

**CITY COUNCIL WORK SESSION
CITY OF WATERTOWN
November 14, 2022
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

Present: Council Member Patrick J. Hickey
Council Member Clifford G. Olney III
Council Member Sarah V.C. Pierce
Council Member Lisa A. Ruggiero
Mayor Jeffrey M. Smith

Also Present: Kenneth A. Mix, City Manager

City staff present: Geoffrey Urda, Michael Lumbis, Jennifer Voss

DISCUSSION

Zoning Re-Write Update and Discussion

Michael Lumbis, Planning and Community Development Director, began the presentation by reintroducing Lisa Nagle of Elan Planning, Design & Landscape Architecture and Lawrence Howard Esq. He reminded Council that, at the September work session, Council was given an overview of the draft Zoning Ordinance by staff from Elan Planning and the City's Planning Department. Using input from three public open houses as well as from the work session, the City of Watertown Zoning Re-Write Steering Committee worked together to make changes which will be presented at tonight's work session. He explained that any remaining questions or concerns Council has can be discussed before the adoption process begins. Once the draft has been finalized, it will need to be reviewed by the City Planning Board and the Jefferson County Planning Board. The next step will be for Council to hold a public hearing. After the public hearing, the SEQR will need to be completed and then Council can adopt the new ordinance. The adoption process is estimated to take approximately two or three months. He added that a complete copy of the updated draft can be found on the City's website.

Ms. Nagle addressed Council and explained that after two more public sessions and September's Work Session, she met with the steering committee and a map was drafted of the changes which were discussed at the September work session. She pointed out that one of the bigger changes made was to Resident Zoning Districts. She explained that after listening to concerns of Council, staff removed more of the higher intensity uses that would be allowed in that particular district. She discussed at length the main changes to the Residential District, which included the removal of townhouses, community residential facilities and co-housing, as well as the conversion of larger homes. In regard to the conversion of larger homes, she said there is a cap of five units, with the average size of the units being 800 square feet, and the exterior shall maintain appearance of a single-family home.

Council Member Ruggiero asked if there would need to be exterior staircases and wondered how this will affect the appearance of a structure.

Ms. Nagle said that would be a building codes issue, however, it could affect the number of units that would be allowed in the dwelling.

Mr. Lumbis explained that there has to be a minimum of 4,000 square feet in order to do any conversions. He added that the GIS department viewed the number of homes in the area which met the threshold of 4,000 square feet and concluded that there were only twenty to 25 houses which met these criteria.

Mayor Smith asked about parking codes.

Ms. Nagle replied that no parking is allowed in a front yard.

Council Member Ruggiero asked if properties that are now allowed to park on the front lawn would be grandfathered in.

City Planner Jennifer Voss said only those houses that currently have variances to park in a front yard would be grandfathered in.

Attorney Howard summarized the parking requirements and explained that, if there is not parking available, it will compromise the development of the houses into more units. He added that alternatives would have to be offered, such as off-street parking.

Mayor Smith pointed out there is no parking on City streets between November and April in the night hours.

Council and staff then discussed the pros and cons to parking situations that are already grandfathered in and how changes can be made that are fair to everyone while maintaining the dignity of the property.

Council Member Olney asked if more affordable housing is possible in places that are currently not allowed to have low-income housing.

Ms. Nagle explained that market forces change, and people desire different types of housing in different periods of life. She added that the population of the City can change and this can become a problem. She pointed out that changes can always be made when adopting new zoning rules and, in New York State, planning boards and commissions have the ability to continually review and make changes.

Ms. Nagle then summarized the topic of drive-thrus, explaining they are not allowed in Urban Mixed-Use areas, which are at the edges of downtown. She reviewed some of the existing drive-thrus in the City and said the committee decided to add them to site plan reviews and drew Council's attention to the map, pointing out the areas that could and could not have future drive-thrus. Much discussion surrounded site guidelines and Urban Mixed-Use areas and the areas that currently allow drive-thrus and what the future holds for other areas that could potential be granted drive-thrus.

Discussion shifted as Ms. Nagle told Council about a phone call she received from representatives from White's Lumber who had concerns about the potential changes to zoning in their area. She explained to Council that White's Lumber is considered an industrial use area mixed in with retail while High Street has a welding building. She said a non-conforming use is fine and some of the long-standing businesses such as White's Lumber and Knowlton Brothers need to be recognized. She explained that "pre-existing industrial use" was added to UMU (Urban Mixed Use) and NMU (Neighborhood Mixed Use) areas.

