

## **City of Plattsburgh LWRP Appendices**

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## **Appendix A Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect**

### **A. Purposes of Guidelines**

1. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain State agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of the approved City of Plattsburgh Local Waterfront Revitalization Program (LWRP). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
2. The Act also requires that state agencies provide timely notice to the municipalities whenever an identified action will occur within the area covered by the approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the municipalities in carrying out their review responsibilities in a timely manner.
3. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by the municipalities that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

### **B. Definitions**

1. Action means:
  - a. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
  - b. Occurring within the boundaries of the approved LWRP; and
  - c. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the approved LWRP.
2. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of the approved LWRP, then the action must be one:
  - a. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
  - b. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
  - c. That will result in an overriding regional or statewide public benefit.
3. Local Waterfront Revitalization Program, or LWRP, means the program prepared and adopted by the City of Plattsburgh and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water, and man-made resources, proposed land uses and specific projects that are essential to program implementation.
4. Municipality refers to the City of Plattsburgh.

5. Municipal chief executive officer for the City of Plattsburgh is the City Mayor.
6. Local program coordinator is the designated person (or a Committee) responsible for the preliminary review of proposed actions within the waterfront area for consistency with an approved LWRP and consistency recommendations for the final determination of consistency that will be made by the local government. For the City of Plattsburgh the local program coordinator is the Director of Community Development.

**C. Notification Procedure**

1. When a state agency is considering an action, as described in “Definitions,” within the defined boundary of the LWRP, the state agency shall notify the Director of Community Development of the City of Plattsburgh.
2. Notification of a proposed action by a state agency:
  - a. Shall fully describe the nature and location of the action;
  - b. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and the municipality;
  - c. Should be provided to the Director of Community Development as early in the planning stages as possible, but in any event at least 30 days prior to the agency’s decision on the action. The timely filing of a copy of a completed Waterfront Assessment Form (WAF) to the Director of Community Development of the City of Plattsburgh should be considered adequate notification of a proposed action.
3. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the Director of Community Development can serve as the state agency's notification to the City of Plattsburgh.

**D. Local Government Review Procedure**

1. Upon receipt of notification from a state agency, the municipality will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the Director of Community Development of the City of Plattsburgh, the state agency should promptly provide the City with whatever additional information is available which will assist the City to evaluate the proposed action.
2. If the municipality cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the municipality's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
3. If the municipality does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the approved LWRP.
4. If the municipality notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in E. below shall apply. The municipality shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the municipality shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

## **E. Resolution of Conflicts**

1. The following procedure applies whenever the municipality has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP:
  - a. Upon receipt of notification from the municipality that a proposed action conflicts with its approved LWRP, the state agency should contact the Director of Community Development of the City of Plattsburgh to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and municipal representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the municipality.
  - b. If the discussion between the municipality and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the municipality shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The State agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
  - c. If the consultation between the corresponding municipality and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary of State within 15 days following the discussion between the municipality and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.
  - d. Within 30 days following the receipt of a request for assistance, the Secretary, or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and municipality.
  - e. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
  - f. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

**Appendix B** **Local Waterfront Revitalization Program Consistency Review**  
**And Development Design Guidelines**

**Amendment to Chapter 360 Zoning**

**Revisions to the Overlay District—Waterfront**

**Incorporating the Local Waterfront Revitalization Program Consistency Review Law  
and Development Design Guidelines**

**I. Establishment of district and purpose.**

- A. The purpose of the Overlay District--Waterfront (OD-W) is to provide special controls to guide land use and development within the waterfront areas of the City. The regulations are designed to protect the sensitive waterfront areas and to maintain consistent land use with the City of Plattsburgh's Local Waterfront Revitalization Program (LWRP). The OD-W regulations are not intended to be substituted for other zoning district provisions. The overlay district is superimposed on the principal zoning district provisions and should be considered as additional requirements to be met in establishing a use within the respective principal zoning district.
- B. The Official Zoning Map is amended and revised to establish and include the updated configuration of the Overlay District-Waterfront.
- C. The consistency review process provides a framework for the agencies of the City of Plattsburgh to incorporate the policies and purposes contained in the City of Plattsburgh Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions located within the waterfront area; and to assure that such actions and direct actions undertaken by City agencies are consistent with the LWRP policies and purposes.
- D. It is the intention of the City of Plattsburgh that the preservation, enhancement, and utilization of the unique waterfront area of the City of Plattsburgh occur in a coordinated and comprehensive manner to ensure a proper balance between the protection of natural resources and the need to accommodate growth. Accordingly, these provisions are intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: degradation or loss of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic or historical resources; losses due to flooding, erosion, and sedimentation; impairment of water quality or permanent adverse changes to ecological systems.

**II. Permitted uses.**

- A. Those uses otherwise permitted in the underlying districts shall be permitted in accordance with the regulations applicable thereto.
- B. In addition to any other provisions of this chapter applying to them, lots, lands and structures in the Overlay District--Waterfront shall be subject to the policies contained in the City of Plattsburgh's Local Waterfront Revitalization Program as such document may be amended from time to time, as well as the provisions of this article.

**III. Applicability.**

- A. Waterfront Revitalization Area. The waterfront area (a.k.a. waterfront revitalization area) as set forth in the LWRP maps and as described in the LWRP documents shall be coterminous with the City of Plattsburgh Waterfront Overlay District.
- B. Type I actions and all Unlisted Actions where a lead agency of the City of Plattsburgh has been designated under coordinated review as defined by the State Environmental Quality Review Act (SEQRA) within the Waterfront Revitalization Area will be subject to review by the designated Lead Agency for consistency review as set forth herein.
- C. Consistency Provision for Uncoordinated Review. All proposed Unlisted Actions where a lead agency has been designated under coordinated review as defined by the State Environmental Quality Review Act (SEQRA) within the Waterfront Revitalization Area will be subject to review for consistency review as set forth herein. Only one local agency shall be required to make a consistency review determination in the order as set forth below:
  - 1. Common Council shall be responsible for consistency review of any Common Council action.
  - 2. Planning Board shall be responsible for consistency review of any Planning Board action.
  - 3. Zoning Board of Appeals shall be responsible for consistency review of any Zoning Board of Appeals action.
  - 4. Any other local agency shall be responsible for consistency review of its action.
  - 5. If multiple City agencies have review/funding/or direct action responsibility, the Mayor shall designate a lead agency for Consistency Review under this law.
- D. Local Review of Proposed State and Federal Actions. Any proposed State and federal actions within the City of Plattsburgh's Waterfront Revitalization Area are subject to review in accordance with the guidelines established by the New York State Department of State.

#### **IV. Definitions.**

- A. Actions – include all the following, except minor actions:
  - 1. projects or physical activities, such as construction or other activities that may affect natural, or manmade, or other resources in the waterfront area, or the environment by changing the use, appearance or condition of any natural resource or structure, that: (1) are directly undertaken by an agency; (2) involve funding by an agency; or (3) require one or more new or modified approvals from an agency or agencies;
  - 2. agency planning and policy-making activities that may affect the environment and commit the agency to a definite course of future decisions;
  - 3. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
  - 4. any combination of the above.
- B. Agency – any board, agency, department, office, other body, or officer of the City of Plattsburgh.

- C. Waterfront area - the waterfront revitalization area located within the boundaries of the City of Plattsburgh and delineated and described in the City of Plattsburgh Local Waterfront Revitalization Program.
- D. Waterfront Assessment Form - the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the City of Plattsburgh Local Waterfront Revitalization Program.
- E. Code Enforcement Officer - the Building Inspector and/or Code Enforcement Officer of the City of Plattsburgh.
- F. Consistent – the action will fully comply with the LWRP policy standards, conditions and objections and, whenever practicable, will advance one or more of them.
- G. Direct Actions – Actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rule-making, procedure-making and policy-making.
- H. Environment - means all conditions, circumstances, and influences surrounding and affecting the development of living organisms or other resources in the waterfront area.
- I. Local Waterfront Revitalization Program (LWRP) – The Local Waterfront Revitalization Program of the City of Plattsburgh, approved by the Secretary of State pursuant to the Waterfront Revitalization and Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Clerk of the City of Plattsburgh.
- J. Minor actions include the following actions, which are not subject to review under this law:
  - 1. actions or classes of actions identified as Type II actions in the State Environmental Quality Review Regulations at 6 NYCRR Part 617;
  - 2. Any action listed as type II by another agency in that agency's duly adopted type II list, when such action is the subject of an application to the City by such agency for funding or permit approval;
  - 3. maintenance or repair involving no substantial changes in an existing structure or facility;
  - 4. replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by local law where structures may not be replaced, rehabilitated or reconstructed without a permit;
  - 5. repaving of existing paved highways not involving the addition of new travel lanes;
  - 6. The construction or reconstruction of bikeways, walkways, pedestrian bridges and the like, where no more than minor amounts of right-of-way need be acquired;
  - 7. street openings and right of way openings for the purpose of repair or maintenance of existing utility facilities;
  - 8. maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected;



9. granting of individual setback and lot line variances, except in relation to a regulated natural feature;
10. minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
11. installation of traffic control devices on existing streets, roads and highways;
12. mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
13. information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
14. official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
15. routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
16. conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
17. collective bargaining activities;
18. investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
19. inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
20. purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
21. adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
22. engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
23. civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
24. adoption of a moratorium on land development or construction;

25. interpreting an existing code, rule or regulation;
26. designation of local landmarks or their inclusion within historic district;
27. emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
28. local legislative decisions such as rezoning where the Common Council determines the action will not be approved.

**V. Management and Coordination of the Review of Actions.**

- A. The Director of Community Development shall be responsible for overall management and administration of the LWRP. The Mayor may appoint a Waterfront Revitalization Committee, with appointments confirmed by the Common Council, or may delegate this responsibility to another existing committee or board of the City as approved by the Common Council to assist the Director of Community Development in performing these responsibilities. The Mayor with support of the Director of Community Development, or the Waterfront Revitalization Committee, if appointed, shall:
  1. Inform the Common Council on implementation, priorities, work assignments, timetables, and budgetary requirements of the LWRP.
  2. Make applications for funding from State, Federal, or other sources to finance projects under the LWRP.
  3. Coordinate and oversee liaison between City agencies and departments, to further implementation of the LWRP.
  4. Prepare an annual report on progress achieved and problems encountered in implementing the LWRP, and recommend actions necessary for further implementation to the Common Council.
  5. Perform other functions regarding the waterfront area and direct such actions or projects as are necessary, or as the Common Council may deem appropriate, to implement the LWRP.
  6. Coordinate with NYS Department of State (DOS) regarding consistency review for actions by State or federal agencies. Coordination shall include providing an informal opinion on the proposed action to DOS, at DOS's request, within 15 days of said request, regardless of any requirement for a local consistency decision.
- B. In order to foster a strong relationship and maintain an active liaison among the agencies responsible for implementation of the LWRP, the shall schedule at least semi-annually a local waterfront revitalization coordinating meeting, including but not limited to representatives of the Common Council, Planning Board, Waterfront Advisory Committee, and such other departments or individuals charged with LWRP implementation.

**VI. Role of the Planning Board.**

- A. The City of Plattsburgh Planning Board and the Director of Community Development shall meet quarterly and shall advise the Common Council on LWRP implementation and on policy, project and budget priorities, as well as on amendments to the LWRP. The Planning Board and Director of Community Development may also perform other functions regarding the waterfront area as the Common Council may assign to it from time to time.

**VII. Review of Actions.**

- A. Whenever a proposed action is located in the WRA the City lead agency as set forth/designated in this law shall, prior to approving, funding or undertaking the action make a determination that it is consistent with the LWRP standards summarized in section I. below. No action in the WRA subject to review under this ordinance shall be approved, funded or undertaken by an agency without such a determination.
- B. The Director of Community Development shall be responsible for coordinating review of actions in the City's WRA for consistency with the LWRP, and will advise, assist and make consistency recommendations for other City agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. The Mayor will also coordinate with NYS Department of State regarding consistency review for actions by State or Federal agencies.
- C. The Director of Community Development will assist each agency with preliminary evaluation of actions in the WRA and with preparation of a WAF. Whenever an agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the WRA, the agency shall refer such application or direct action to the Director of Community Development, within 10 days of receipt, for preparation of a WAF, a sample of which is appended to this local law. The Director of Community Development will coordinate their preliminary evaluation with permitting or other review by each agency or the agencies considering an action.
- D. The Director of Community Development shall require the applicant to submit all completed applications, EAFs, and any other information deemed necessary to its consistency recommendation. The recommendation shall indicate whether, in the opinion of the Director of Community Development the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Director of Community Development along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them. Such recommendation shall go to the agency within thirty (30) days of receipt of the completed information submitted by the applicant.
- E. If an action requires approval of more than one agency, decision making will be coordinated between agencies to determine which agency will conduct the final consistency review, and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the Mayor shall designate the consistency review agency.
- F. Upon recommendation of the Director of Community Development, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section VIII. Prior to making its determination of consistency, the agency shall consider the consistency recommendation

of the Director of Community Development. The agency shall render a written determination of consistency based on the WAF, the Director of Community Development recommendation, and such other information as is deemed necessary to make its determination. No approval or decision shall be rendered for an action in the waterfront area without a determination of consistency. The designated agency will make the final determination of consistency.

- G. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Director of Community Development in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.
- H. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies and standards and include a discussion of the effects of the proposed action on such policy standards. No agency may make a final decision on an action that has been the subject of a final EIS and is located in the WRA until the agency has made a written finding regarding the consistency of the action with the local policy standards referred to in Section VIII. herein.
- I. In the event the Director of Community Development's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and explain the manner and extent to which the action is consistent with the LWRP policy standards.
- J. Actions to be undertaken within the WRA shall be evaluated for consistency in accordance with the following summary of LWRP policies, which are derived from and further explained and described in the City of Plattsburgh LWRP, a copy of which is on file in the Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with Section IV-Proposed Land and Water Uses and Projects of the LWRP, in making their consistency determination. The action shall be consistent with the policies as set forth in the City of Plattsburgh LWRP. Actions and design of proposed projects shall consider the Waterfront Revitalization Design Guidelines in Section XIV of this local law.
- K. If the agency determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.
- L. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Waterfront Advisory Committee (if such Committee has been created). Such files shall be made available for public inspection upon request.

#### **VIII. City of Plattsburgh LWRP Policies.**

(Note: this policy summary provided below is for convenience, refer to the LWRP document for further explanation/interpretation of the policies.)

##### **DEVELOPMENT POLICIES**

Policy 1 Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

- Policy 2 Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.
- Policy 3 Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.
- Policy 4 Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.
- Policy 5 Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 6 Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

#### FISH and WILDLIFE POLICIES

- Policy 7 Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.
- Policy 8 Protect fish and wildlife resources in the waterfront revitalization area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub-lethal or lethal effect on those resources.
- Policy 9 Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.
- Policy 10 Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.

#### FLOODING and EROSION HAZARDS POLICIES

- Policy 11 Buildings and other structures will be sited in the waterfront revitalization area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.
- Policy 12 Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

- Policy 13 The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.
- Policy 14 Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.
- Policy 15 Mining, excavation or dredging in inland waterways shall not significantly interfere with the natural inland waterway processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.
- Policy 16 Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.
- Policy 17 Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

#### GENERAL POLICY

- Policy 18 To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable inland waterway resource areas.

#### PUBLIC ACCESS POLICIES

- Policy 19 Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.
- Policy 20 Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

#### RECREATION POLICIES

- Policy 21 Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shorefront.

- Policy 22 Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

#### HISTORIC and SCENIC RESOURCES POLICIES

- Policy 23 Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.
- Policy 24 Prevent impairment of scenic resources of statewide significance.
- Policy 25 Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront revitalization area.

#### AGRICULTURAL LANDS POLICY

- Policy 26 Conserve and protect agricultural lands in the waterfront revitalization area.

#### ENERGY and ICE MANAGEMENT POLICIES

- Policy 27 Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.
- Policy 28 Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.
- Policy 29 The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.

#### WATER and AIR RESOURCES POLICIES

- Policy 30 Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.
- Policy 31 State policies and management objectives of approved local Waterfront Revitalization Programs will be considered while reviewing inland waterway classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

- Policy 32 Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.
- Policy 33 Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.
- Policy 34 Discharge of waste materials into inland waterways from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.
- Policy 35 Dredging and filling in inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.
- Policy 36 Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.
- Policy 37 Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into inland waterways.
- Policy 38 The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.
- Policy 39 The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.
- Policy 40 Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.
- Policy 41 Land use or development in the waterfront revitalization area will not cause national or State air quality standards to be violated.
- Policy 42 Waterfront revitalization program policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.
- Policy 43 Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.



## WETLANDS POLICY

Policy 44 Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

### **IX. Enforcement.**

In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Building Inspector or any other authorized official of the City shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

### **X. Violations.**

- a. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this law shall have committed a violation, punishable by a fine not exceeding five hundred dollars (\$500.00) for a conviction of a first offense and punishable by a fine of one thousand dollars (\$1000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- b. The Corporation Counsel is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

### **XI. Severability.**

The provisions of this law are severable. If any provision of this law is found invalid, such finding shall not affect the validity of this law as a whole or any law or provision hereof other than the provision so found to be invalid.

