



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: June 18, 2014

Sponsored by Council Members: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat

Introduced by Committee: Planning and Community Development

ORDINANCE

entitled

AN ORDINANCE ADOPTING THE CITY OF
BINGHAMTON'S COMPREHENSIVE PLAN

WHEREAS, the Council of the City of Binghamton adopted Permanent Ordinance 03-43 on May 5, 2003, entitled "An Ordinance Adopting the Comprehensive Plan of the City of Binghamton"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 11-137 on December 21, 2011, entitled "A Resolution Authorizing the Mayor to Accept and Enter into an Agreement for \$486,058.00 in Grant Funds from the Department of Housing and Urban Development's 2011 Community Challenge Planning Grant Program," with the intent that such funds would be used to assist the City in updating the 2003 Comprehensive Plan and review a Form-Based Code; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 12-68 on September 19, 2012, entitled "A Resolution Authorizing the Mayor to Enter into a Contract with InterFace Studio, LLC for Professional Services Related to the Community Challenge Grant for the Comprehensive Plan Update and Form-Based Code", and Permanent Ordinance 13-104 on December 18, 2013, entitled "An Ordinance Authorizing a Transfer in the Community Development Block Grant FY 37 Budget, and Authorizing an Increase of up to \$10,000 in Contractual Expenses with InterFace Studio"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 13-86 on November 6, 2013, entitled "A Resolution Declaring the Council of the City of Binghamton as Lead Agency under SEQRA for the Update Study to the City's 2003 Comprehensive Plan and Authorizing Preparation of a Draft GEIS"; and

WHEREAS, InterFace Studio, LLC and the Department of Planning, Housing and Community Development held numerous public meetings to solicit comments from City residents and community members; and

WHEREAS, a draft Comprehensive Plan was presented to the Council of the City of Binghamton on Friday March 7, 2014, after which Council held numerous public meetings with InterFace Studio, LLC, and staff from various City of Binghamton departments and outside agencies to review and modify the draft document; and

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WHEREAS, the Planning Commission held a public hearing on the proposed Comprehensive Plan on May 5, 2014; and

WHEREAS, the City of Binghamton held a preliminary public hearing on the proposed Comprehensive Plan on May 7, 2014; and

WHEREAS, after the preliminary public hearings held by the Planning Commission and the City of Binghamton, the Council of the City of Binghamton held additional public meetings to review comments received from members of the public and outside agencies, and to develop a final version of said Comprehensive Plan; and

WHEREAS, the City of Binghamton held a public hearing on the Comprehensive Plan on June 18, 2014; and

WHEREAS, the Council of the City of Binghamton listed the adoption of the Comprehensive Plan as Type 1 action under SEQRA, completed and reviewed a Final Generic Environmental Impact Statement, and issued a negative declaration under SEQRA; and

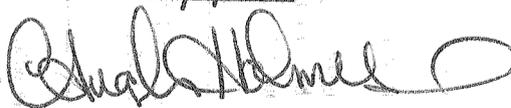
WHEREAS, once adopted, the Comprehensive Plan will serve as a policy document to guide the City's existing and future leaders regarding capital expenditures and sustainable development.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the City of Binghamton hereby adopts the Comprehensive Plan attached hereto and incorporated herein by reference as the Comprehensive Plan of the City of Binghamton.

Section 2. That this Ordinance shall take effect immediately.

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 7/23/14. Approved by the
Mayor on 8/1/14.



Motion to approve legislation.
Moved by Webb, seconded by Motsavage.

Motion to hold legislation.
Moved by Berg, seconded by Papastrat.
Legislation held.

Second reading legislation occurred
at the Business Meeting on July 23,
2014.

Motion to approve legislation.
Moved by Webb, seconded by Motsavage.
Motion carried. Legislation adopted
(See "Final Vote").

