city and is tasked with developing the Public Art Ordinance, as well as the Saint Administrato, Paul Public Art Ordinance Guidelines and the Public Art Ideas List (PAIL)

established in 2001, this position is responsible for creating the guidelines and working with the city to operationalize the directives of the ordinance



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includes three documents that formalize the procedures and criteria of the Public Art Ordinance

Public Art Guidelines: establishes the working methods to operationalize the ordinance

Technical Manual: integrates the ordinance into citywide procedures and promotes best practices

PAIL: serves as a resource for ideas and examples to spark imagination and begin conversation

Approval

Criteria

artistic merit and originality



represents and engages in diversity

- local and national significance
- attention to safety, durability, and budget
 - design for public viewing and context
 - availability and timely installation

representation of many styles and tastes

Case Study SYRACUSE YOR E W

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In 2007, the City of Syracuse adopted a Public Art Ordinance in order to streamline the public art application and review process. The Ordinance established the following proce commission Proce regulatory process:

11-member board tasked with approving public art applications, creating and implementing the Public Art Master Plan, developing proposals to solicit coordinato, additional public art, and advising the City on the installation of public art

responsible for overseeing the public art approval process, assisting the Public Art Commission, keeping an inventory of all public art in the City, and promoting public art



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must be submitted for any proposed art on public land or right-of-way within the City

proposed site and location of installation must be approved by applicable departments

once site is approved, application is forwarded to PAC for review

PAC either approves or denies application based on design guidelines and criteria

> Approval Criteria









unrestricted public viewing

installation and maintenance

representation of diverse styles and tastes

Case Study WAKE FOREST NORTH CAROLINA

In 2009, the Town of Wake Forest adopted a **Public Art Vision Plan** and **Ordinance**. The Town also established a **Public Art Commission** in order to facilitate the creation of art in public spaces.



9-member board tasked with creating a public art policy and annually submitting a municipal public art plan to the Wake Forest Board of Commissioners



implementation guidelines for establishing liaisons between the Commission and relevant agencies, and for obtaining proposals for public art including RFQs and RFPs



designated by the Public Arts Commission (PAC) to evaluate potential artists

solicits information from artists through an RFQ, which is preferred, or an RFP

reviews and evaluates materials submitted by artists based on approval criteria

prepares and submits a report to the PAC

Approval Criteria



Collection diversity

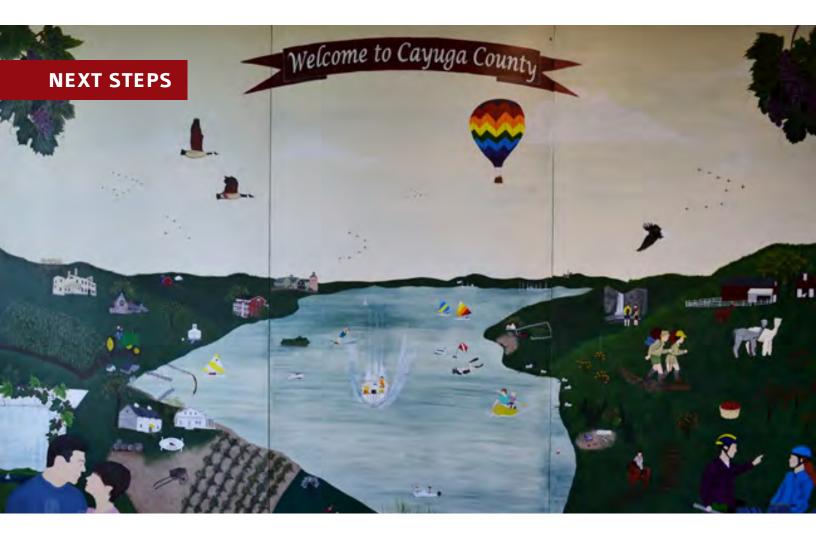
Bability to respond to site and context



unrestricted public viewing

🕤 installation and maintenance

representation of many styles and tastes



Outstanding Items

In order to develop the Public Art Plan, the following steps should be followed:

- 1. adopt the Public Art Ordinance
- 2. establish the Public Art Commission and identify potential members
- 3. develop the Public Art Plan
- 4. identify potential funding streams for the Public Art Program