### **XII. Effective Date.**

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**XIII. City of Plattsburgh Local Waterfront Revitalization Program  
Waterfront Assessment Form**

**A. INSTRUCTIONS** (Please print or type all answers)

1. Applicants, or in the case of direct actions, the City of Plattsburgh responsible agency, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the City of Plattsburgh Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by the designated City of Plattsburgh agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies summarized in the LWRP Consistency Review Law for Unlisted Actions and for Type I Actions, explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), copies of which are on file in the City Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any questions in Section C on this form are answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination regarding its consistency with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

**B. DESCRIPTION OF SITE AND PROPOSED ACTION**

1. Name of applicant and Name of Contact Person: \_\_\_\_\_
2. Title/Description of Proposed Action: \_\_\_\_\_  
\_\_\_\_\_
3. Type of agency action (check all appropriate response(s)):  
☐ Directly undertaken (e.g. capital construction, construction, planning activity, agency regulation, land transaction).  
☐ Financial assistance (e.g. grant, loan, subsidy).  
☐ Permit, approve, license, certification.  
☐ Agency undertaking action: \_\_\_\_\_
4. Type of Approval Action Requested (check all that apply)  
☐ Site Plan Approval      ☐ Variance      ☐ Rezoning      ☐ Building Permit  
☐ Subdivision      ☐ Special Use Permit      ☐ Other

5. If an application for the proposed action has been filed with the City, the following information shall be provided:

a. Name of applicant

\_\_\_\_\_

b. Mailing address:

\_\_\_\_\_

\_\_\_\_\_

c. Telephone number: (\_\_\_\_\_) \_\_\_\_\_

d. Property tax number: \_\_\_\_\_

e. Application number, if any: \_\_\_\_\_

6. Location of action (Street or Site Description and nearest intersection)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

a. Size of site (acres): \_\_\_\_\_

b. Amount (acres) of site to be disturbed: \_\_\_\_\_

c. Present land use: \_\_\_\_\_

\_\_\_\_\_

d. Present zoning classification: \_\_\_\_\_

e. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

f. Percentage of site that contains slopes of 15% or greater: \_\_\_\_\_

g. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

Name \_\_\_\_\_ Size (in acres) \_\_\_\_\_

Name \_\_\_\_\_ Size (in acres) \_\_\_\_\_

h. Is the property serviced by public water? Yes \_\_\_\_\_ No \_\_\_\_\_

i. Is the property serviced by public sewer? Yes \_\_\_\_\_ No \_\_\_\_\_

7. Will the action be directly undertaken, require funding, or approval by a state or federal agency?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, which agency(ies) (list) \_\_\_\_\_

**C. WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront area as identified in the LWRP?	YES	NO
(a) Significant fish or wildlife habitats?	_____	_____
(b) Scenic resources of local or State-wide significance?	_____	_____
(c) Important agricultural lands?	_____	_____
(d) Natural protective features in a coastal erosion hazard area?	_____	_____
2. Will the proposed action have a significant effect upon:	YES	NO
(a) Scenic quality of the waterfront environment?	_____	_____
(b) Development of future or existing water-dependent uses?	_____	_____
(c) Operation of the State's major ports?	_____	_____
(d) Land or water uses within a small harbor area?	_____	_____
(e) Designated State or federal freshwater wetlands?	_____	_____
(f) Commercial or recreational use of fish and wildlife resources?	_____	_____
(g) Existing or potential public recreation opportunities?	_____	_____
(h) Structures, sites or districts of historic, archaeological or cultural		

significance to the Town/Village/City, State or nation?	___	___
(i) Stability of the shoreline?	___	___
(j) Surface or groundwater quality?	___	___
 3. Will the proposed action involve or result in any of the following:	YES	NO
(a) Physical alteration of land along the shoreline, underwater land or surface waters?	___	___
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	___	___
(c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area?	___	___
(d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	___
(e) Mining, excavation, filling or dredging in surface waters?	___	___
(f) Reduction of existing or potential public access to, or along, the shoreline?	___	___
(g) Sale or change in use of publicly-owned lands located on the shoreline or underwater?	___	___
(h) Development within a designated flood or erosion hazard area?	___	___
(i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion?	___	___
(j) Construction or reconstruction of erosion protective structures?	___	___
(k) Diminished or degraded surface or groundwater quantity and/or quality?	___	___
(l) Removal of ground cover from the site?	___	___
 4. PROJECT	YES	NO
(a) If a project is to be located adjacent to shore:		
(1) Does the project require a waterfront location?	___	___

(2) Will water-related recreation be provided?	_____	_____
(3) Will public access to the foreshore be provided?	_____	_____
(4) Will it eliminate or replace a water-dependent use?	_____	_____
(5) Will it eliminate or replace a recreational or maritime use or resource?	_____	_____
(b) Is the project site presently used by the community neighborhood as an open space or recreation area?	_____	_____
(c) Will the project protect, maintain and/or increase the level and types or public access to water-related recreation resources or facilities?	_____	_____
(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	_____	_____
(e) Is the project site presently used for commercial or recreational fishing or fish processing?	_____	_____
(f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	_____	_____
(g) Is the project located in a flood prone area?	_____	_____
(h) Is the project located in an area of high coastal erosion?	_____	_____
(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	_____	_____
(j) Do essential public services or facilities presently exist at or near the site?	_____	_____
(k) Will the project involve surface or subsurface liquid waste disposal?	_____	_____
(l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	_____	_____
(m) Will the project involve shipment or storage of petroleum products?	_____	_____
(n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into coastal waters?	_____	_____
	YES	NO
(o) Will the project involve or change existing ice management practices?	_____	_____
(n) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	_____	_____

(p) Will best management practices be utilized to control storm water runoff into waterfront waters? \_\_\_\_\_

(q) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates? \_\_\_\_\_

(r) Will the project affect any area designated as a tidal or freshwater wetland? \_\_\_\_\_

(s) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? \_\_\_\_\_

**REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"** (Add any additional sheets necessary)

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Preparer's Name: \_\_\_\_\_, Title: \_\_\_\_\_ Representing: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

Date: \_\_\_\_\_

If you require assistance or further information in order to complete this form, please contact the Community Development Department (518) 563-7642

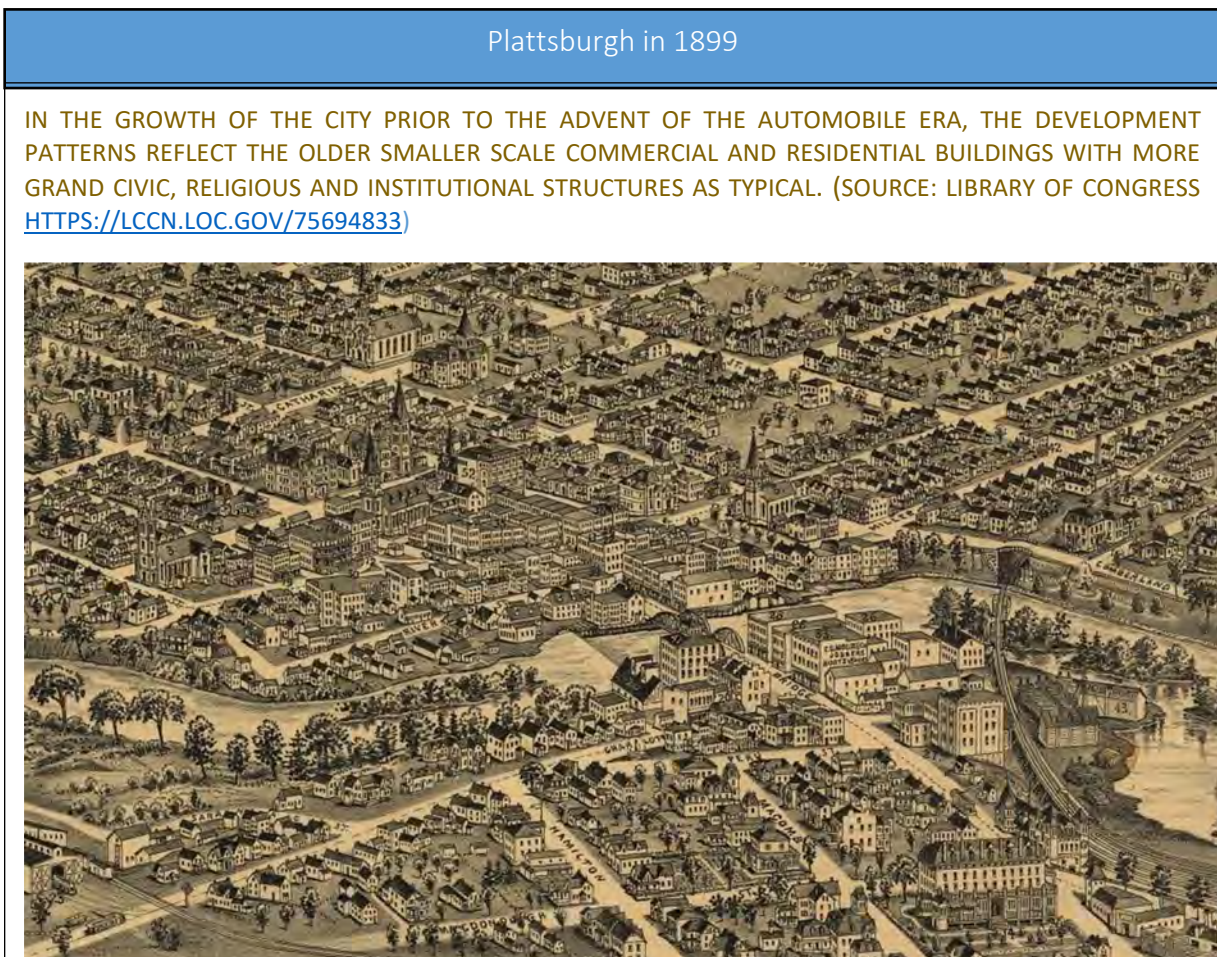
**Please submit completed form, along with one copy of a site/sketch plan to:**

Community Development Department  
City of Plattsburgh  
41 City Hall Place  
Plattsburgh, NY 12901

#### **XIV. Waterfront Revitalization Design Guidelines.**

Purpose. These design guidelines have been prepared to aid applicants in the development of plans for projects in the waterfront area and also to support the city planning board in the site plan review process. By considering these guidelines as projects are planned, applicants can be responsive to the principles established herein to create projects that appropriate fit and enhance Plattsburgh's waterfront character and add to the community assets.

Setting. Plattsburgh is an historic waterfront community. The scale and style of the city's developed character typically reflects that scale and style of the traditions in place at each respective period in history. In the growth of the city prior to the advent of the automobile era, the development patterns reflect the older smaller scale commercial and residential buildings with more grand civic, religious and institutional structures as typical. These patterns can be seen in the excerpts from the rendering made at the turn of the 20<sup>th</sup> Century (1899 Plattsburgh, N.Y. C. Fausel, artist. L. R. Burleigh, lith.).





Here, a more centralized transportation system delivered people and goods to train stations and docks, where passengers and shipments dispersed as pedestrians or in horse-drawn carriages and wagons. Hence, physical distance and space was at a premium so tight-knit development patterns were typical in Plattsburgh as well as other cities across the nation.

### Plattsburgh in 2022

HISTORIC PATTERNS STILL PREVALENT, PROVISIONS IN STREET AND PUBLIC SPACE DESIGN TO ACCOMMODATE VEHICLE TRAFFIC AND PARKING HAS CREATED MANY CHALLENGES. IN PARTICULAR, THE SPACE REQUIRED FOR THOSE USES HAS MADE IT DIFFICULT TO CONTINUE TO MAINTAIN THAT CLOSE-KNIT, PEDESTRIAN-ORIENTED CHARACTER OF OUR URBAN AREAS. (IMAGE SOURCE:

<https://www.google.com/maps/place/Plattsburgh,+NY/@44.6819922,-73.4454029,1162A,35Y,270H,25.68T/data=!3m1!1E3!4M5!3M4!1S0X4CCA38A8E8A57ED7:0XB5B0E8A1C5537415!8M2!3D44.6994873!4D-73.4529124>)



Plattsburgh's development patterns evolved and changed as technology, society and economies changed. Among the changes impacting city form, some of the more important factors include construction technology advancements and federal policy changes facilitated development of interstate highways and a related transportation mode shift from ship and rail to automobile and truck. The shift in transportation away from passenger rail has had a dramatic effect on all American cities. Provisions in street and public space design to accommodate expansive spatial requirements for the movement and parking of cars and trucks has created many challenges. In particular, the sheer volume of space required for those uses has made it difficult to continue to maintain that close-knit, pedestrian-oriented character of our urban areas. Mitigating the adverse effects of those vehicular demands on our city spaces is an important aspect of these design guidelines.

Applicability. These design guidelines shall be used to assist in the design and review of new construction projects subject to site plan review or subdivision approval within the Overlay District – Waterfront. Projects by county, state, and federal agencies shall also consider these guidelines as waterfront revitalization policy of the City of Plattsburgh.

Adherence to the guidelines is expected to followed to the maximum extent practicable as determined by the reviewing board. Practical difficulties or potential conflicts can be discussed with city community development staff with the intent that potential approaches and solutions reached be brought to the appropriate review board for concurrence. The intent of the guidelines is to provide substantive direction while providing reasonable flexibility, recognizing that construction within and existing built environment requires flexibility as every site will likely require trade-offs in terms of addressing the design principles outlined herein. It is important to establish the most important design principle(s) to be addressed by a particular project and those that may of lesser importance.

Except for a simple change of occupancy of a building resulting in no physical change, the guidelines would apply to projects involving building or site modifications to existing sites and structures. The degree to which the guidelines will apply is commensurate with the degree to which the site and or buildings are to be modified, as determined by the local review board(s).

Site Analysis. A site analysis is required for all applications seeking site plan review in the Overlay District - Waterfront. The site analysis shall be conducted by a licensed design professional (professional landscape architect, architect or engineer) who shall illustrate and discuss the following existing site characteristics on a scale plan of the property for use by the planning board in considering the proposed development design. The depth to which site analysis is conducted shall be commensurate with the degree of change to existing conditions proposed. For example, for a project solely involving replacement of windows and siding for a commercial structure, the site analysis should focus on consideration of the desired design character of the existing structure, with consideration of compatibility with neighboring structures. For a completely new site plan and large new building or buildings, a more complete site analysis shall be conducted. Elements of the analysis would be determined by the review board with the following as an initial set of aspects for consideration:

1. Existing topographic contours of the site, property bounds, easements and site imagery;
2. The extent of existing vegetation including woodlands, large trees, and any known plant or animal habitats which are unique, rare or endangered;
3. Surface water features, wetlands, flood hazard areas and existing storm water flow patterns;
4. Existing structures, including potential historic resources and known archeological resources and relationship to abutting properties and features;
5. Existing and potential access points for motor vehicles, pedestrians, and bicycles including any existing farm or service lanes or adjacent trails;
6. The location of any nearby adjacent existing or planned sidewalks, bike lanes or trails;
7. Soil conditions, depth to bedrock, depth to groundwater;
8. Utilities availability in the vicinity;
9. Prevailing wind and solar aspects of the site;
10. Frontage and access to existing public streets/highways.

Design Principles.

1. Recognize the unique scenic, cultural, ecological and recreational values inherent in Plattsburgh's waterfront setting:
  - a. Place uses that do not require waterfront access away from the waterfront (e.g., parking areas).
  - b. Create opportunities for public access to the waterfront--both visual access and physical access to the extent feasible.
  - c. Water-dependent uses including but not limited to boating, docking, ferries, swimming, fishing, water supply, water treatment, etc. shall be prioritized in site planning relative to non water-dependent uses.
  - d. Identify the unique and most important waterfront values of the site and adapt the site plan to first serve those values.



The Marina at Plattsburgh Boat Basin is a water-dependent use that provides important access to Lake Champlain and as a waterfront gateway to the City.



Pollution prevention to maintain water quality is an important water-dependent use performed at the City's treatment facility located at the mouth of the Saranac River.  
(Aerial image:

2. Lake Champlain and Saranac River water quality protection and enhancement shall be inherent in all project plans:
- a. Forest-covered shoreline edge and riparian vegetated buffer and tree/vegetation protection plans shall be established.
  - b. Where tree and vegetation removal is required and acceptable, requirements for replacement plantings shall be provided.
  - c. Avoid use of inappropriate shoreline treatment (e.g., outside of the downtown area, provide a natural vegetated shoreline edge—minimum width to be established based on existing conditions and approved site plan.
  - d. In downtown area where a more formal/engineered shoreline is appropriate, include shade trees and shoreline plantings to the maximum extent practicable.
  - e. Wetland preservation and wetland buffer zone shall be maintained.
  - f. Protect stream banks and habitat, especially at outlet to the lake as important fish spawning and wildlife habitats.



The Saranac River is Plattsburgh’s natural link to the Adirondacks—maintain vegetative cover along shorelines and riparian edges as vital element for the health of waterways. *(Example from Plattsburgh, NY)*



Incorporate natural processes as “green infrastructure” in design of stormwater management facilities. *(Example from Niagara Falls, NY)*



3. Well-designed infill development and adaptive reuse of existing structures is encouraged and expected to be sensitive to the setting and neighborhood context:
  - a. Consider project context:
    - i. Where the existing site/structure character fits the community vision for the area, design elements should preserve and enhance the existing character with the proposed project.
    - ii. Where the existing character of the site/structure is not well aligned with the desired/potential revitalized vision for the area, design elements should re-align the site/structure character to more appropriately address the community vision and potential for the area.
  - b. To support needed growth, design carefully to ensure new structures and site plans are compatible with the setting:
    - i. Recognize design of new construction can complement and draw inspiration from local, historic structures yet appropriately depart from those prior eras of design with new materials and architectural details that will add to the community assets.
    - ii. Create active and engaging spaces for people along the waterfront and along the streetscape.



Provide amenities and spaces for people to enjoy the beauty of the waterfront area. *(Example from Plattsburgh, NY)*



Incorporate traditional elements and streetscape with generous spaces and amenities for pedestrians. *(Example from Pittsford, NY)*

4. New construction or alterations should be designed to activate and enhance the streetscape and other elements of the public realm:

- a. Create attractive and interesting building facades that engage with the street:
  - i. Provide “storefront” windows for retail and commercial projects.
  - ii. Embellish the main entrance appropriately to provide a welcoming architectural feature as in traditional design in Plattsburgh.
  - iii. Offer opportunities for civic uses and social engagement wherever possible such as outdoor seating and café space, public art, pocket parks, etc.
- b. Provide generous sidewalks with space for street trees, planters, pedestrian-scaled street lighting, benches as is possible in the setting. in accordance with the existing historical patterns of the area.
- c. Avoid extensive lengths of inactive street frontage such as large surface parking lots, massive blank building walls, and similar elements wherever possible—rather, seek to create a “continuity of interest” along the streetscape to render an engaging and pleasant pedestrian experience.
- d. Where large, inactive elements are absolutely necessary, mitigate the impact by adding architectural details such as attractive masonry columns and decorative metal fencing and landscape plantings along surface parking lots, incorporating architectural details and decorative lighting and artwork along large blank structure walls.