Introductory No. 014-34

Permanent No. 014-34

Sponsored by City Council Members:
Webb, Mihalko, Berg, Mtsavage, Matzo, Rennia,
Papastrat

AN ORDINANCE ADOPTING THE CITY OF
BINGHAMTON'S COMPREHENSIVE PLAN

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date JULY 23, 2014
[Signature]
City Clerk

Date Presented to Mayor JUN 24, 2014

Date Approved 5/11/14
[Signature]
Mayor

"Final Vote"

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat				
Matzo	✓			
Berg	✓			
Total	6	0	0	1

Code of the City of Binghamton

Adopted Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent

State Environmental Quality Review
Findings Statement

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617, the Binghamton City Council as the Lead or an Involved Agency makes the following findings.

Name of Action: City of Binghamton Comprehensive Plan Update and Main Street Court Street Corridor Plan

Description of Action:

The Proposed Action is the adoption of the City of Binghamton Comprehensive Plan Update (Blueprint Binghamton). The Comprehensive Plan is a blueprint for the city's future that will provide guidance for future planning and zoning for the next ten years. An alternative to the Proposed Action included the adoption of the plan update with a Form-Based Code for the Main and Court Street Corridor. The corridor plan is still being evaluated.

Location:

City of Binghamton, Broome County, New York

Agency Jurisdiction:

City of Binghamton

Date Final Environmental Impact Statement Filed:

June 18, 2014

Facts and Conclusions Relied on to Support the Decision:

1. SEQR Requirements

Part 617 of the implementing regulations pertaining to Article 8 of the NYSDEC ECL requires that comprehensive plans follow a SEQR review process before they are adopted. A Generic Environmental Impact Statement (GEIS) was prepared to evaluate the impacts of the adoption of the City of Binghamton Comprehensive Plan Update (Proposed Action) and Main Street/Court Street Corridor Plan by City Council. This findings statement represents the conclusion of the SEQR process, which is summarized below:

On November 6, 2013, Binghamton City Council declared itself Lead Agency for the study to update the Comprehensive Plan and development of the Main Street/Court Street Corridor Plan (Form-Based Code). City Council identified the adoption of the Comprehensive Plan Update and Form Based Code as a Type 1 Action and issued a Determination of Significance - Positive Declaration. A Full Environmental Assessment Form was completed to support the determination.

A public scoping session was held on January 22, 2014.

The Draft GEIS for the Proposed Action, prepared with the assistance of the consultant team, was completed and notice was made in the Environmental Notice Bulletin (ENB) on March 25, 2014.

The public comment period on the DGEIS opened on March 25, 2014 and extended through May 15, 2014. A public hearing on the Draft City of Binghamton Comprehensive Plan Update/Main Street Court Street Corridor Plan and Draft GEIS was held on Monday May 5, 2014. No comments were made on the DGEIS.

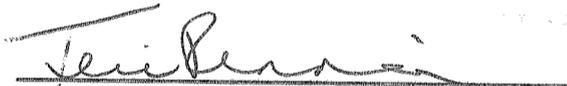
The Final GEIS was accepted by Binghamton City Council on June 18, 2014, and a Notice of Completion filed. The Final GEIS and Notice of Completion were circulated and filed with interested agencies on June 19, 2014. Copies were also made available at City of Binghamton Department of Planning Housing and Community Development, and at the project website www.binghamton-ny.gov. Please see attached sheet for continued documentation.

Certification To Approve/Fund/Undertake :

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Name of Agency


Signature of Responsible Official

Teri Rennia

Name of Responsible Official

Council Member 3rd District
Title of Responsible Official

7/9/14
Date

Address of Agency

Binghamton City Council
Binghamton City Hall
38 Hawley Street
Binghamton, NY 13901

cc: Other Involved Agencies
Applicant

Certification To Deny :

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have not been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that does not avoid or minimize adverse environmental impacts to the maximum extent practicable, and that adverse impacts will not be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will not achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Name of Agency