Ms. Nagle then drew Council's attention to the topic of warming shelters. She said that there was a lot of public input surrounding this topic. She said that warming shelters and adult day care facilities are two different things and there was no need to make a new use for warming shelters. Discussion then turned to the definition of adult day care.

Attorney Howard summarized the definition, highlighting that it is restricted to daytime use only unless there is a weather emergency, in which case people would be allowed in during the evening.

Mayor Smith asked if there is a limit on how many people would be allowed in these facilities.

Attorney Howard explained it would all depend on the building code.

A lengthy conversation as to where the warming shelters should or should not be occurred. Mayor Smith expressed concerns about families moving into areas that provide these shelters and whether it will make neighborhoods less appealing.

Council Member Ruggiero told Council that she went to the open house at the Angels Inn/Pine Street shelter, which is run by Transitional Living Service. She pointed out that there are many restrictions as to who can use the facility. She noted it is also being used as a facility to help men get back on their feet and will help with job searching. She added it is much more than a warming shelter.

Ms. Nagle summarized the non-conforming uses, SEQRA compliance and the existing project review status.

Mayor Smith asked for a more thorough explanation of what "grandfathered-in" means.

Attorney Howard explained that grandfathering is a common term for non-conforming use and is consistent with each case. He summarized the different examples that could pertain to each individual case. He also explained that if a business is not active for 12 months, it can lose its grandfather status. Under certain circumstances, such as the pandemic, one could apply for a special use permit.

Mayor Smith expressed concern about the fairness of special use permits and the restrictions that could be potentially put on the permits, especially for local restaurants during times like the pandemic. He stressed the importance for the zoning changes to be clear and understandable, not only for this Council, but for future Councils.

Further discussion took place about the benefits of having professional staff make the difficult decisions while allowing Council to play more of the legislative role and the benefits of giving the Planning Commission a little extra muscle to make decisions.

Ms. Nagle reiterated that having one board make the decisions is the common way in New York State and keeps politics out of the decision-making process.

Council Member Olney stressed the importance of the City encouraging more businesses to come to the area and suggested making sure there is a fair system in place to do just that.

Mayor Smith asked Samuel Thomas, member of the Zoning Board of Appeals, for his input.

Mr. Thomas said he agrees with the approach staff is taking and he is impressed with many of the points that are being made. He stressed that he is concerned for the future of certain areas of the City, such as

Washington Street, and added that Council needs to be aware of the importance of certain topics, such as absentee landlords and the impact they will have on the City in the future.

Mayor Smith suggested there be some more open houses to gather public input. He indicated that posting the changes on the website is a good way to keep the public informed. He also agreed with Mr. Thomas about concerns for the future of Washington Street, including upper Washington Street where it has always been a nice residential area. He stressed these are the concerns that future Councils need to recognize, adding that it is important to respect the things that people do not want in certain areas and how to address it up front. He stressed the importance of knowing what a neighborhood will look like in 20 or 30 years.

Ms. Voss clarified that all information and changes have been posted on the website since August and no additional comments have been received.

Mr. Lumbis told Mayor Smith that his concerns and opinions, along with those of Council, are what the Steering Committee has been focusing on for the last few years, going parcel to parcel and block to block. He said that the Committee welcomes all concerns and input. He asked Mayor Smith where he wants to go from this point.

Mayor Smith reiterated that he wants more public outreach and would be in favor of at least one more open house.

Council Member Olney agreed, saying he would also like to see more of a push for public input. He also asked staff if there is anything that has been proposed that they might not agree with or things that they feel could be added to the plan.

Ms. Nagle responded that it has been a pleasure working with the City and staff and that the work sessions have been really helpful. She explained there are a lot of moving parts to the plan and added that she is very pleased with the document.

Attorney Howard added that all their ideas have been well received, making the job a lot more tolerable and much easier to work with staff.

Mayor Smith asked what a good deadline for any more public comments should be, suggesting the end of the year.

All agreed that this was an acceptable time frame and agreed to hold another open house in the near future.

Work session ended at 8:30 p.m.

Margaret M. Puccia
Deputy City Clerk