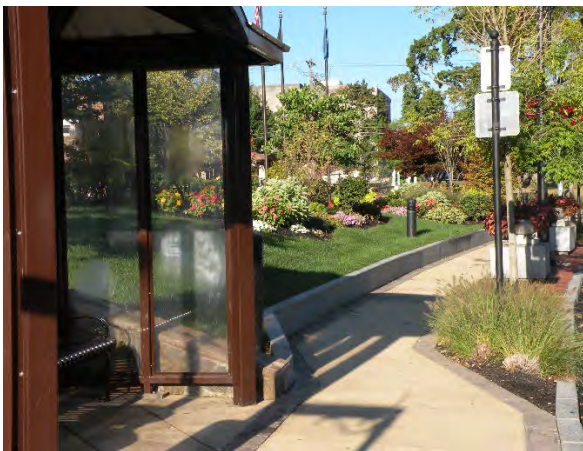


Waterfront design character responsive to the setting and community vision—in this example, a sleek and modern approach was appropriate to the setting. (*Example from Miami, FL*)



In this example, a more traditional set of materials and design elements were utilized. In either case, the promenade provides important public access to the waterfront. (*Example from Beaufort, SC*)

5. Iconic historic buildings and public spaces within the waterfront area can help inform the character of new construction and the design of public spaces:
  - a. This local vernacular, as expressed through site and architectural details such as roof shape, building scale, window size, fenestration, and appropriate landscape may help inform elements within the design of new buildings and public spaces.
  - b. Overall, the design of new construction, as well as infill construction, or alterations, should enhance the character of the community and waterfront district and contribute to, not detract from a unified and memorable Plattsburgh identity.
  - c. Departure from historic architectural design details may be acceptable—in particular for new construction where a more modern or custom design is appropriate to the setting. Nonetheless, traditions of civic architecture should be respected, for example relating the new development appropriately to the street and public spaces, creating an interesting and engaging streetscape, and providing adequate and attractive landscaping, lighting and public amenities.
  - d. Where feasible, new developments should retain the integrity of the site's character as expressed through its landform and landscape. Open space, courtyards, and landscaped pathways within any new development shall be encouraged to provide transitional areas between public and private spaces.



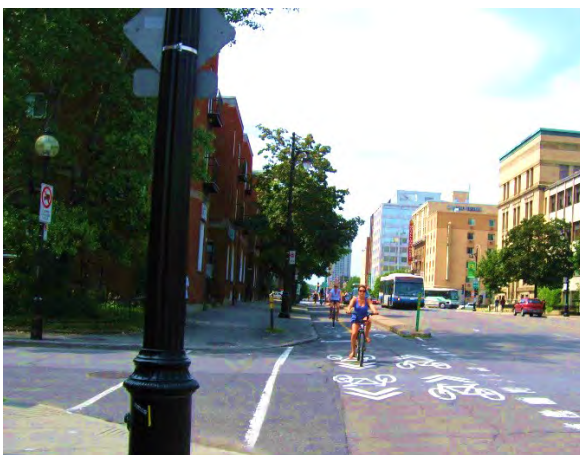
Incorporate urban pocket parks and landscape plantings, accommodating sidewalks, transit shelters and other pedestrian amenities into redevelopment plans. *(Example from New City, NY)*



Provide public spaces that prioritize the pedestrian environment and offer attractive architectural and landscape architectural elements. *(Example from Aspen, CO)*



6. Accommodate a pattern of more complete streets including attractive pedestrian-oriented environments is a key component of livable, sustainable and viable community.:
  - a. Provide space for sidewalks and pathways for pedestrians and bicyclists.
    - i. Design well defined parking areas with pedestrian sidewalk connections to stores and business.
    - ii. Provide shade tree plantings and pedestrian-scaled lighting for enhanced pedestrian safety and further reduce the potential for vehicular and pedestrian conflicts.
    - iii. Create clear vehicular movement and pedestrian patterns including visually and physically separate facilities wherever possible
  - b. Coordinate streetscape development and access and circulation plans to accommodate current and expected transit facilities.
  - c. Introduce visual elements along the road edge which clue drivers in to the presence of pedestrian traffic.
  - d. Connect places together through a sidewalk/shared use path network and by the use of curbs, street trees and other appropriate buffers to reinforce the separation of vehicular and pedestrian areas.
  - e. Excessive curb cuts should be eliminated or reduced through the sharing of common entrances and exits.



Incorporated complete streets concepts to the extent practicable as this helps make the city increasingly livable and attractive for both current and prospective residents. *(Example image Montréal, Quebec)*



Include pedestrian amenities and civic spaces—these provide a source of local pride of place—and establish a benchmark of quality for design. *(Example image Plattsburgh, NY)*



7. Parking lots should be subservient in the site design to the pedestrian environment and the relationship of buildings and structures to the street and the public realm:
  - a. Parking lots, drive lanes, and other service entries, storage, maintenance, loading, and refuse collection areas should be relegated to the rear or sides of buildings away from public view to the maximum extent practicable.
    - i. Whenever possible, these should be screened from view either by the use of vegetation, appropriate fencing, a combination of the two, or through site layout, building design and configuration.
    - ii. The creation of additional side and back entrances to buildings will render side and back parking lots more attractive to costumers and the buildings more visually interesting to pedestrians.
  - b. Larger parking lots shall incorporate elements such as islands with shade tree plantings to break up the mass and space of the parking lot and to provide an area for safe pedestrian navigation,
  - c. Within a new project or additions to existing projects, the drive lanes should be designed to link and unify the uses in a project and provide pedestrian and vehicular connections to the public realm along existing frontage streets,
  - d. The creation or incorporation of main "streets" within larger projects should include the amenities associated with a pedestrian scale environment. These may include curbing, trees, sidewalks, and lighting.



Accommodating a large grocery store by design features creating a streetscape presence, outdoor eating spaces, clear orientation of the front entrance and relegating parking to the side of the property. *(Image example Rochester, NY)*



Accommodation for pedestrians, accessibility, land landscape buffers between vehicle travel lane, sidewalk and parking area. *(Image example New City, NY)*

## Appendix C Public Participation - 1995

Since the initial steps to begin a Local Waterfront Revitalization Program in 1995, the Project Team worked closely with the City's Community Development Department, and relied on the efforts of the former Downtown Future Planning Commission, the former Point Historic District Commission, and the previous Waterfront Advisory Committee.

The Project Team also made extensive use of public comments obtained as part of the various Lake Champlain Basin Program studies and technical reports referenced above, attended several public meetings in Plattsburgh, conducted telephone interviews with Realtors, and held a series of four focus group meetings with residents from each of the LWRP subareas.

A meeting with a group of residents from the Point neighborhood was used to gather public input on the LWRP for the Marina Subarea. The November 29, 1995 meeting took the format of an informal design and planning charrette. A progress report on the LWRP was provided by the consultant, sketch maps showing the proposed boundaries were distributed, and input was sought on three major areas: the entire City waterfront, the Point subarea, and the Harbor marina and railyards adjacent to the Historic District.

On January 9, 1996 the consultant team participated in SUNY design student presentations regarding design and development considerations for the downtown and Dock Street corridor areas and several meetings were held with local property owners.

As the LWRP draft was nearing completion in August, 1996, EastWest Planning (Riverstreet Planning) staff and a representative from the Department of State's Division of Coastal Resources and Waterfront Revitalization made a presentation to Plattsburgh's Mayor and City Council, requesting guidance and input regarding the creation of a Waterfront Advisory Committee, specific waterfront revitalization projects and potential local techniques for implementation.

On December 17, 1997, representatives from EastWest Planning & Development (Riverstreet Planning) conducted a series of four focus group meetings designed to elicit resident input regarding projects and ideas for each of the LWRP subareas. Approximately 25 people attended these meetings, of which the following signed in:

Paige Raville	Frank Pabst	Muhib "Mo" Hilweh	Howard Kemp II
John S. Tanner	George J. Bouyea	Nancy Olsen	Donna Drumm
Louise K. Tanner	David [name illegible]	Art Spiegel	John LaDuke
Larry & Louise Blossom	Peggy Conroy & Laurie Gillett	Wayne H. Byrne	Jaimie Trautman

\* NOTE: Conroy & Gillett are geologists who would like to see geological features more widely interpreted, protected, and visited.

Several participants suggested strongly that the Lake Champlain Basin Program be included in the LWRP process.

MEETING NOTES:

During each meeting, the consultants introduced themselves and gave a brief report on the state's local waterfront revitalization program and the current status of the Plattsburgh LWRP.

In addition to these efforts, a waterfront advisory committee was formally established by the Plattsburgh Community Development director in the autumn of 1996. This group met on October 24, 1996; November 14, 1996; November 26, 1996; December 11, 1996; January 21, 1997; January 30, 1997; February 6, 1997; February 11, 1997; February 13, 1997; February 25, 1997 and March 20, 1997 for the purpose of commenting on and revising the draft local waterfront revitalization program.

The Waterfront Advisory Committee includes the following members:

Rodney Brown, Clinton County Planning Office

Rosemarie Schoonmaker, City of Plattsburgh Community Development Office

Dr. K. Dahlen, Eye Care of the Adirondacks

Kay Hubbell, Lake Champlain Pools

Art Spiegel, Trans Border Custom Services, Inc.

Paige Raville, Lakeside Container Corporation

Councilor Chris Rotella, City of Plattsburgh Common Council

Larry and Rita Blossom, City residents

John S. Tanner, City resident

Sally Tourville, City resident

R. J. Fredette, interested party

The first Waterfront Advisory Committee met numerous times and reviewed the entire draft LWRP document in depth. A conclusion was made that the city does have public waterfront access, but it is not effectively utilized at present. The Committee cited Heritage Trail, City Beach, one-mile frontage at former air base, Wilcox Dock and Riverwalk as suitable places for additional development, but indicated that only very limited opportunities existed for new activities on existing private property. The Committee also noted that the waterfront was only utilized during three months of the year.

### *North End*

Participants mainly represented Willow Beach homeowners (18 units along Scotion Creek), but addressed waterfront concerns and issues for the whole waterfront area. Although they recognized the tremendous potential of the entire waterfront area, the homeowners were concerned about personal liability issues, since many beach visitors use Willow Beach's steps down to the waterfront (because of a lack of other access points). Proper signage and access to beach and across Scotion Creek is needed. In addition, residents noted that Scotion Creek is no longer just a wetland, it is an actual waterway which floods with increasing frequency. The City needs to control access along to the dunes and along the creek. Residents have begun taking out flood insurance in this area (a relatively new

thing). Several people also indicated that the City needs to work closely with NYSDOT regarding bridge replacement at North Margaret Street. Another major issue concerned general waterfront cleanliness (this was an issue in all subzone meetings). Residents indicated that many boaters anchored just off the beach, then waded inland, leaving trash and human waste. Floating trash is also a problem. It was believed that pump-out facilities are located at the State beach and City marina, but additional facilities and signage are needed.

Most respondents did not seem to mind the idea of a mixed use waterfront, but felt that a continuous waterfront trail would be impractical owing to continuing erosion, buildings, and industrial uses.

One participant stated that the picnic pavilion is not readily accessible to local families, since parking is only available at the City Beach and must be paid for; it was perceived that parking fees are too high. It was suggested that the City work with the bike path group focusing on Cumberland Head. Willow Beach residents suggested that the street-end be deeded to the City, with the City then providing more formalized access to the waterfront as well as a bridge across Scomotion Creek.

With regard to the Cumberland Avenue/Wilcox Dock subarea, it was observed that sea planes used to fly in and out. Trash removal and protection of public from PCBs and other contamination was a priority--residents of Cumberland Avenue and Point View Terrace lakefront properties noted that trash removal is a constant effort. It was suggested that the City could coordinate with local college service sororities and fraternities to establish a clean-up program was received with mixed, but by no means majority enthusiasm by those present.

#### *Cumberland Avenue/Wilcox Dock*

One respondent felt that this area should be left in its current condition, with nature allowed to take its course. Most of the others felt that this area could be put to better use, but were very concerned about contamination resulting from previous uses. There was also a concern that additional development or improvements would result in too many new visitors and an increase in conflicts between users. Since much of this subzone is residential, with waterfront areas representing some of the city's prime housing, this is a particularly legitimate concern.

Most of the comments expressed during this meeting concerned the waterfront area as a whole. Participants suggested that the city work together with various planning and special interest groups to improve and capitalize on the waterfront, that interpretive and directional signage be developed and implemented, that the railroad be moved inland, and that incentives be developed to attract people to the downtown. One of the most vocal and optimistic participants was a business owner and immigrant from Europe. He suggested that the city build on current positive momentum, improve the city's image, encourage and assist in the development of new specialty stores and businesses for downtown.

In terms of specific projects and waterfront revitalization implementation techniques, participants suggested the development of a Margaret Street/Durkee Street walkway. The group felt strongly that a careful study of the various remediation alternatives proposed, should be made of the Wilcox Dock area before any alternatives are implemented. Presented with the recommendation that Point View Terrace neighborhood be designated a historic district, several respondents stated that NYS and local groups had already surveyed the city over the course of the past 20 years, and had completed all possible individual and district nominations to the National Register of Historic Places.

#### *Dock Street – Durkee Street - Downtown Subarea*

Participants at this meeting focused on the tremendous need for additional public access to the waterfront, the need to build on existing assets, and general beautification and improvement. It was also mentioned that GIS mapping was

being completed by Saratoga Associates, the firm currently preparing a new master plan for the city. Generally, the group felt that there is a need for smaller improvement projects that can be completed quickly. Suggestions included putting utility lines underground, repaving Dock Street with original (historic) materials, installation of compatible lighting, general clean up, improved signage and interpretation (particularly as a means of attracting visitors to the marina, Juniper and downtown), and strengthening of the connections between the Heritage Trail and former baselands.

Several participants cited examples of successful waterfront revitalization projects in Burlington, Vermont and San Francisco, California and indicated that Plattsburgh should pursue similar mixed-use development blending recreational, scenic, historic, commercial, industrial, and environmental assets.

Several residents noted that public access has been possible only in a few small areas, including the foot of Dock/Bridge Street (marina), Juniper area (which is now closed off due to crime and vandalism), Riverwalk. Suggestions for potential projects included getting access to and improving the small beaches on the former Air Force base, improving the Green-Dock-Jay Street area for access, establishing a Revolutionary War Park, building a steel pier at city beach, and improved signage. The railyard and railroad tracks were considered a problem, with respondents indicating that the railyard is the last place on the Lake where it is possible to transfer cargo, and that the city needs to negotiate with C.P. Rail regarding usage of the right-of-way and safety/cleanliness monitoring.

Participants also suggested that the city consider projects in the short-, intermediate- and long-term.

#### *Old Base Subarea*

NOTE: The base is now almost totally unoccupied; participants at this meeting therefore consisted of residents from other parts of the city.

Participants in this meeting agreed that the city needs to work closely with the Old Base to establish and/or maintain public waterfront access on the former base lands. This group also emphasized that, in spite of the city's location on Lake Champlain, public access areas are extremely limited and overcrowded. Specific project suggestions included:

- Better interpretation, through the development of learning stations, for example: lakefront rock outcroppings to facilitate scientific education. Similar suggestions included creating nature walks, waterfront and roadside geology, etc. guides working with SUNY Plattsburgh (and various groups) to establish an aquatic research center
- Establishing a small interpretive center with exhibits focusing on science, nature, culture, history etc.
- Adopt-a-waterfront area clean-up programs
- Installation of additional trash receptacles
- Providing marketing assistance to Juniper, marina, city beach, downtown businesses

This group felt strongly that most city residents fail to take advantage of the city's waterfront location owing to a general lack of access. They also emphasized the importance of balancing residential and recreational (boating) uses.

*Note: The Upper Saranac Subarea had not yet been identified for inclusion at the time of this outreach.*

**Appendix D Recent Public Participation**

**City of Plattsburgh, NY  
Local Waterfront Revitalization Program**

**Public Participation Plan**

Revised January 2016

**Primary Contacts**

**City of Plattsburgh**

**Office of Community Development**

**(518) 536-7642**

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**New York State Department of State**

**(518) 474-6000**

## **Background:**

The City of Plattsburgh is located on the western shore of Lake Champlain. Approximately 5 miles of lake shoreline is located within the City. Lake Champlain is the third largest freshwater lake in New York State, behind Lakes Erie and Ontario, and is bounded in the west by the Adirondack Mountains of New York and in the east by the Green Mountains of Vermont. The shoreline of Lake Champlain within the City of Plattsburgh and adjacent upland areas provide a variety of recreational and educational opportunities along with stunning scenic views. The lake also serves several ecological functions.

The Saranac River empties into Lake Champlain within the City of Plattsburgh. The approximately 8.5-mile shoreline of the Saranac River also offers ecological functions and provides a variety of recreational, educational and sight-seeing opportunities within the City.

The City of Plattsburgh is the population, economic and educational center the Lake Champlain region of New York State. In addition, the City has direct access to key transportation infrastructure including Interstate 87 (the Adirondack Northway), the Canadian Pacific Railroad and Amtrak passenger service. Together, these resources place the City in a competitive position for future economic and population growth which heightens the need for long-term planning to enhance and protect the City's water-based and related recreational resources.

Recognizing the local and regional importance of these waterbodies, the City of Plattsburgh began to develop a Local Waterfront Revitalization Program (LWRP) in 1995. The draft LWRP was next revised in February of 2010. After a series of successful planning and development projects involving Lake Champlain and the Saranac River, the City of Plattsburgh decided to conduct a comprehensive update to the 2010 Draft LWRP.

This update will serve as an opportunity to review and update previous planning initiatives and build community consensus for implementation of a strategic revitalization plan. Furthermore, the LWRP will articulate the City's role and goals in the context of the North Country and the Lake Champlain regions.

## **Purpose of the Public Participation Plan**

Given the extensive amount of Lake Champlain and Saranac River shorelines within the City, this LWRP considers the variety of interests and priorities of the various stakeholders. Therefore, prior to updating the existing Draft LWRP, a comprehensive public outreach process was necessary to facilitate meaningful participation.

This Public Participation Plan identifies a variety of forums and methods used to engage interested individuals, organization, and agency representatives in the revision of the LWRP. This plan will serve as a guide to involving the various stakeholders and interest groups and should be considered a living document. As the planning process unfolds, elements of the plan may require modifications to capitalize upon new opportunities that are not currently represented in the plan.