Signature of Responsible Official

Council Member 3rd District

Title of Responsible Official

Name of Responsible Official

Date

Address of Agency

Binghamton City Council
Binghamton City Hall
38 Hawley Street
Binghamton, NY 13901

cc: Other Involved Agencies
Applicant

Re-Set Form

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2. Decisions and Rationale for Agency's Decision

Binghamton City Council concludes that the adoption of the Comprehensive Plan conforms to the certifications required by 6 NYCRR Part 617.11(d)(5). After discussions with the consultant team and consideration of comments received during the public review process, City Council believes that no significant adverse environmental impacts are anticipated from the adoption of the proposed Comprehensive Plan Update, Blueprint Binghamton, which has been prepared to guide future development in accordance with sound land use and environmental management practices. Since the Main and Court Street Corridor Plan (i.e. Form-Based Code (FBC)) and alternatives are still being evaluated by the city, supplemental SEQR work is anticipated for that component of the project. As such, this Findings Statement has been prepared for the adoption of the Comprehensive Plan only, and does not include the FBC for the Main Street/Court Street Corridor.

As indicated in the DGEIS, some of the Comprehensive Plan's recommendations, if implemented, may have minor fiscal impacts; others may require feasibility studies to further assess the suitability of programs, systems and suggested improvements. This does not constitute an environmental impact for purposes of SEQR. Furthermore, the anticipated long-term benefits of the proposed recommendations outweigh anticipated funding costs.

Binghamton City Council is under no legal obligation to approve the proposed Comprehensive Plan Update or the Main Street/Court Street Corridor Plan; the No Action Alternative represents the option of not adopting the proposed Comprehensive Plan Update. The No-Action Alternative assumes that the Update to the Comprehensive Plan would not be adopted. Under this alternative, current land use patterns would continue as they are today and in accordance with the 2003 Comprehensive Plan and existing zoning regulations.

If the city chooses not to adopt the Comprehensive Plan Update, future actions would be guided by an outdated plan and would lose the benefits of recent studies, public input, vision, refined objectives and focused strategies, and recommendations that have been realized as a result of the extensive outreach and planning process conducted for this update.

None of the recommendations proposed in the Comprehensive Plan Update will lead directly to development or associated impact. Furthermore, all future actions (i.e. zoning, land use policies and development) within the city are subject to future review under SEQR and will be administered by the city.

City of Binghamton Comprehensive Plan Update
SEQR Findings Statement Attachment

3. Facts and Conclusions Relied Upon to Support the Adoption of the City of Binghamton Comprehensive Plan Update

Binghamton City Council finds, upon due consideration of the DGEIS and the FGEIS, as well as information derived from the public and city review processes, that the proposed adoption of the City of Binghamton Comprehensive Plan Update, Blueprint Binghamton, will not have a significant adverse impact on the environment for the following reasons:

A. Economic Development

The Comprehensive Plan Update includes an updated set of strategies and actions that will proactively guide growth and development of the city including redevelopment of BOA's and creation of an Industrial Preservation Area and Business Improvement District. The economic development portion of the plan also identifies strategies to attract desired uses, enhance aesthetics and improve visual identity, and provide more activities downtown to encourage commuters to stay downtown after work. Implementation of these strategies will have potentially beneficial effects on community character and quality of life.

B. Housing

The Comprehensive Plan Update includes the adoption of general policy initiatives and recommended action areas to guide and facilitate future development in the city. Identified strategies are intended to reduce blight, improve housing conditions, guide housing options, e.g., student housing, to strategic locations, and provide a mix of housing types to compete with neighboring areas thus encouraging more residents to live in Binghamton. Additionally, housing recommendations focus on achieving greater flood protection for downtown by rebuilding or rehabilitating existing vacant or underutilized structures to provide affordable housing outside the floodplain. The plan also supports smart growth by including strategies that support seniors and students living in close proximity to services they rely on. As a result, impacts on environmental resources will be minimized.