A vital component to the success of any LWRP is ensuring that county and municipal officials, agency and organization representatives, residents, business owners, recreational enthusiasts, cultural and educational institutions; and other members of the public are engaged throughout the planning process.

Successful Local Waterfront Revitalization Programs:

- Use the knowledge and expertise of their diverse populations
- Adequately describe the watershed's resources

- Articulate the issues of concern
- Describe recommendations
- Facilitate positive local actions

Positive local actions may include increased public access, additional recreational opportunities, economic development and revitalization; along with the strengthening of local land use controls and opportunities to review land use management practices. In addition, the successful LWRP will advance on-the ground projects that protect vital, high quality resources and provide tangible improvements such as the restoration of adversely impacts water resources.

The City of Plattsburgh Project Advisory Committee (PAC) recognizes that it must properly identify and provide opportunities to engage all potentially interested parties, and has developed this Public Participation Plan to organize the process. This Public Participation Plan will serve as a guide for the PAC to identify and partner with the involved stakeholders in order to create the best possible plan to protect, enhance and where necessary, restore the shoreline of Lake Champlain and the Saranac River within the City of Plattsburgh.

### **Engaging the Public:**

A diverse group of individuals, organizations and agencies are interested in the various benefits and opportunities presented by Lake Champlain, related upland areas and the Saranac River, within the City of Plattsburgh. The following list of possible stakeholders is not intended to be all inclusive, and may be revised as key elements and priorities of the Plan are progressed. As a starting point, some of the main groups that are to be represented during the planning process have been listed. An effort will be made to invite all local elected officials to attend the public workshops.

- City and Town of Plattsburgh Officials, Boards, and Departments
  - City of Plattsburgh Common Council
  - City of Plattsburgh Planning and Zoning Boards
  - City of Plattsburgh Office of Community Development
  - City of Plattsburgh Engineering and Planning Department
  - City of Plattsburgh Public Works Departments
  - City of Plattsburgh Recreational Department
  - Town of Plattsburgh Planning Department
  - Clinton County Planning Department
  - Plattsburgh Housing Authority
  - Destination Master Plan Committee
- Local, Regional, State and Federal Agencies and Organizations
  - New York State Soil and Water Conservation Committee
  - Clinton County Soil and Water Conservation District
  - US Fish and Wildlife
  - US Army Corps of Engineers
  - New York State Canal Corporation
  - USDA Agencies
    - Natural Resources Conservation Service



- Cornell Cooperative Extension Service
  - New York State Department of Environmental Conservation
  - New York State Department of State
  - New York State Office of Parks, Recreation and Historic Preservation
  - Lake Champlain-Lake George Regional Planning Board
  - Lakes to Locks Passage Inc.
- Economic Development Interests
  - Plattsburgh-North Country Chamber of Commerce
  - Lake City Local Development Corporation (LDC)
  - Development Corporation of Clinton County
  - Georgia Pacific
  - Downtown Plattsburgh Business and Property Owners
- City Residents
- Recreational Groups and Individuals
  - Anglers
  - Boaters
  - Swimmers
  - Runners
  - Cyclists and Cycling Clubs
  - City of Plattsburgh Recreation Department and Sports Clubs
- Environmental/Advocacy Organizations
  - Friends of the Saranac River Trail
  - Trout Unlimited
- Academic, Cultural and Learning Institutions/Organizations
  - Plattsburgh State University of New York
  - Clinton County Community College
  - Plattsburgh Public Library
  - Plattsburgh City School District
  - Kent-Delord House Museum
  - Clinton County Historical Association Museum
  - The Strand Center for the Arts

## **Community Outreach/Public Participation Plan Components**

The City of Plattsburgh LWRP stakeholders were invited to share their ideas and concerns about the issues in the Waterfront Revitalization Area. Stakeholders were also asked to provide feedback to the Project Advisory Committee (PAC) to ensure that their issues of concern were being properly addressed. While the Public Participation Plan included typical outreach methods, the PAC augmented the Plan, when feasible, as non-traditional outreach opportunities arose.

Under this Plan, the PAC the following outreach methods will be utilized to obtain public and stakeholder feedback:

- Responsibilities of the City of Plattsburgh Project Advisory Committee (PAC) Members
- City of Plattsburgh Website

- Media Outreach
- Development of Outreach Materials
- Community Workshops
- Stakeholder Focus Groups, Meetings and Key Contact Interviews

**City of Plattsburgh LWRP Project Advisory Committee (PAC):** The PAC conducted a “kick-off” meeting in November of 2014 for the City of Plattsburgh Local Waterfront Revitalization Program at Plattsburgh City Hall. The purpose of this meeting was to introduce the PAC to the full Project Team, review the project scope and schedule and begin discussing options for public outreach.

The PAC was established to facilitate communication and cooperation among local governments, county and state agencies as well as interest groups and others essential to the preparation of the LWRP. The Committee includes representatives from government agencies, non-profit organizations and academic institutions. They were responsible for developing and implementing this Public Participation Plan and charged with helping focus the planning process, assisting in reviewing consultant proposals, interacting with the project administrator and reviewing work products. The PAC was also responsible for reviewing the existing goals and vision, and as necessary, revising them. In addition, PAC members will serve as another tool to inform the public and other stakeholders about the LWRP through their existing networking opportunities.

The PAC will encourage public attendance at their meetings and may provide rules for participants to follow if determined to be necessary. Notification of PAC meetings occurs through e-mail or other agreed upon methods and will be initiated by the Project Coordinator. Regular meetings will be scheduled as needed to monitor progress and review interim and final documents. PAC meetings will be held at City Hall.

In the interest of ensuring a broad understanding of the purpose of the LWRP, diverse input will be solicited from a variety of affected parties. Members of these organizations will be invited to attend all public workshops.

**City of Plattsburgh Website:** One or more pages on the City’s existing website will be dedicated to the LWRP. Project schedules, workshop dates and public documents will be posted on the City’s website. The City’s website address: <http://www.cityofplattsburgh.com/>

**Media Outreach:** Prior to public meetings, project-related local events and the release of Draft and Final Documents for public review, press releases will be prepared and distributed to local media outlets. Local media will also be invited to attend public meetings and project-related local events. Media outreach is a key method for informing the general public about the project. The Plattsburgh Press-Republican Newspaper will be utilized for meeting announcements and to generate local public and stakeholder interest through one or more articles. WPTZ News Channel 5 will also be notified of public meetings and the release of public documents.

**Development of Outreach Materials:** The PAC will develop outreach materials for use at public workshops, meetings, events and other outreach opportunities. Options could include the development of a display, Power Point Presentations, and project brochures. This information will also be posted on the City’s website and shared through social media accounts (Facebook, Instagram).

**Community Workshops:** Two community workshops were held during the LWRP update process. The PAC scheduled and PAC members participated in the community workshops. All members of the public were welcome to attend any public workshop. The initial community workshop was held at 5:30pm on Wednesday, October 28, 2015 at Stafford Middle School to obtain input and recommendations related to WRA key project areas and issues from the general public, agencies, organizations, business owners, sports organizations, etc. Presentations were provided and included background information about the LWRP, identification of key groups involved in the Plan, along with relevant

information, photos and graphics of key sites and issues within the WRA. Significant time was devoted to soliciting public input through small breakout groups. Feedback was sought on a Draft Vision Statement for the City's waterfront, to generate ideas regarding opportunities for each subarea, and to solicit feedback on project concepts.

The second community workshop was held on December 9, 2015 to review revised project concepts and seek feedback on the Draft LWRP.

In general, community workshops were limited to two (2) hours and were organized to maximize the amount of public information obtained. The specific agenda and process for each community workshop was agreed upon in advance by the City and PAC.

Workshop participants gained a better understanding of the LWRP process, the Waterfront Revitalization Area and information on key issues and potential projects.

Meeting announcements were provided via a number of forums, including:

- City of Plattsburgh Website;
- Social Media (e.g., Facebook, Instagram, and Twitter)
- Press release to local media (Press-Republican and WPTZ News Channel 5) and
- Informational Flyers

In advance of each Public Workshops, the PAC considered and agreed upon the methods that were employed in order to inform the public of the meeting date, time, location and purpose.

***Stakeholder Focus Groups, Meetings and Key Contact Interviews:*** This Public Participation Plan identified a variety of potential groups with potential interest in providing feedback and participating in the planning process. While, for many groups, attendance at the public workshops may be sufficient to provide key input, the PAC had the opportunity to conduct focus group meetings and interviews with key groups and individuals to seek targeted feedback on specific elements of the project.

## **References:**

Mohawk River Watershed Management Plan, Community Outreach/Public Participation Plan  
Old Saratoga Waterfront Revitalization Plan – Public Participation Plan

## **Appendix E Public Feedback during October 28, 2015 Workshop**

## **Appendix E Public Feedback during October 28, 2015 Workshop**

## Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

### Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
North End	Private-public partnership potential: No private land; city and state ownership; how can we work together? Shared services potential
North End	Discussed dune restoration options and possibilities
North End	Lack of actual trail in this area or a connection to the trail system
North End	Hand launch area for kayaks, etc - creek area, etc.
North End	Nature trail near & around creek as well as area across from the beach area (State land that is wetlands)
North End	Crete Center as a concert venue? Draw from ferry traffic
North End	Cooperative agreements with private landowners
North End	Outdoor venue? (theaters, concerts)
North End	Dual use for winter
North End	Crete use if demolished - what is the alternative?
North End	Restaurants lakeside
North End	Bike/hike paths through former dump
North End	Health Dept. impact assessment done for Cumberland Corner - find document
North End	Crete Center - heavily used - if removed, need to relocate
North End	Environmental possibilities: beach, wetlands, native plants
North End	Accessibility
North End	event lawn
North End	shared services with state services
North End	trails and connectivity
North End	"Green" building
North End	Heating of the water and potential water issues
North End	Pier and tide issues - building on pylons, like Louisiana, Florida
North End	Don't compete with downtown
North End	Crete Center moved to Dock St/Downtown: centrally located; don't have to rely on cars; sensitive to low-income; public transit brings to downtown
North End	Boat transport from downtown to City beach
North End	Public transit - light rail
North End	Low income sensitivity
North End	Banquet hall opening onto the lake
North End	Crete Center - only area open for development
North End	Cultural/historic assets: Native American site, "City Dump"
North End	State Park Adjacency
North End	Development and enhancement of community resources
North End	The value of the Crete Center - it has to be somewhere
North End	How do you turn the "dump" into an asset - ecological restoration
North End	What are the deed restrictions on the Crete Center?? May prevent anything but a recreational use; keep a narrow focus on what's allowed
North End	Isolation is an asset: potential for more "intensive" use; BMX trail/snowmobiles
North End	No access issues here
North End	Entertainment/engagement focus
North End	Ancillary uses that support the recreation use
North End	Lease the land to a private business.

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

## Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
North End	It would be nice to see more restaurants and shops in the area - what about the building where Windows on the Bay used to be? Or where that vacant motel is?
North End	The Crete center. This place could use a major upgrade! Let's make this a venue for concerts.
North End	Dock piers are a good idea. Having a boat docking pier is also a great idea.
North End	transport from other places in town -- too far for students or elderly to walk to.
North End	bike path to connect the end of the Scotion Creek bike path to the one which leads to the ferry.
North End	Would be inclined NOT to remove Crete center but to possibly renovate. I do not feel this facility is utilized enough! A performance Pavilion sounds great but would be smaller and assume only usable during warmer weather
North End	more camping? more day activities?
North End	venue to host large grounds for musical events/ local city hosted fair/carnival.
North End	Residential and retail development. Beach front hotel(s), waterfront walkway/bike path.
North End	Connecting non-motorized bikeways to the city and to the rest of the county
North End	Scotion Creek former dumpsite could become a great park/rec area/golf facility.
North End	Ferry service from the city marina and points south on the lake, and even to Vermont.
North End	To create a fun beach complex, maybe with a pier, and some more restaurants.
North End	waterfront family resort
North End	create a new civic center to replace the crete: designed less like a small recreational center with large open spaces and small bleacher seating and instead a civic center with a larger capacity (5,000-10,000 seats)
North End	a full length pier - will help with adding new restaurants, shopping and sight seeing ideas
North End	I like the pedestrian piers suggested on the plan and the boat docking (no overnight stays). I LOVE the outdoor event pavilion; it reminds me of Lake Placid's band shell and the Shelburne Farms concert green.
North End	Kayak and canoe rentals; wind surfing lessons.
North End	Add a more family friendly area ( play ground, picnic area & or sprinkler park)
North End	Entertainment - outdoor movies, etc.
North End	a suitable dog park
North End	Get the Ferry to go directly from Cumberland head in Plattsburgh to Burlington. (increase in tourism, walk-ons)
North End	Try using a sandbar, to fix the waterflow and make the beach clean
North End	A variety of food vendors would fit here.
North End	holding a farmer's market at the beach would be nice
North End	a public space that is used as a town center for events, farmers markets and can be rented out for private events such as weddings, showers, etc.
North End	Flexible community use space (movie nights, concerts, parties, trails, sports)
North End	A miniature or smaller version of the Great Escape
North End	Move the Crete Center to downtown Plattsburgh, which would allow for lower-income families to better access it, and make this entire area more of a nature preserve.

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
North End	outdoor hockey rink
North End	Bixi or Citi bikes or similar rental bike shops.
North End	I believe our waterfront would benefit a great deal if there was a playground and maybe water park as well as go-carts
North End	Small grocery store in this area/village market; beach gear/water sports shop with rentals and lessons
Wilcox Dock	To get out there on foot, it's a couple miles to access. Sidewalk connections between streets is not good. Value to connecting this area to other bike trails. Opportunity to improve crosswalks
Wilcox Dock	If there was a dedicated bike trail – do we think it would fit in that area? There is a bike lane now on Cumberland. Complete streets does exist and is being worked on. Enhancement of complete streets would be appropriate. Complete streets to be added to GP intersection.
Wilcox Dock	East/West access are needed (more than exists)
Wilcox Dock	Wilcox dock needs calmer activity. Ideal place for canoe launches, rowing, sailing (sailing lessons have been conducted there)
Wilcox Dock	We can develop activities to encourage certain outdoor activities: To south side of Wilcox Dock is very deep water - draws power boaters. The other side (north) is not as deep, but you can have boats there with centerboard and it is protected. City marina has only deep water access for lake champlain. Wilcox is second..problem with this is two rather large sandbars . getting in there now with draft of over 5 feet is tricky. Does allow for moderate sized power boats, very protected launching of sailboats, kayaks, that allow you to launch in area.
Wilcox Dock	This is an area that lends itself to this type of recreational opportunities uniquely. Lots of fishing goes on there. Use of that area can help determine the type of activities. Jet skis, boat launches, we WANT chaos of the summer.
Wilcox Dock	Walk or bicycle ride north of Wilcox Dock along Cumberland, when coming out of downtown Plattsburgh and connect into sidewalk onto bike path...nice way to travel if walking or bicycling because of proximity of lake. Sidewalk or bikeway there.
Wilcox Dock	landscaping the area with trees, etc. - shelter - Private picnic area. It needs some significant softening. Fishing there, but not a pleasant environment.
Wilcox Dock	Opportunity to do linkages with parks/streets/launch
Wilcox Dock	Complaint in that area: cannot set up motor homes. Where can folks put their motorhomes?
Wilcox Dock	private land - a lot of people walk & run up to margaret street – important to some enhancement for that area
Wilcox Dock	potential in greenlands to do walkways with boardwalks over. Logical extension of greenway to create linkage.
Wilcox Dock	Connectivity is key. Biking/pedestrian/kayaking/canoeing from city beach to wilcox dock to monument park, to macdonough monument park to new marina and to base. “Green Necklace” or emerald.
Wilcox Dock	Mix of intensity of rec uses (marina to rec center to city urban park area to beach)
Wilcox Dock	For more access, need more opportunities: places to park, picnic tables, kayaking. If picnic area - profit from food trucks
Wilcox Dock	existing boat launch and kayak launch need development; existing pavilion could be developed more



# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Primary Draft City of Plattsburgh Local Waterfront Revitalization Program

## Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
Wilcox Dock	Interested to know what a campground would do in that location. 30-40 sites.
Wilcox Dock	Could there be a series of diving boards, public beach, recreational diving.
Wilcox Dock	Moorings – develop a motorized launch – add moorings. Seasonal mooring rental or a small boat marina. We get a huge Quebec draw, we could sell more.
Wilcox Dock	Pedestrian and bicycle access, pretty route. Cycling groups come down and go through this area...nice to accommodate them. Conflict in boat trailers
Wilcox Dock	Access: Easily accessible for neighborhood near, but to west of Margaret, Bailey, Oak, N. Catherine. No way to get across the property to Saily.
Wilcox Dock	Develop interpretive center on property across from Wilcox Dock?
Wilcox Dock	Small boat docking. Small motorized boats/vehicles/trailer size
Wilcox Dock	Small boat launch access (only) with parking for trailers
Wilcox Dock	more access for docking boats, not deep enough. Possible 30-40 spots now? Do people want to go to an area that is more like the park?
Wilcox Dock	Connectivity: get a trail from city beach, to museum campus that makes sense; it almost has to go down Cumberland avenue. Has to go by monuments.
Wilcox Dock	Connectivity – along Cumberland N of Wilcox Dock – more traffic than bike trail. Needs more bike access. Dangerous turn by GP.
Wilcox Dock	Streetscape: One of the things DMP calls for - gas street lights along margaret street.
Wilcox Dock	Water taxi between city beach and all points of interest
Wilcox Dock	Church oil – reminiscent of concentration camp (???)
Wilcox Dock	Passive recreation along waterfront owned by GP
Wilcox Dock	Gazebo still there? Extensions for fishing/boardwalks
Wilcox Dock	A recommendation to LWRP to remediate and or open to economic development or recreational use
Wilcox Dock	Public parks/ball fields/community benefits
Wilcox Dock	Public access to lakes – don't have very much land from which you can see the lake. Seems like a perfect place for a park to allow community to have nice view of lake; enhance the neighborhood
Wilcox Dock	Safety & security – When boats were kept there without police patrol, they were broken into regularly (80's-90's)
Wilcox Dock	Environmental: Why are they undeveloped? Would this be a location for support services? Repairs for boats? Proximity to boat launches. –if economic value of this idea is valuable
Wilcox Dock	Proposal being right now for community sailing center – permanent installation for all sized boats. Remediation is needed.
Wilcox Dock	There is an environmental story to tell there - nature center; pcb cleanup; was a watering site for pcb cleanup. Where GP is now, lozier motors work was there until WWI.
Wilcox Dock	Restrooms available for public use - bathhouse style, not port-a-potties
Wilcox Dock	Trails with space for both bikes and pedestrians
Wilcox Dock	improve the pathway out to the point and make the point a bit safer to explore with smaller kids.
Wilcox Dock	Open space when you first turn on to Cumberland Avenue (from Boyton) that would be great for picnicking and a pavilion.
Wilcox Dock	A park or low impact recreation would be good. How about short hole golf?

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

## Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
Wilcox Dock	small boat/kayak rentals; snack shop; take advantage of the gazebo space
Wilcox Dock	put up art pieces/ murals/ landscaping
Wilcox Dock	picnic shelters, a fishing pier and a more complete boat launch site
Wilcox Dock	renovating and maintaining the lung trail (or removing it all together) and creating a grassy open area
Wilcox Dock	Public park in the area between Cumberland Avenue and Margaret Street.
Wilcox Dock	In the morning there is always a line up to get into the water and at night there is always a line up to get out of the water. Maybe another bay for access.
Wilcox Dock	maximize the dock space by moving all parking across the street.
Wilcox Dock	need sidewalks to continue past Point View Terrace to Margaret St.
Wilcox Dock	Wilcox needs to be well lit at night, a neighborhood watch program would be helpful. More street lights and cameras are a must.
Wilcox Dock	Community events such as fishing lessons and "tournaments"/ contests for the kids.
Downtown	Dedicated bike lane within corridor and coordinate plan with the two options for the SRT
Downtown	NYSEG site vs city's water edge ownership - a buffer easement
Downtown	develop regulations for the NYSEG site
Downtown	What defines downtown vs the transition area?
Downtown	Illustrate public space component - potential green space downtown; map of city with easements and green space
Downtown	Challenge: Salmon Run. Should protect this (eg. Lighting could affect salmon) - Take into account river and lake will become higher over the years
Downtown	Dredging along the north side of the city marina. DEC issue with getting it open
Downtown	Dredging issues near Dock Street - Consider dredging near boat launch on North edge (near WWTP)
Downtown	Balance of commercial, lodging, and green space for people to congregate
Downtown	Create events around natural events, eg moonrise
Downtown	Move MLD out of the area
Downtown	Water treatment plant as an attraction - close to mass transit connections, cleanest and greenest plant possible
Downtown	What to do with the large parcels: An attraction - amphitheater, recreation center, nature of the area; a restaurant as part of the marina
Downtown	Enhance connections between the Arts Corridor, Durkee, and Waterfront
Downtown	Make a portion of Margaret Street pedestrian
Downtown	Secondary streetscape improvements along Jay Street, Hamilton Street, across Broad Street Bridge back to Durkee
Downtown	Use public art to make connections
Downtown	Incorporate historical elements - would like interpretive center on Dock Street
Downtown	Event area at Durkee and center for city events - liberates traffic and connects to the Arts Corridor
Downtown	Residential development - mixed income and a demand for services
Downtown	grocery store downtown
Downtown	Pods of development at Durkee Street along the river: east of Saranac River along Pond St and Guy Way
Downtown	zoning and code restrictions for new development

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
Downtown	Consider the railroad track - negative; emergency access
Downtown	Downtown is very different during the day than it is at night - effects of college town
Downtown	Development west of Durkee Street is a possibility; Include site south of Broad Street for development
Downtown	Housing on the NYSEG parcel
Downtown	NYSEG site is a potential relocation site for City Recreation Center
Downtown	Rehabilitate existing pedestrian bridge at NYSEG site
Downtown	Enhance the farmer's market - year-round market (noted Hamilton NY Farmer's Market schedule)
Downtown	Dock Street - water park
Downtown	Think year-round use; 4-season destination: skating, wind boards, slide (Lake placid), indoor skate park
Downtown	Emergency services
Downtown	Train station - what to do with it?
Downtown	Need for residential development downtown
Downtown	Dock Street is dangerous from train station to water. Traffic is a problem at 4th of July, fishing tournaments. If train stops at the intersection, you are stuck with no exit.
Downtown	Relocating WWTP is not feasible - opportunities along the Saranac on the east side? Near current PMLD/WWTP?
Downtown	Lakeside container buildings should be removed or rehabilitated
Downtown	Crete biking/running/pedestrian loop - Central Business District walking loop. Connect McDonough, WWTP/Marina, Lakeside Container, NYSEG, Durkee Street Loop.
Downtown	Strand is KEY to this concept
Downtown	Why new parking footprint at Durkee lot? Why not build UP on existing parking? Don't use valuable space for parking.
Downtown	Will the population of Plattsburgh in 2050, 2080 support this commercial/mixed-use focused plan?
Downtown	This group LOVES the whitewater park idea
Downtown	Skating rink downtown on Durkee street lot - urban 4-season park, winter life in City center is grim - urban central park with sledding/skating, summer gathering, farmer's market
Downtown	Peace Point could be the location fo the Farmers market
Downtown	Need a hotel on waterfront
Downtown	development of lakefront/marina area with increased parking, hotel and ecomuseum
Downtown	More parking downtown
Downtown	face lift on some of those buildings on Bridge St
Downtown	Developing the NYSEG Site with access by foot +/-or car
Downtown	The city parking lot is a great venue for the Farmers market or any type of festival.
Downtown	At one point a hotel was going to be built down by the Naked Turtle. I believe that this still NEEDS to happen.

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Preliminary Draft - City of Plattsburgh Local Waterfront Revitalization Program  
Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
Downtown	Open the area near the marina to mixed use: residential, lodging, retail and dining
Downtown	areas for outdoors seating/cafe seating on the side walks not with barricades
Downtown	We have a beautiful river. Why can't we have at least one restaurant on the river??
Downtown	I think the building of an ampitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc.
Downtown	That huge unused parcel east of the train station is just begging to be developed. You could build a new "downtown" there with lodging, dining, residences and retail.
Downtown	Durkee Site concerns: Already empty retail in the area; parking vital to existing businesses - perhaps locate a structure on Bridge Street at old gas station site
Downtown	Bike rentals - improvements of mapping/advertising/signage of the connection to bike paths out to the beach, base bike path, Saranac river trail.
Downtown	food & wine festival downtown where the local businesses are
Downtown	a concert venue, such as an ampitheater in the waterfront area
Downtown	make margaret street one side of the street parking only... Then widen the other side walk on the opposite side to encourage outdoor dining, etc
Downtown	spaces to host more festivals, more FAMILY activities - attract the kids...the parents follow!
Downtown	Increasing accessibility of public transit such as a light rail or a trolley system. I think it would also be interesting if the train system could be used to our advantage like a wine train route.
Downtown	Increasing ease of foot and bike traffic. We also should be mindful of our fellow citizens with handicap issues such as wheelchair accessibility and space, as well as benches for anyone who needs to take a break.
Downtown	Improvements to/development of Trinity Square park - new fountain
Downtown	Fewer bars downtown - more fine dining/restaurants
Downtown	Parking - accommodate residents who live above the businesses as well
Old Base	Old Base marina - access after bank rehabilitation. Potential for use as a swimming beach, if rec dept supervision (limited visibility - security issue)
Old Base	Connection to Barracks brewery
Old Base	Rehabilitate pier at old base marina
Old Base	sailor's beach - enhancement for better access
Old Base	bike/ped path connections must be strengthened - have sections now, but fragmented. Lane from North end of TG park to Dock street
Old Base	Incorporate historic district into paths
Old Base	Coordinate paths with SRT
Old Base	Transportation museum - entrance from TG path
Old Base	Friends of the Old Stone Barracks committee - planning walking tour
Old Base	Old base Marina beach - no swimming now, plan to open for swimming?
Old Base	What is the alternative to Sailor's beach bridge? Beach seems too small - do we want more access? No - maybe a ramp for pedestrian access, focus on Old Base Marina
Old Base	Asphalt skating rink at old base (Hannaford Rink) - hasn't been used (no water supply)

# Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
Old Base	Museum campus - develop/make a destination - more accessibility and signage to connect to downtown
Old Base	Public transit between downtown and old base area is currently not promoted
Old Base	Move some museums to Dock Street - especially Battle of Plattsburgh related
Old Base	provide lighting on bike trail - appropriate for residential areas - need for increased safety
Old Base	Public transit to connect museums/brewpubs/old base with downtown and parking
Old Base	challenge - view to lake are obscured due to development of condos, etc - selective clearing of brush trees as solution without causing erosion
Old Base	Nothing permanent on oval green - keep it green, flexible; use for events/kite flying
Old Base	Add pedestrian/bike streetscape and façade improvements to South Platt Street, US Ave to circle
Old Base	Add to oval: public restrooms
Old Base	Fort Brown underutilized - location (parking?), overgrown
Old Base	Waterfront access - three other access points - Bridge, signage, add trolley (?), "no swimming" signs
Old Base	Oval - chapel is popular for weddings, use of oval green space - enhance area
Old Base	Plot west of barracks and north of cemetery - recent change in development restrictions
Old Base	Bike baths - want to develop race loops
Old Base	Want to connect existing trails
Old Base	Lake Champlain museum - could develop a satellite location - could provide a tallship (replica)
Old Base	possibility to add facilities for rowing/races?
Old Base	Fort Brown - interpretation, parking?, need walkability to it
Old Base	Create walking loop from SRT, behind Army Reserve, to Fort Brown
Old Base	Old Base Marina - rehab? Sell?
Old Base	Connect bike paths - Terry Gordon path to Rt 9 connector - near brewery
Old Base	Expand LWRP boundary all the way up Saranac River to the Town line
Old Base	Provide water on the oval for the ice rink and irrigation
Old Base	Restoring the docking area would be an added bonus for access from water.
Old Base	Prevent the whole place from becoming a museum (Old Sturbridge Village, Williamsburg). Focus on the continuity between past, present and future.
Old Base	Lake views are obstructed by trees however clearing that provides environmental concerns
Old Base	create a museum/workspace - Reuse some old base industrial space for modern museum support (perhaps a consortium of the museums) to provide skilled services in preservation of materials
Old Base	Put a massive museum/interpretive center--with a room for every local hamlet's museum in it--in the beautiful giant old building on the south end of the Oval.
Old Base	Fix the old docks, connect them with ferries, use the old base marina for outdoor theater productions in the summer.
Old Base	A banquet/reception hall in the building at the end of the oval opposite the chapel would be a great asset

**Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization**  
 Preliminary Draft City of Plattsburgh Local Waterfront Revitalization Program  
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Subarea	Idea
Old Base	Better access to downtown such as a light rail or a trolley system. With increased foot traffic places like the historical society and the museums could be open for more hours and promote our historical area.
Old Base	Utilizing the oval park for community events.
Old Base	Lighting the bike trail for safety issues
Old Base	I have always thought a section of the Oval would make a much better performance space than the steep banks of the Saranac River below the monument. There is plenty of room to set up a stage on the Oval and provide lawn seating that does not interfere with sports venues on the Oval.
Old Base	improve signage for museums - Maybe all the signs should look similar, state their open days/hours and admission prices.
Old Base	I would like to see at least one small motel/hotel option at this end of city.
Old Base	Bixi or Citi bike type stations, more benches along the bike trail, clear out some underbrush to improve lake visibility from the bike path and the Oval
Old Base	Ferry people from base marina to Valcour island for reasonable price.
Old Base	Really make it a museum campus. Have trails between. A trolley that takes you between museums.
Old Base	Tie it all together a little better with walking paths and other attractions. Incorporate the two new breweries and encourage other small vendors to come in. A coffee shop/bakery would be real nice there. So would a taco stand or a sandwich shop.
Old Base	Improve pedestrian bridge over the tracks for safety
Old Base	Provide handicapped accessibility

## **Appendix F Online Public Feedback following October 28, 2015 Workshop**

The comments on the following pages were received in response to an online survey that was available to the public following the workshop. The survey question is provided in bold above the responses.

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

<b>Identify Strengths for the North End</b>
Along the lake. Proximity to beaches and nature. Within walking distance. Could extend downtown area to the north.
Lake, access to Northway and City.
World-class views, a great potential recreation area. An interstate highway exit giving easy access to Montrealers.
Lake Champlain
Accessible, naturally beautiful, abounds with recreation opportunities, has existing bike path and beach facilities.
The trails and bike path as well as the beach.
Location, location, location!!! Close to a major airport, close to Vermont (Burlington), close to Montreal, close to Lake Placid.
waterfront, beach, access to highway, popularity with Canadian visitors, lots of land to develop that the City already owns, create civic center (also a challenge for upkeep and repair). There exists a nice mix of overnight stay options, from motels/hotel/camping/cabins/house rentals. Entertainment is just a short drive to Cumberland 12 or downtown.
Lots of "tourists" in this area driving to and from ferry, highway access. Space for opportunity, natural resources readily available.
Location to Rte 9 & I87
Beach access, trails
Beach, Views
Beautiful beach and views! Already good facilities and parking.
There is a beach and easy access to the ferry close by.
The lake itself is a huge strength along w/ the Create center property and city beach.
Tourists from Canada and Vermont, bike/ walking paths
The City Beach offers one of the most spectacular views on earth. The surrounding area is also appealing because it provides a sense of being in nature--a welcome break from the surrounding city scape.
The water front is a great strength along with the close proximity to Burlington and Montreal. We have a lot of Canadian tourists in the summer that help boost the economy.
There are none, the City in my opinion has done very little to make this right. The beach should be cleaned and the sand replaced...there was a beach there years ago but it has shrunken so much it is disgusting. On top of that there is nothing there, years ago my brother proposed an area on the beach that would be set up similar to the Great Escape on a smaller scale. He was essentially told he was an idiot for proposing it. If Plattsburgh doesn't do something, we will start losing our Canadian visitors too who spend so much money in our area.
Beach, convention center, camping, ferry traffic, highway access. Beach is typically busy when weather is good. Events such as beer fest, volley ball etc have been successful.
the beach is beautiful. thats all that needs to be there
Environmental elements such as indigenous grass, the beach area, and the state park nearby.
View
Waterfront on Lake Champlain. Close distance to Montreal, Burlington and Lake Placid
the beach exists & is free for students
Open spaces that are utilized by many different organizations throughout the year
Lease the land to a private business.



The beautiful water front that can be enjoyed for so many different things. We went too many times to count this summer.
Natural beauty: dunes, wetlands, beach, lake. Heavily traveled so whatever happens at the Crete or at the Beach will be seen by hundreds if not thousands of drivers. Underdeveloped and vacant land close by. Some of this land is natural and should be preserved and some should be re-developed.
Is ideal because of proximity and ease to ferry & interstate access.
Lots of parking.
the 'wildness' of the west end of the city beach. leave it as is w/o development
We have the most beautiful lake frontage in Plattsburgh. We really need to maximize the opportunity for growth along the shoreline. It would be nice to see more restaurants and shops in the area - what about the building where Windows on the Bay used to be? Or where that vacant motel is? We have so much space that could be used as entertainment space, or revenue generating spaces. We already have a ton of Canadians that come down here and want to spend money and boat on our lake. The Crete center. This place could use a major upgrade! Let's make this a venue for concerts.
Beaches and summer activities.
It's located directly off exit 39 allowing easy access for events. Also easy access to and from the ferry. Beautiful location with great views of lake Champlain.
Free public access to lake. History. Natural beauty.
A lot of local and international foot traffic at the city beach. Dock piers are a good idea. Having a boat docking pier is also a great idea.
Beautiful. Great sand. Plenty parking.
<b><u>Identify Challenges for the North End</u></b>
Maintaining habitat for waterfowl. Private ownership of land along lake.
Add new features without destabilizing/destroying downtown.
Private ownership of the lakefront that won't cede to any public use cuts the North End off from the rest of the city. And nobody will challenge that idea. So we have the world's most gorgeous McDonald's Drive-Thru lane. Polluted water that shuts down the beach, which may result from siting a sewage plant right on the water.
Politics
Beach underutilized due to lack of attractions (restaurants, decent hotels, boat rental not available).
Not easily accessible. A walk from downtown to the city beach is about 2 miles and most of the beach is private until you to the start of trail near the bike path. Plus walking past the old dilapidated Lake Side apartments is bad enough. They reek of mold and sometime there are some shady people around the area.
Older buildings and structures currently in place on some of the proposed areas make for the extra decision making and the extra costs involved in restoration or demolition.
Getting enough popular events at the Crete Center to fund the repair/maintenance (don't tear it down! it must be cheaper to repair the building than to build new! the cost of concrete alone is \$130/yd!). Marketing, attracting locals and visitors. POLLUTION - from the sewage treatment plant, it tends to all flow to the beach unfortunately. There aren't a lot of challenges other than getting people to utilize the great natural setting that we have! The only downfall is that it brings visitors to the outskirts of the City, they may not visit downtown - but it does bring people to our area, which hopefully would benefit everyone.

Seen as the "bad" side of town, lots of drug/illegal activity. Areas in disrepair, condemned buildings, Mc Donald's on the waterfront. Not much drawing business towards this area, the only "real" reason I drive over that way is for the beach, Cumberland 12, or to get to the ferry. Wild Dreams is not so family friendly or attractive.

Lack of signs for city beach from all directions

Wetlands, demand for parking and access to beach. Water quality problems. Swampy -- the entire area needs to be set up so that the wetlands function properly.

Crete Center is ugly. Far from center of downtown Plattsburgh. Lack of restaurants and businesses.

No easy transport from other places in town -- too far for students or elderly to walk to.

The Lakeside area is quite a sticky wicket.

Crete center and city beach are run down and unkept. To become a tourist destination, you have to LOOK like one. Clean up both properties, get rid of run down buildings, fences, etc. Grounds must be pristine and litter free. Repave beach parking lot. Another challenge is going to be some of the run-down properties that surround the beach and Cumberland Corners.

Water pollution

I think the challenge is to preserve the area's natural beauty and to enhance opportunities for recreation that is compatible with its natural assets.