C. Transportation

The Comprehensive Plan Update includes strategies to effectively manage infrastructures, balance parking supply, and demand; and improve transit, pedestrian, and bicycle accommodations. Many of the recommendations would require the city to conduct further studies related to excessive infrastructure; city-wide bike network and infrastructure plans; parking and potential new programs such as a Parking Improvement District and options for parking in neighborhood/commercial type zones. If implemented, some of the recommendations may have minor upfront fiscal impacts; however, this does not constitute an impact under SEQR. The recommendations are intended to benefit the city by minimizing maintenance costs and improving the safety and convenience of transit, walking, and biking. Walking, biking, and transit support healthier lifestyles and a healthier environment by reducing carbon emissions and encouraging physical activity.

D. Infrastructure and Water Resources

The Comprehensive Plan Update includes strategies that address energy, utilities, and operating costs in an era of budget cuts; a portion of the plan also provides strategies to address the volume and quality of water flowing downstream, which threaten Binghamton's riverfront and low-lying properties during riverine flood events. The adoption of the Comprehensive Plan Update would commit the city to the implementation of strategies to address city services, facilities, and infrastructure. Specific recommendations for reducing water, energy, and overall operating costs may warrant a feasibility study by the city to further assess the suitability of measures. In general, the recommendations provided in the infrastructure component of the Comprehensive Plan Update support reduced flooding, improved river water quality, reduced use of resources, and a decrease in maintenance and operating costs, which would result in positive social and environmental impacts.

E. Environment, Open Space and Recreation

The Comprehensive Plan Update identifies strategies for ordinances and programs to target composting and recycling. It also encourages partnerships with community groups and local businesses to further support beautification, active recreational spaces, and economic development. Proposed strategies including trail extensions, easements along the waterfront, and expanded maintenance programs are all aimed at protecting open space, recreational and scenic resources. As a result a positive impact on environmental resources is anticipated.

F. Land Use and Zoning

The Comprehensive Plan Update identifies strategies for future land use that seek to reinforce areas of stability within the city and adjust allowable land uses in underperforming areas to make room for development that meets emerging or demonstrated market potential while balancing development with the need for environmental sensitivity in the city's flood-prone zones. Included in the plan is a recommendation for the city to review potential amendments to the zoning ordinance to improve business corridors, including consideration of new zoning for the Court Street – Main Street Corridor. This review should include a review zoning amendments that seek to improve development standards. Proposed changes to the land use map will not translate to immediate development changes; the recommended changes would guide land use decisions and zoning code. In general, the recommendations promote improved aesthetics and community character and protect the city's environmental resources.

G. Historic, Cultural and Visual Resources

The Comprehensive Plan Update includes recommendations that encourage historic preservation to maintain neighborhood character. The historic, cultural, and visual resource strategies included in the Comprehensive Plan Update include measures that are protective of and recommend improvements that would have a positive effect on historic, cultural, and visual resources. Therefore, a positive impact is anticipated.

City of Binghamton Comprehensive Plan Update
SEQR Findings Statement Attachment

4. Mitigation Measures

The adoption of the Comprehensive Plan Update will not generate adverse impacts and the need for mitigation measures. The goals and objectives identified in the Comprehensive Plan Update are anticipated to strengthen the City of Binghamton's environment and natural resources by minimizing development in the floodplain, targeting flood risk properties for open space, encouraging trail connections, promoting walkability, and enhancing community character. Mitigation measures may be required for individual projects that are proposed for development in accordance with the visions outlined in the plan.

Some of the recommendations included in the Comprehensive Plan Update would have minor fiscal impacts to conduct feasibility studies or address a specific program, service, or infrastructure improvements. However, the long term benefits of the recommendations are anticipated to outweigh the initial costs. Additionally, as identified in the Comprehensive Plan Update, upfront costs will be offset through partnerships, local foundations, grant programs and savings realized as a result of decreased maintenance costs.