Challenges for the area are professional job prospects to lure young adults to the area and/or keep them in the area, and those seeking an active life style who like to go to festivals and events that do not focus on truck pulls and eating greasy food. The area has a large amount of land on the waterfront, however, I do not think it has been utilized to take the most advantage of it. We have a water sanitation plant, a paper plant, McDonald's and motels with people who have recently been released from prison residing in them is not the best use of a beautiful natural resource along the waterfront. I also think there are a handful of close minded people in the area who might fight and argue that everything is okay the way it is, but we have such a high drug rate in the area, that we need to do something to bring more professionals and culture to the area.

Getting the Legislators and people in power in the city to get off their duffs and get things moving. It is not rocket science people...

Needs a wow factor as one of our major entry points. Better use of old convention center or upgrade for regular year round events. Bathhouse needs upgrade.

accessibility

Environmental impacts, access, connecting it to the rest of downtown

Good old boy network of city management that has failed us for years. Ferris has monopoly on the crossing to VT, strong lobby against a bridge

the crete centre is an eye sore - either demolish and make something new or make it into parking for the beach or just do SOMETHING with it please

lack of bike path to connect the end of the Scotion Creek bike path to the one which leads to the ferry.

Distance from the center of the city. Lack of knowledge about what is there. Price for non residents. I suggest having season passes that non residents can buy because the state parks have a pass like that. You will have people buy the parks one instead of paying your fee. But if there is a season pass it may get more people to come and pay.

There is an extreme lack of services on the north end. There is no sense of community there. Walkability ends at the intersection of Rt 9 and 314.

Cost Would be inclined NOT to remove Crete center but to possibly renovate. I do not feel this facility is utilized enough! A performance Pavilion sounds great but would be smaller and assume only usable during warmer weather. So why not use those funds for Crete Center? Unless you have enough funds for both. I would imagine beach goers would love the additional entertainment during summer months...but still don't know if you will be able to pull enough revenue to cover overall costs.

Keeping residents entertained in a fun and safe environment.

finding a use for the crete center and/or razing it to put something there more useful. or.. maybe not having anything there at all in the way of an arena. more camping? more day activities?

Getting people to stay in plattsburgh.

crappy under developed surroundings/poorly managed surroundings. Ex: lakeside apartments, lakefront McDonald's(prime real estate owned by a fast food chain?!) golden gate motel, ripvan winkle motel.... All eyes soars and harbor government assisted living as well as drug and alcohol abuse. Poor use of existing. Facility. Existing facility in need of repair/ refurbishing or new building constructed in its place. No venue available to host large grounds for musical events/ local city hosted fair/carnival.

Environmental cleanup. Distance from downtown is a problem for children, elderly, and people with disabilities.

Bathrooms. This summer of 2015 was a terrible setup for bathrooms. Not enough docking space for all the boats on the docking pier.

Water is gross. Very dirty. Very limited on what u can do in water. I havent been to beach in years because you arent allowed go have fun. No throwing frisbees nothing. Its water. People want to play in water.

### **Identify Opportunities for the North End**

Residential and retail development. Beach front hotel(s), waterfront walkway/bike path.

Increase beach area amenities

Connecting non-motorized bikeways to the city and to the rest of the county could make this a destination similar to the area around Traverse City, Michigan. The Scotion Creek former dumpsite could become a great park/rec area/golf facility. You could put ferry service from the city marina and points south on the lake, and even to Vermont.

Lots of potential

To create a fun beach complex, maybe with a pier, and some more restaurants.

The lake, the beach, exhibition space in the Crete center.

One thing I have always noticed is that Plattsburgh is a perfect location to attract tourists/visitors to the region. However, we seem to lack tremendously in some of the basics that families look for in an area to vacation. For example, there is no resort style hotel anywhere in Plattsburgh, despite the fact that they have the perfect waterfront location to be able to attract and sustain a large waterfront family resort. Some other smaller things that are fun for families and attractive to visitors are fun places like mini-golf courses or arcades (the mall arcade doesn't count) and there is certainly the land available for such developments in prime locations. Also, the future of the Crete Civic Center in Plattsburgh can be tied into this as well. It's obvious that Plattsburgh officials have made it well known that they want to attract as many visitors to the area as possible, for many reasons, economically being one of them. Well, I think the space where the current Crete Civic Center is located leaves the perfect opportunity to create a new civic center to replace the crete. This civic center should be designed less like a small recreational center with large open spaces and small bleacher seating and instead a civic center with a larger capacity, like say, 5,000-10,000 (actually seats) would be more ideal. It can still be used for recreational ideas similar to what the old crete civic center was used for, but also have the size and capacity to hold larger events, like concerts, sporting events etc etc. Having the facility to be able to host larger events will allow for more visitors to the area and tremendously help our local economy with large events that attract large groups of visitors to the area. Another thing that may not be possible but would certainly be worth considering in regards to the beach area. Why not a full length pier? This will certainly help with adding new restaurants, shopping and sight seeing ideas that Plattsburgh lacks into a centralized place that is all close to the beach at the same time.

Another thought that will certainly go a long ways to attract large amounts of visitors to the area is to add an outlet mall. Many folks go out of their way to travel, sometimes long distances, just to find outlet malls for bargain shopping. I've always found the space on Route 9 right next to the Cumberland 12 movie theater and the bowling alley to be a large enough and functional enough space to accommodate such an idea. Plus, any company who develops outlet malls would probably be quite surprised to see that area open for development and how perfect in location it is being directly off of a major highway, close to Canada, right near the ferry to Vermont and just outside of Plattsburgh. These would obviously be major large scale development ideas, but if Plattsburgh is as interested as they seem in becoming a growing area of the future perhaps these large scale projects would go along way to helping with that vision.

I like the pedestrian piers suggested on the plan and the boat docking (no overnight stays). I LOVE the outdoor event pavilion; it reminds me of Lake Placid's band shell and the Shelburne Farms concert green. If enough people were attracted to the area, that would mean another hotel and new restaurants! Word of mouth...if visitors have a good experience, then they'll tell their friends.

Lots of potential for a nature walk, a safe bike path is already in place. Some local businesses are already there. Beach (when clean) is a great space for families and friends. Kayak and canoe rentals would be a great addition. Maybe even wind surfing lessons.

Add a more family friendly area (play ground, picnic area & or sprinkler park) also give a discount to county residents because I know from where I live (Chazy). It's the same price as the point Au rouché and they have a play ground and covered pavilion. What they don't have is restaurants or stores close by

Swimming. Outdoor recreation on trails. Entertainment - outdoor movies, etc. A suitable dog park would be nice instead of the tiny patches of grass that are used as dog parks now.

Connect beach to downtown. Nature walks. Restaurants. Pier Pavilion. Tear down Crete Center. Make a multi-use facility with restaurants, shopping, recreation or shipping museum, something like the Echo Center. Make it more family-friendly.

A larger park area, a boardwalk to town, outdoor stage for concerts and theatrical performances.

1. Get the Ferry to go directly from Cumberland head in Plattsburgh to Burlington. You will see a great increase in tourism, because of the simple fact of walk-ons. 2. You gotta make that beach clean. Try using a sandbar, to fix the waterflow.

Opportunity exists to have a beach facility like no other. Could also have concerts and other events at Crete property.

Perhaps a hotel for the Canadians

This area should be a site where folks primarily can enjoy the lake vista. While some recreational development is desirable, it should be small scale, so as not to disrupt the area's essential character. A variety of food vendors would fit here.

The city beach could use a face lift with more board walks, cleaner bathrooms and maybe actual restaurants on the waterfront, not just fast food and smoothies. The Naked Turtle is there, but the service and food is terrible. The only allure in my opinion is that it is the only restaurant in the downtown area on the lake and where boats can dock and drive up. It would be nice to have a fine dining restaurant on the lake. It does not have to be the caliber of a 5-star restaurant in Montreal or New York City, but something like Anthony's or Irises. Burlington's church street is beautiful at night with the lights in the trees and the trubidor's playing music on the streets. Possibly holding a farmer's market at the beach would be nice too. I was in Buffalo, NY for a wedding and they had some great spaces that could be good for the city. Larkin Square is a public space that is used as a town center for events, farmers markets and can be rented out for private events such as weddings, showers, etc. They also utilize their waterfront with a farmer's market and arts and crafts, and they have public rentals for paddle boarding, kayaks, those little boats you sit in and peddle around for 30 minutes (sorry, I cannot think of what they are called) and other services with restaurants all around. I have also lived in a ski resort in Colorado with a man made lake that is always packed at night. They host movie nights in the summer, there's a small stage for concerts and they host kid events and dance parties there, walking/running trails, volley ball nets, fishing areas, soccer field, tennis and basketball courts, areas for picnics. They are always hosting flag football and ultimate frisbee games. Granted the area has more money in taxes because it is a resort, but there is a working class in the area and they are always using the space. The sidewalks are beautifully landscaped with a wave pattern, and not just straight and boring. There are digital signs around town that drivers can see with current events listed and the temperature. There is also a bus stop that brings you to the area. The city beach right now does not have that. The only way to get there is by car or walking.

A miniature or smaller version of the Great Escape...an area at the beach that actually offers swimming lessons to folks who can't. Etc....the list goes on.

Boardwalk and transient dock are good ideas. Organize more events. Beach weddings could be a success. Playground. Better food.

I think the Crete Center should be restored and used for public events. It could host a lot of activities in Plattsburgh. Plattsburgh needs things for people to do. Small, probably, local concert events, craft fairs, etc.

Building an event location for special events and weddings that can take advantage of the natural beauty. Building ice skating and other winter related sports area. Moving the Crete Center to downtown Plattsburgh, which would allow for lower-income families to better access it, and make this entire area more of a nature preserve.

Improved greatly the downtown/waterfront area. Bridge to VT. More pull from Lake Placid region

Increasing the variety in the Crete center. Currently, i understand that the Crete center is utilized for indoor soccer. This is one of the only venues open to the public that the city owns which could host events with their concession stand, bathrooms and bleachers. It seems to be complicated to roll out the temporary flooring over the indoor grass, so it limits any other organizations from utilizing the space.

More events being held here if the space is used correctly. You could have a big sandcastle festival come. They started one in port Huron Michigan a few years ago and it's very successful. Having more food and beverage options will mean prices might be lower and more people will stay longer at the beach. Make an adult only section of the beach and family sections.

More retail and quality lodging and dining are needed. The beach boardwalk is really nice but it would be great if it were extended southward, at least to Scotion creek but preferably all the way down to GP. The boardwalk could be used to tie together this entire neighborhood, much the way the Saranac River Trail does in the center city and south end.

There is certainly opportunities for more eateries and reasonable lodging. Having some competition would certainly add growth and having a variety of selection I believe would encourage more tourists to come and stay as well. Perhaps even some interesting shops/shopping in area.

Possible water park for summer time. A nice legit and kept up outdoor hockey rink! Mini golf/go carts. Outdoor haunted house/maze for Halloween. For the holidays what about a giant Xmas tree with annual lighting ceremony including fun and games.

improving the existing crete center so it can be used for larger (or smaller) events. Now it is either too large or too small, depending on the use needed. Development of city beach area in the way of retail space or cafe space during the summer months.

Beach and summer activities.

If the waterfront was developed maybe better development could happen along Rt 9. Could have as many opportunities as the rt3 corridor if developed properly.

Recreational, educational, outdoor events.

2015 Summer brew fest was a big hit. A similar event once a month during summer perhaps. Having a section on beach permitting use for small fires in the sand in the evening. This allows for people docking boats overnight to get out and truly enjoy the evening in the moonlight. Don't put this possible section too far from the main attractions though as the people will lose interest being quarantined from the public.

Put in some water slides or platforms to swim off from. Put a life guard out right there in the water. Chairs can be made high enough and then the supervision would be right there.

### **Feedback on North End Priority Project Concepts (Link in description)**

Crete should be demolished and a conference center or resort hotel put up in its place - not an indoor/outdoor recreation complex. Connecting trails. Nature trails are of interest.

The Crete center: how much does refurbishing it cost versus demolishing. I know usually cheaper but Is there any other empty exhibition halls besides the field house? Get more events. The Adirondack wine festival seem profitable, why not try something like that for restoration or something.

Fist and foremost- we've got to protect our natural resources, so I think remediation of environmental issues should be first on the list. As far as demolishing the Crete center, I'm a little nostalgic about seeing my first Cricus there, playing indoor soccer in the winter there, and frankly I think it was a mistake to stop having youth hockey at the Crete, so I think it should be remodeled. The ideas you've presented for the beach itself, renovating/ building new bath houses, piers, boardwalk, lawn for performances, etc, all sound fantastic and well needed. I think there needs to be space dedicated for this area that will draw people in year round, not just seasonally when the beach is open.

Concept 1 is not too much of an improvement from now. The Crete center needs to be removed and reconfigured elsewhere. What is the point of the pedestrian piers? They are a good place to hangout and drink.

Like the idea of tearing down the Crete Center and wetlands protection.

I like the concept, yay for dune restoration and performance space!

Don't put a bunch of docking right in the action areas. All that happens is that the police will not allow people or will always be down there at night, which ruins the romantic aspect of any beach anywhere.... think about your beach vaction... you do want a restraut with drinks there tho. They can share responibity for cleanup, as well.

All sound like great ideas.

I favor Concept 2, as I believe that the City and Town should cooperate to create a new recreational facility. The Crete Center has outlived its usefulness. Though demolition will be costly, the space will be better used for activities specific to beach recreation.

I do not have any feedback on this. This plan appears to be the same plan that is always in the works and has been years. The changes seems so small in comparison. I know planning takes time and money, but I think someone needs to look at a big overall picture for many years down the road. You have to use money to make money is the saying right?

I think it should remain a beach, uncommercialized. We dont need more shopping especially there. It would take away space from the beach. this should be an area for people to go to just enjoy our beautiful lake. An eatery or two would be nice but I think more grills, shaded areas, picnic tables, etc. should be added.

I prefer the last image of the priority project concepts. I strongly support moving the Crete Center and replacing it with an outdoor space that can be utilized while enjoying nature.

I really like the idea of an outdoor theater. After attending the Rusted Root concert in Lake Placid this past spring I hoped Plattsburgh would create a similar space.

I can't get back to the link. But I did enlarge and look at both concepts as best I could. Overall I do like #1 the best but think this may also be the most costly. That is the one without the pavilion..correct? Since can't get back there just want you to definitely know which concept preferred. I like the additional buildings and parking for beach with the boardwalk and a boat dock. However, if you are definitely removing the Crete center then you have to have the pavilion. You do need a place for entertainment even if only for a few months a year. Are there any renovations +/- or additions to camping area?

I don't see the distance from downtown as a minus . The city has provided signage and bike-ways from downtown to the beach. scomotion creek wetlands should be left alone as wild areas. it's part of the area's charm and should not be developed Advertisement:... in the 80s the city beach was packed every weekend esp w/ Montrealers. Not it's a ghost of itself w/ regard to attendance. Perhaps more advertisement out of the area is needed?

Beaches are terrible and you are roped off like cattle in the smallest swimming area possible. The day is ruined by whistle blowing teenage life guards telling you not to swim there. Nobody wants to pay \$7 to be yelled at no balls, no frisbees, no goggles I'm no longer going to the beaches because of this.

I think a development along the lake is great including pedestrian piers and docking sites. A boardwalk with shopping and food venues would be nice. But I hope the development takes into consideration of the flooding.

Concept 2 looks like a better fit.

### **What recreational activities would you like to see in the North End?**

More beach! Better beach! Better trails - connecting Cumberland to downtown. Concert area?

A clean beach open for swimming from May 24-Sept. 24. Bicycling access. A true indoor-outdoor rec center, with a pool on the site of the Crete. Par-3 golf course on Scotion Creek. Or at least bona fide, non-scary nature trails there.

Kayak rentals, parasailing for hire, more beach volleyball and zumba on a regular basis.

biking, boating, snowshoeing, skiing, lake skating?

Advertise kite boarding - it seems very popular - on a windy day you'll see 30 riders at the beach! Bixi or Citi bikes or similar rental bike shops. PLAYGROUND at the beach - so you can enjoy the property for 3 seasons and not just the summer time. A nature walk through the wetlands would be interesting for future development.

Kayaking/paddle boarding/ canoeing

Lessons and classes for people who want to try/learn different water sports and activities. Fishing lessons, and boat tour guides- there are lots of people in this community that are talented and knowledgeable and it's a resource that is not tapped. Educational nature walk, with a program for children- think of the activities you find at state parks and camp grounds (Fish Creek in particular has a great program for kids). Overall a theme of conservation, education, and appreciation of the natural resources that Champlain Valley has to offer. Kayak/Canoe/Boat/ Water sport gear rentals and sales.

Park, sprinkler park, skate board area, covered picnic spot

Trails for rollerblading. Connect the bike trails on Cumberlandhead - all the way to the ferry

Biking, swimming, bird watching, fishing, paddle boating

What is there or could be there -- walking, swimming, sunbathing.

Bands are cool, but no rap, no heavy metal... Country is ok ONLY for kid days... Mostly, people want rock and roll bands. Music festivals get people paying 400 a ticket on average, and those bands are rock and roll bands...

Concerts, etc. A place to rent kayaks, canoes, etc. at the beach would be nice.

Volleyball and other sport competitions on the beach

Low impact activities: hiking, birding, biking, kayaking.

Bike trails, walking/running trails, soccer/football field, outdoor ice skating rink, tennis/basketball court, skateboard park. We no longer have a place for mini golf since Ponderosa closed. The Comfort Inn closed their outdoor mini golf and their inside one is really "lame". I finished it in 10 minutes, but was trying to come up with a different idea for date night instead of the usual boring thing.



Our location is a Huge tourist attraction, definitely in the summer!! As a previous seasonal employee at the city beach for the past three years, I have been asked sooooo many times by tourist if we have any parks, or recreational activities strictly for children/families? From the feed back that I have received from guests I believe our waterfront would benefit a great deal if there was a playground and maybe water park as well as go-carts, all suggestions that have been mentioned to us as ticket clerks.

Concerts Theater Flea markets Circus Family Fun Zone - such as zip lining, ropes course, climbing wall, trampolines, etc

Nature educational activities - tours and explanations of the natural unique elements. Swimming, lawn sports, an ice skating rink

A playground would be great. Showers to rinse off feet easily before parking lot when leaving beach.

Outdoor wellness programs such as outdoor fitness classes, kayaking, paddle board, anything that gets people outside and encourages the utilization of the beautiful waterfront and open spaces. Maybe outdoor food events- food trucks or something of that nature?

Biking and water sports.

Several docks would be great! Maybe 1 or 2 at each end of beach instead of just one place. Having boat/canoe, wind surfing, as well as other summer activity equipment rentals would be a great addition to that area. Tourists and others who want to do these type of things and do not have their own should have the opportunity to acquire them. Classes to teach one how to do various sports would also be valuable. A small golf course?? Maybe a par 3? Small concerts Contest/competitions in various areas.

Icehockey tournaments on the lake, when it's frozen. Curling! A festival similar to the one in Saranac Lake with ice sculptures and a castle.

Water park, slides, restaurant family activities.

Kayak canoe rentals, charter fishing. Boat and jet ski rentals, parasailing, kite surfing, diving.

Swimming, public boat launch, nature trails, discussion of history of Lake Champlain and Plattsburgh Bay.

Mini putt. Go carts.

### **What types of businesses would you like to see in the North End?**

Boutique hotel with retail businesses (boutique/local) casual dining (e.g. Ingredient) Absolutely ZERO drive through fast food restaurants - they kill community.

(I hate this question whenever it appears. I think a survey is to get input on what people see today. People can't reasonably evaluate ideas they haven't seen.)

Hotels, mixed-use residential, real shopping near the cinemas.

Lake front restaurants

more restaurants, a new hotel.

I don't think the area can support business. There is too many empty lots of dead businesses out there minus the cinema and north bowl.

Resturant with bar and outside patio, bike shop, the kayak shack

I think a small grocery store would be a great business for this area. Something like Village Market in Waterbury, VT, or Mac's. A grocery store that is not too large, but has fresh produce and a deli. At this time, the closest grocery stores are on the other end of town (Price Chopper, Hannaford, Wal-Mart) or Yando's at the South Side of town. I think a store like the village market, that offers quality, would do a lot of good for the area, which at this point is pretty run down. I think, again, it would also be great to have a business in this area dedicated to water sports offering rentals, sales, and lessons.

Grocery store ( coming from the north there is nothing ) pharmacy and maybe a beach shop with trinkets , beach toys, sun block & bathing suits(A normal beach side seasonal store ). A few more snack shacks ( pretzel stand, ice cream stand , hot dog( Michigans are the official food of the north country ) , pizza shops . Pretty much normal board walk things

Restaurants!!

Those that enforce a modern, environmental idea. Kayak rentals, yoga, etc.

Restaurants with piers, arcades, maybe a hotel. When in doubt, see how the good tourist towns in Florida rock the waterfront. Emulate that!

A large grocery store would be nice. At one time there was talk of this to be located near the bowling alley and Cumberland 12 movie theatre. Possibly a hotel.

Local restaurants/eateries

I am not in favor of business development, except for concerts and food vendors at the beach. Cumberland Corners could use some revamping.

I would like to see more local restaurants with a fun and funky flair to them, ice cream shop, fudge shop and local shops for shoes, clothing, jewelry, arts and crafts, but the not the usual mainstream shops at the mall or those that are downtown where everything is second hand. Downtown has too many second hand shops with a lot of "junk". I like the flair and vibe of Burlington...Sweetwaters, Ecco, Mac, Urban Outfitters, Ben & Jerry's, Homepoint, Ri-Ra's, so and so forth.

Beach bar Beach shop Restaurant not pricy but family friendly Snack shack Bike rentals Kayak or canoe rentals Lake cruises dinner, moonlight, family, city tour, etc Hotel and camping

I don't think we need more businesses there. Probably just an eatery for the beach.

An event space that can be rented out by businesses and weddings, as well as other events

Indoor trampoline park or gym for kids and adults. Something active to do in the winter indoors.

more upscale food opportunities

Restaurants. It would encourage tourism, especially bike tourists from VT/ MTL to visit our waterfront for the day.

Retail Banking Fine dining Quality lodging Kayak and bike rentals "surf" shop - catering to beachgoers, windsurfers, SUP users, kayakers, canoeists, wakeboarders margaritas and tacos!

Additional & reasonably priced Hotel/Motels More variety restaurants/eateries Maybe additional shopping even if small shops +/- businesses side by side.. easy to walk to as well as drive. More concerts to attract the younger crowd as well as other all year round activities at Crete. The Crete center needs MORE promotion!! There should be something going on there very week.

More retail, specifically things like grocery stores, hardware stores, etc., especially at the former n. country shopping center. As it is now folks living on the city's north end and outside the city's north end have no retail opportunities. This also contributes to traffic congestion as all those folks must travel to the Rt 3 corridor. If retail opportunities were made avail. in the north end, the congestion issue would be alleviated.

Restaurants and shops...not pipe/glass pipe shops. Classy businesses.
Family theme park
It would be wonderful if that location was more of a destination for recreational activities. (Route 9 and north Margaret) would not be without question to see water park, indoor rock climbing, go carts.
None.
NO HOTELS! We already have limited waterfront and it would be a disservice to our area if we take away our waterfront views. People who are visiting city beach are not looking for hotels...they are traveling in boats and/or campers. It is summer weather and outdoors we seek in our beautiful weather...NOT HOTELS. A small restaurant with outdoor seating overlooking the entire lake would be a great asset with all local and international foot traffic.
<b>Do you have any environmental concerns for the North End?</b>
I'm concerned about maintaining the habitat that exists, but I think with smart planning, it could be.
Do not compete with downtown.
Clean water on the beach. Make it so cars aren't the only transportation choice.
We impact the environment way too much with stupid things like redirecting the Saranac river. Try low impact and positive change.
POLLUTION, not necessarily from the developments but existing pollution from the paper mill and the sewage treatment plant.
I think that no matter what, we need to generate more business in this area, and more attraction, and the over all theme of your project needs to be about conserving our resources, and education. This includes educating our community about pollution and how it has effected the lake and the businesses in our area.
Impact on the beach and water quality.
Just make the companies work for the city as part of thier contracts to clean up the area... They should want to anyway, because a clean beach is the draw, in the first place..
The lake pollution should be top priority for all local and state officials
Preserve the wetlands; protect the lake--I'M VERY concerned about water quality and algae growth.
Any new development would have an impact on the environment. I also think planting new trees and flowers for areas that get torn up is a good way to bring nature back to the area and restore some of the environment. Maybe making it so that certain buildings or all buildings are LEED certified. I am not sure if there are any developed city areas where an entire development is LEED certified. Maybe this could be a large stepping stone for the city and put Plattsburgh on the map and in people's ears with a special development like this. People do not want to pay to park, but you might have to charge to offset the cost somehow to pay for people to tender to the area for landscaping, trash removal, maintenance etc.
I would be interested to know what the environmental impact report states
The mill
lots of littering; concerns over water quality
The increase of boat traffic in the area.
Leave the undeveloped lands alone or try to restore/improve.
only that current wetlands be left alone and not developed. Wetlands are a HUGE resourse and , world-wide, have been depleted/destroyed to a significant level. Let's not allow that to happen here.
Flooding. Proper rainwater management. Water quality (maybe redevelopment ad location of waste water sewage plant needs to be addressed)

Yes, cleaning up the old City dump. Negative impact of large hotel on lakeshore.
Water is disgusting
<b><u>Any other ideas/thoughts regarding the North End?</u></b>
It's cut off from the city. You need to connect it in non-motorized ways, with regular shuttle service from downtown during the summer.
Water park. Should of done that years ago looked for a developer
Its going to cost a lot to revitalize it.
To LINK all the areas so we have an interconnected recreational and education corridor to attract all types of visitors. History buffs, art aficionados, adventurers, bike riders, beach goes, campers, families,.....it's all about bringing everyone together, get on the same page, and ADVERTISE all the great amenities we have to offer. We already have great offerings in Plattsburgh, our greatest challenge is getting people to know about them and enjoy them.
Open skating rink in the winter, so the area doesn't "shut down" when the beach closes.
The beach needs more curb appeal and more appeal on the corner of rte9 so that there is some draw. Maybe a big champy that says lake Champlain or Plattsburgh city beach something to make it attractive
To stop the problem of dogs on the beach, please establish dog park of about 2+acres in the area.
Research what other small cities have done with their waterfronts please.
Seriously work on the ferry from plattsburgh directly from burlington. A shuttle from the ferry at cumberland head to downtown with a stop at the beach would really get the people flowing from burlington... They could come party here without bringing a car.... its a no brainer.
I have so many ideas and thoughts and pictures. I travel all over the country for work and I see changes other cities have made and I always think "Why hasn't Plattsburgh figured this out yet?" I know this is a survey that is supposed to remain anonymous, but here is my e-mail: kyanulavich@hotmail.com. I have a degree in interior design with a focus on interior architecture. I understand urban design and space planning.
Yes do something with this very beautiful natural resource.
We need a nice mix of events in downtown and the beach area. Allowing some events at beach will stop so many events from blocking traffic within city. This is an underutilized area and while it is improving we need to capitalize on it.
Bridge to Vt
the beach is so narrow and hard to access areas other than right near the parking lot. Also lots of debris after storms makes it gross
I would be curious to see if we had more events taking place in that area now that we have City Planners if they could better pin point what is working and what isn't.
The city has turned its back on the waterfront for generations. Let's turn that around and open up the waterfront up and down the strand to everyone.

There is an empty building near Scotion creek which still stands and needs removed. This property could also be used for access by boat to that area and would be another nice place for a dock so one can fish there as well. Could also access the area without having to go to beach as there will be those who do not want to use or go thru beach. Perhaps you could have your walkway from beach extend to that portion with sitting areas and nicely landscaped gardens. All the run down +/- empty buildings in this whole area of concern needs to be addressed as EVERYTHING needs to be aesthetically appealing if you want someone to come and particularly if you want them to stay. I cringe each time I drive past these places. Perhaps the town/city/county could help with private owner's cost?? or purchase? or at least force the vacant abandoned buildings to be torn down and replaced with greenery!

None not previously stated above.

Bi lingual kids park.

Maximize public use.

<b><u>Identify Strengths for the Cumberland-Wilcox Subarea</u></b>
Beautiful waterside area. Quiet area.
naturally beautiful, easy access
Great beach for little kids, nice nature path, very popular boating spot, access for all types of boats and other watercraft, good distance to downtown (could improve bike access)
Beautiful and historic homes in this area. Wilcox Dock is a great spot for fishing and boaters.
Proximity to route 9 & downtown area
Great area next to the lake. Good land for recreation area.
Access to lake.
There is a giant field across the way that has never been used...
The dock itself is a huge strength.
Extra boat launch to avoid clutters at others nice
The dock is in a great location right near Route 9 and it has a nice little cove for docking. The neighborhood is nice and has some high priced homes...good tax revenue.
Beautiful area that could be used for access to boating - swimming, etc...
beautiful waterfront
Excellent fishing, beautiful views
The dock has lots of parking, people currently utilize the location as it stands and will not need a lot of additions to make a great place to hang out.
Lease the land to a private business.
Beautiful homes in the area.
Beautiful quiet small underdeveloped area.
proximity to lake/water
beaches and summer fun
Public access to lake.
<b><u>Identify Challenges for the Cumberland-Wilcox Subarea</u></b>
Access requires driving or walking in the street to get to the trail. Not really well identified (says someone who hasn't lived here all their life).
It's cut off from both downtown and the beach. Just like Plattsburgh is cut off from Montreal, Burlington and the Capital Region. And it will always stay that way. You'll never get past the private ownership of the waterfront. It dooms Plattsburgh eternally.
Locals living close by
ugly GP building, lack of sidewalks on Cumberland Ave near Wilcox, bike path is narrow and dangerous in this area, Access.
Connecting it to downtown, fixing up the street front, pollution, advertising and getting rid of people negative opinion of the area. Clear out the POISON IVY!
Wetlands are vulnerable. Georgia Pacific is run down looking and huge. Not a lot of water front is actually "open" to the public, most water front in this area is sitting behind a massive mansion.
Inadequate signs (in French and English)
Wanting to make empty land residential. This area is good for "upscale" housing. There is a need for fair priced housing in Plattsburgh. I am a new faculty member at PSU and I don't qualify for low income (of course) but I also cannot afford to live in upscale housing.
Georgia Pacific, residences
It is kinda residential there... day things are good, but night things wouldn't be ideal.

dock is run-down, appears old, no restrooms.
Poison ivy on the trail
I run along Cumberland Ave a lot and there becomes a lack of sidewalk. There is a bike lane, but you don't always want to run in the bike lane when you have a pack of 10 bikers on street bikes about to run you over. Your only option is the grass which has a drop-off into the ditch or the street. Cars do not always move over since I am in their road, but I have no where else to go. It's a little dangerous.
accessibility
Near an industrial site and not friendly to foot/bike traffic
The healthy heart/ lung trail looks like a road to a haunted house. Pedestrian and bicycle accessibility/ safety after Wilcox Dock.
The same beautiful homes on the waterfront make it inaccessible to the masses.
Privately owned property and environmental protection
private landowners and the paper mill
PCB cleanup should be reviewed. There are rumors, supposedly coming from people hired to do the cleanup, that most of the PCB remains in the lake.
<b><u>Identify Opportunities for the Cumberland-Wilcox Subarea</u></b>
Longer trail - connecting trail to larger network of trails.
It's about maxed out. As good as it will get.
to utilize the undeveloped land near wilcox,
Luxury condos.
The City already owns the property so this is an easy area to focus on. The City already cleared out the brush last year which was an improvement. I go to Wilcox beach quite often in summer, it's a great beach for smaller kids that don't swim yet. improve the pathway out to the point and make the point a bit safer to explore with smaller kids.
Wilcox dock. Open space when you first turn on to Cumberland Avenue (from Boyton) that would be great for picnicking and a pavilion.
Make it more family friendly
A park or low impact recreation would be good. How about short hole golf?
More ways to interact with lake. More places for recreation and leisure.
I guess some fishing expo stuff would be good there... no permanent atuff, but food trucks and stuff.
It's all bit up with houses, not sure I see much more of an opportunity. Maybe a real bathhouse at wilcox dock that is cleaned on a regular basis. The porta-potties are not that great and after being on the lake all day, you really want a nice bathroom and somewhere to wash your hands and possibly freshen up if going out to eat after.
I think this would be a great place for the city to provide small boat/kayak rentals. Perhaps a small snack shop and take advantage of the gazebo space that is there.
I like the ideas proposed. I'm not sure that I would want to develop the area north of Wilcox dock but maybe putting up art pieces/ murals/ landscaping. I always love driving down Cumberland Ave during the sunrise and sunset. It would be a shame if we fill our open spaces, just for the sake of filling them.
The dock is interesting. Even though it is currently only a gravel lot it is widely used. Could it possibly be made nicer with picnic shelters, a fishing pier and a more complete boat launch site?
Increased opportunity for use and alternative from busy large marinas A park by the lakefront with pavilion, tables, grills and restrooms. And dock for boats +/- fishing. Walkway to Margaret St.
nature trails affording views of wetlands and lake but not physically intruding upon either

Fishing, boating, picnicking.
<b>Feedback on Cumberland-Wilcox Priority Project Concepts (Link in description)</b>
All good ideas!!
Most of downtown Pattsburgh lacks easy access for traffic. This fact has made Cumberland Avenue a more heavily used street and this is shown in the increased use for traffic and community events. The result has been an increase in street closures for parades. sporting events, and heavier use by drivers seeking a shortcut to downtown. If the city intends to "protect" the Cumberland Avenue community it should seek alternative areas for the above mentioned activities. I see the proposed development as the beginning of more overuse of Cumberland Avenue.
GENERAL FEEDBACK: we have a lot of great trails/bike paths in the City already, maybe more maps and signage to connect the paths would be great!
I think it's really important that number one on the list be achieved, enhancing picnic and day use amenities- this is what will really draw families to the area. I also think adding more fishing docks would be a great thing. Pedestrian access to Margaret street would make a world of a difference, Margaret street is always pretty busy.
Like them.
meh.
no feedback. I forgot to look ahead of time and had to retype everything on downtown when i forgot to look ahead of time and lost it when i went back to previous screen.
I support all of the ideas for this site
I like the idea of putting grills and picnic areas down there for the people who would utilize the day use boat area and fishing areas. I think renovating and maintaining the lung trial (or removing it all together) and creating a grassy open area that kids and families could play in.
I love ALL of your ideas but think would hold off on neighborhood development and perhaps improve what is already there. If ever you needed a roundabout you have two horrific intersections of multiple streets off Margaret. One at the Georgia Pacific area and then the next intersection down with Miller & Weed and another street on each side. Love the concept of building up the day picnic/pavilion idea with docks for fishing, grills etc. Bathroom facilities would be a nice addition as well. Walkway to Margaret St spot on.
Public park in the area between Cumberland Avenue and Margaret Street.
<b>What recreational activities would you like to see in the Wilcox Dock area?</b>
provide for kayak, small boat rental,
bike racks, canoe/kayaking docking/pull off area, maps showing connecting bike paths
Local food vendor, pavillion, and space for events like kid's birthday parties, photo opportunities, etc. Play ground for the children, possible a dog park- this is always a good spot to walk dogs.
Playground & coffee shop
It's creepy now. Whatever you do, make sure it's more welcoming than it is now.
Fishing pier.
Kids day stuff would work good there... Fishing stuff..
A picnic/pavilion area is a good idea.
Maybe more areas for fishing for those who do not have a boat.
fishing, boating, bike and foot access
The low key current activities are great, especially for being so close to a residential neighborhood
Boating and fishing, picnicking, maybe an improved bike/walking path downtown.



Keep it simple. Large picnic pavilion for those who have reunions, weddings etc. No overnight camping!! Boat dock for fishing is grand idea Small playground for children..swings & slide Wouldn't want to see this area overrun as is smaller, quieter but under utilized at present. Is a nice alternative for locals as well as a quieter place for others away from downtown & marinas. I have lived here 31 years and did not know this place existed until 2 years ago!
Kayaking. Canoing. Paddle boats. Sea doo rentals.
Promote those that currently exist.
none it's too dirty stay away
Fishing, boating, picnicking.
<b><u>Suggestions for waterfront access in the Cumberland-Wilcox subarea</u></b>
pull-off space for kayaks, canoes and SIPs.
Taking advantage of the space that is open, not just leaving it as an open and unused field.
Kayak and canoe rentals. Ice skating in the winter.
Trails.
Its already there....
In the morning there is always a line up to get into the water and at night there is always a line up to get out of the water. Maybe another bay for access.
Healthy heart/ lung trail, sidewalks, bike paths that link the complete streets path to downtown plattsburgh.
I would suggest maximizing the dock space by moving all parking across the street. Although it will be difficult explore the possibility of building a beachfront from the dock to the mouth of the Saranac. A beach could be accessed by everyone and would not be as intrusive to homeowners as a boardwalk.
Nothing to add other than docks already proposed. Does boat ramp need any updating? Parking?
kids fun
Free public access.
<b><u>Suggestions for neighborhood protection and enhancement in the Cumberland-Wilcox subarea</u></b>
need sidewalks to continue past Point View Terrace to Margaret St.
Do they have a problem? They live on a City street just like everyone else in the City, why do they need special protection? What about people that live on Cornelia or Broad Sts. they don't require special enhancements or protection. NO SUGGESTIONS
Wilcox needs to be well lit at night, a neighborhood watch program would be helpful. More street lights and cameras are a must.
I don't think we need more housing.
Its pretty blocked off already, but there is a part that isn't fully protected on that fence all the way on the end of the heart trail.
It's a fairly quiet neighborhood with professionals and families. I am not sure on the protection and safety. I feel safe when I run during the day, but later at night it is a quiet neighborhood. A bit secluded, especially at the monument with the gazebo.
Focus on the dock being a dock and not a recreation center.
Not at present
landscaping and lighting to afford visual protection from any development for housing currently existing

<b><u>Any other ideas/thoughts regarding the Cumberland-Wilcox subarea?</u></b>
What about more public art - like Burlington has the Earth Clock - we could have art that integrates with the environment.
No strong feelings on this except please don't think about duplicating Burlington (Echo, etc.).
It wouldn't take too much to improve this area. Public Works has done a lot with it already. I see tons of people boating and fishing or having their lunch breaks or dog owners. I rarely see anyone on the beach - I don't think people know it's there. I hardly ever see anyone on the paths. The porta-potties are nice. Improve the parking area with permeable paving material. this area like all others just requires people to know about it and want to go.
Community events such as fishing lessons and "tournaments"/ contests for the kids.
Do we really need it?
I think that this is the area for the hardest sell. If the area was more appealing (without the factories nearby) then it would be more of an exciting spot. As is it seems like a good place to preserve the wetlands but otherwise leave alone.
Its docky... hehe

<b>Identify Strengths for the Downtown Subarea</b>
Cute downtown - it's quaint, it has potential.
Compact, walkable, free parking on Durkee St. and waterfront. Small local businesses that you can't find at a mall.
Lake Champlain
DOWNTOWN, SARANAC RIVER, easy parking (we can't lose parking spaces in Durkee lot), restaurants, history, architecture, arts center, Macdonough Monument Park and Band Shell, history, shopping, mixed residential/commercial space, proximity to waterfront, pedestrian bridge, train access for visitors, and the CO-OP the best place to buy local and organic goods!
Downtown Plattsburgh is really making a come back, businesses are growing. Architecture in this area is beautiful and there is so much history. Desired location to be for locals and tourists alike, young and old.
Close to city population. The Saranac River.
Again, awesome downtown waterfront potential, mixed use space, arts corridor, river, remediate site potential
The Eagle Monument is a nice area.
Several good existing restaurants, proximity to waterfront, boat basin, and marina.
Walking distance, beautiful
Strength for the area is the historic part of the area. There were improvements made in the past to the buildings, but they appear to be in need of a little TLC again. Close proximity to Montreal and Burlington, College kids and their families.
Downtown is horrible, there is nothing to keep people downtown except for the bars that are there,,,sad but true, bring some stores to the area, get more shoppers in there spending their money.
Beautiful waterfront areas
The waterfront is by far the best aspect of this area
Ability to park within a block or less of most restaurants and stores. Increasing amount of restaurants that are trying to create a good and unique product.
City marina
I love the development of lakefront/marina area with increased parking, hotel and ecomuseum. More parking downtown as well is essential and having a face lift on some of those buildings on Bridge St will enhance our already improving downtown Margaret/Durkee St area. Developing the NYSEG Site with access by foot +/- car. Improved appearance of waste plant.
Proximity to the majority of Plattsburgh's population.
The city parking lot is a great venue for the Farmers Market or any type of festival. It would be nice to get more vendors involved. We have so many beautiful buildings downtown with so much history. It would be nice to advertise the history of certain buildings. At one point a hotel was going to be built down by the Naked Turtle. I believe that this still NEEDS to happen. People will pay a lot of money to stay in a hotel with a waterfront view!
Beaches
Lakefront and riverfront.
Great location for enhancing waterfront with family entertainment activities. Beautiful views of the lake.

**Identify Challenges for the Downtown Subarea**

Sense of identity of the community - history of military town, but it has been a generation since there was an active military presence - we need to be something else. We also need everyone working together on a single project, not 8 small groups trying to do the same thing - so community communication and centralized leadership.

Getting people to come downtown. When they come off the Northway, they see the mall straight ahead of them. A simple Free Downtown Parking sign would do wonders (with the companion return to Northway signs). The theme should be "we won't let you get lost if you explore Plattsburgh."

No anchor retail. Sewage plant occupies best spot in city. Drunks and heroin addicts. Racists. No students of color want to stay in this area after graduating from SUNY because they feel unwelcome. So our population will grow old and wither away.

getting people to enjoy all that downtown has to offer, property owners maintaining their buildings and surroundings, the stigma the downtown has to outsiders and locals - bars, rif raf, dirty, etc.

Lost of space is being misused, wasted- and I'm talking specifically about the eye soar that is the water treatment plant sitting right on the water front! Lots of crime in the down town area.

Inconsistent mix of businesses, some are not consistent with econmic growth. Just how many bars do PSU students need? Traffic flow problems and congestion. Need parking for current downtown residents

The large amount that needs to be done.

Many -- especially the water treatment plant and the large parking lot right on the water front.

It looks like crap... You guys ever heard of paint...Half the city is alley stricken. There is no bushes hiding the trash everywhere... The streets are very dirty with stains ... Far too many people live there, and there are far too many law offices, instead of shopping venues...

Water treatment plant. No one wants to build a hotel next to a smelly sewage treatment plant. Getting property owners to improve/update the look of their properties.

Old buildings, tight roads, snow

Challenges for the area are housing and getting jobs into the area. Maybe the rent is too high downtown in some locations so people are not coming in. But then maybe the rent is too low which is why we have a lot of junk shops. There needs to be a happy medium to bring in the right type of business and clientele. I would love to see the apartments downtown all fixed up and turned into lofts and high-end apartments for the young professional. There are professionals who move to this area and the housing choices are not great. I lived in a complex 4 blocks from downtown and after 3 years I saw the change of people and moved out. I want to surround myself with like minded and career oriented people. Not the neighbor who has 5 adults and 10 kids living in their 2 bedroom apartment or the other neighbor whose girlfriend makes front page of the newspaper for sticking a bag of cocaine up her lady bits or having the cops knock on my door due to complaints in the area because some woman is screaming bloody murders everyday and her significant other is telling her to "shut the f\*\*k up you dumb b\*\*\*c!" on a regular basis.

parking

accessibility, parking, dealing w/ the train and the water treatment plant

Old school politicians that have no vision

bridge street after the river (near campus corner/charter) is one of the scariest looking areas in plattsburgh, please improve- maybe more lighting? a lot of college students walk this either to go to the naked turtle or campus corner and it is VERY UNPLEASANT

Under utilizing the existing downtown buildings. The cost of renting any space downtown is much higher than locations in the Town of Plattsburgh. This has lead to many businesses leaving downtown Plattsburgh and moving uptown. Bars, vape shops, head shops. Lack of places to get fresh and healthy food.

Two very important things: Open the area near the marina to mixed use: residential, lodging, retail and dining Figure out how to tie in this "downtown" on the waterfront with the "real" downtown - make it appear to be as natural as can be to flow from the waterfront to Margaret St and the arts district.

Cost and time management Need to break up and do a section at a time and knowing how to prioritize.

CLEAN IT UP!! It's filthy... papers and other debris all over... The City is at fault, as well. Sand is left on walks and parking areas from previous winters....We cannot change downtown over night but perception goes a long way to making an area better. Un used storefronts. Make it more advantageous for property owners and prospective business starters to begin a business downtown, perhaps through altering the tax structure.

hiring a beach staff

Presence of sewage treatment plant at mouth of Saranac River.

Train station is an eye sore. Tall grass/weeds are ugly. Fencing is ugly.

### **Identify Opportunities for the Downtown Subarea**

Retail development; opportunities for public art that is inspiring and positive. Gathering places for community that are more than just "event" gathering places - areas for outdoors seating/cafe seating on the side walks not with barricades - landscaping: trees, shrubs, flowers, plants, fountains, etc. What about a downtown ice skating rink? Developed farmers market with permanent structure/stands/functionality year-round?

(See previous response about evaluating solutions that don't exist.)

There aren't any because of the people who live here. Nobody with real money wants to invest. Plattsburgh will never miss an opportunity to miss an opportunity.

Gorgeous downtown area - we're not Burlington, we don't need a church street marketplace - but own version of the Plattsburgh downtown arts, shopping, eating, recreation corridor! Plattsburgh: a place for art, food, nature, and enjoyment.

With people already enjoying the area as it stands today, with added improvements this will only increase the attraction to this area. AMTRAK train station is bringing lots of tourists to this area.

We have a beautiful river. Why can't we have at least one restaurant on the river?? Geoffreys Pub doesn't count.

More restaurants, shopping, recreation, arts and cultural activities and engagement outdoors

Could be a better shopping district.

Parks for activities, waterfront

There are a lot of opportunities for the area. Someone needs to go out and seek them and see what other cities are doing to make a turnaround. We need to utilize our waterfront.

I think the building of an ampitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc. Further, it's location being near to downtown and near to most bus areas make it ideal for low-income or others who rely on public transportation to access. It can also be used to boost the use of public transit if it is a popular location for people to visit.

Food truck would be neat. Bike rentals.

Marketplace environment- accessible waterfront - enjoyable outdoor dining without street traffic
Currently buildings in existence that are beautiful and part of Plattsburgh's history.
That huge unused parcel east of the train station is just begging to be developed. You could build a new "downtown" there with lodging, dining, residences and retail. It would be wildly popular with summer guests and have people live there would ensure year-round activity.
Potential for huge growth via business and opportunities for increased activities for both residents and tourists.
Downtown could be great. It's walkable and accessible. Promote this. Give people a reason to go downtown; currently there is little reason unless one needs to shop at the coop or go to a bar or certain restaurants. Currently there is only one coffee shop downtown but there is room for some competition in this area... encourage that.
beaches
Free, public access to lake and river.
Affordable family entertainment! This area needs attractions that invite people to come and relax, have fun and interact. Miniature golf would be a great outdoor family activity.
<b><u>Feedback on Downtown Priority Project Concepts (Link in description)</u></b>
Arts corridor is ESSENTIAL for the survival of our community sense of culture. Any enhancement or moving of electric/water treatment plant is essential. We need a downtown that is aesthetically pleasing and inviting, not one that shows our infrastructure.
no link. I like the arts corridor park linking through the existing park, but I think the Farmers market should stay where it is. It's convenient for people (and myself), to stop at the market, then shop at the Co-op, stop for ice cream (44 below) and maybe make a deposit at the bank. I sometimes spend all morning downtown on a Saturday! Leave the building as is for now, expand on the existing riverfront boardwalk to Bridge St. 1ST PRIORITY should be to fix up the old Church oil property, include temporary/changing local art installations (in Montreal, near McGill they have an arts display that changes regularly), benches, small playground, maybe access to the river (but there is access at macdonough monument so not a priority). As mentioned before, we need to keep the parking at durkee st lot! whether it's a new parking garage or whatever, but that lot seems to be well used. In order to make downtown usable, the restaurants, shops and other places need to have easy access parking in order to compete with the box stores uptown.
I think it'd be good to relocate the commercial businesses that are in the area, and the storage yard. Transforming NYSEG's MPG site sounds like a must. I think relocating the Farmer's market may be necessary, I have never visited its current location.
Excellent!! Can we really do it?
Really like the large street to link the arts area to the marina.
All good ideas.
Sounds good. I think a lot of those areas need to be relooked at and how they can be used to the best of their potential.
a lot of good ideas. It would be nice to get a shopping area like burlington has. cobblestone walkways between the stores, no cars allowed in that area

I support the ideas for the NYSEG site. I am concerned about the Durkee site. There is already empty commercial space in this area so I am concerned that this new building project would be so dependent on having new businesses in this area. Further many of the local businesses - the North Country Co-op, the restaurants, the small shops - all rely on that parking lot to provide easy access to their stores by patrons. The current plan, as I understand it, would essentially cut off the businesses on Bridge Street from the parking which will be particularly cumbersome for those who do their main shopping at the North Country Co-op which is a downtown staple. If the city truly wanted to move forward with getting rid of the parking lot and instead putting in a parking structure, I would advise that it be on Bridge Street, perhaps where the old gas station was. It is off to the side and would still allow easy parking and access to the businesses on Bridge St. as well as City Hall Place such as Cache Elegance, Once Upon a Time, Dress Code and the North Country Co-op. I think the building of an ampitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc. Further, it's location being near to downtown and near to most bus areas make it ideal for low-income or others who rely on public transportation to access. It can also be used to boost the use of public transit if it is a popular location for people to visit.

While it would be nice to have a nice parking structure with business spaces, we are not utilizing the spaces that already exist. Is there any way that the money used to create this structure and space could be distributed to help renovating, asbestos abatement, getting everything up to code that currently exists? Will the water treatment plant still smell terrible with the new renovations and ideas for that area?

I love ALL of the ideas and plans! I also know this will all take a large amount of time and personally feel should be broken down into 4 stages. If I have left something out was not intentional and most likely not considered as important as the other ideas. Whatever I have forgotten can be added to 4th stage. Stage 1: Lakefront/ marina with hotel, parking etc. Stage 2: Durkee St Parking, waste plant/water dept. improvements Stage 3: Facade & streetscape enhancements Stage 4: Develop NYSEG site then add Durkee St Ext footbridge with Caroline St. car bridge last

There should NOT be commercial or hotel development that close to the lake and river. That area would make a gorgeous park and/or a site for outdoor events. There is little or no need for a new vehicular bridge on Caroline Street.

NO HOTELS. We have enough hotels to choose from on route 3. Another one is being built at this very moment. We already have limited waterfront space and hotels would only take away from the panoramic views of our lake. We as city residents should have the right to go for a walk down dock street and enjoy the natural lake views and putting up a hotel for other people to rent rooms and enjoy the views would be unfair to all city tax payers. Moving the MLD is a good idea but it is currently hidden down what appears to be an alley way. How will we gain street front awareness that something is down this "alley way"? Upgrading the dock street itself is a good idea. The train station and its landscaping need a major aesthetic improvement. Unsure about a Eco center museum on dock st. Again we need attractions that are going to get us local folks out and about on weekends and any given week day. I'm not so are the public would be inclined to spend their Friday at a museum. An outdoor entertainment like miniature golf or go karts would be a great event planner for all family's on any weekday or weekend.

**What recreational activities would you like to see in the Downtown area?**

Music/concert/performance venue, ice skating rink, outdoor seating/gathering places.

The white water park seems great (I've seen them all over the world...see Munich white water park). offer kayak/canoe rentals. Tubing is dangerous on this river b/c people tend not to wear life jackets and in the spring the river is treacherous. Bike rentals - improvements of mapping/advertising/signage of the connection to bike paths out to the beach, base bike path, Saranac river trail. I like the idea of utilizing the NYSEG contamination site to connect with the treehouse, but I don't think it's necessary to have a large park there, we have plenty of large open space in the City. It would benefit the City more to have a wide path along the riverfront, but sell off the rest of the property for townhouse/apartment development. The City needs revenue too. I'll develop it ;)

I think Downtown needs at least one street that is similar to Church Street in Burlington, which draws in performers and entertainers, fun community events, 5K runs and walks, etc. I think there should be more attention and education around the history of downtown, the origins of some of the oldest buildings that remain, who were some of the original business owners in this area? Information on events that changed our city's history. More defined nature trail.

Trails connecting all the other trails for biking, etc.

White water rafting in the midst of the downtown seems strange. What about paddle boating or Venice like boats or boat tours - make it more European. We should remodel downtown like a European hamlet.

walking, outdoor ice skating.

Music. Rock and roll.

More shopping.

More live music

A lot of other cities host events in their downtown areas like the Color Run and Food & Wine Festivals. It would be nice to have a food & wine festival downtown where the local businesses are so if you are still hungry afterwards, you can walk right to that location. Not get in your car and drive if the event was held at the Crete Center. A lot of other cities host movie nights and free concerts. Monday night could be free movie night and Thursday night could be free concert night. Get done work, go out for drinks with colleagues, friends and family at Irises, grab some dinner at The Pepper and then head across the street for a free movie or concert. Great for families too.

I would love to see a concert venue, such as an amphitheater in the waterfront area. Should the Crete Center be relocated here it could house sporting events and sport classes.

Playground.

Mud wrestling! Seriously - we have bike paths and a waterfront. I don't think we need beach volleyball to sell this town

Utilizing Westelcom stage for theater and music. Bike events that move through the city, increasing the visibility of health and wellness activities. Trinity Park yoga, tai chi, boot camp classes at the monument. Anything that gets people to think "hey I've always wanted to try that"

sailing, boating, fishing, kayak rentals, bike rentals, ice skating, cross country skiing via connector to Saranac River Trail. Activities around the river and the lakefront would make use of this marvelous asset.

I would love to see a new fountain at Trinity Park/square. Love what they are doing during warm months. I particularly like the free events. Some outdoor painting classes Children's events Boat/canoe rentals @ marina Wind surfing, etc lessons on waterfront More shopping opportunities a place for skateboarders winter activities such as ice gliding, ice skating, etc.

More outdoor entertainment. Especially during the warmer months. We should have a musical performer at the band shell every weekend. First weekends has been great for the area. Things like this really create positive attention for our little city.



remove the arts waste of time
Fishing, swimming, picnicking, walking trails, outdoor events, expand public boat launch (Not many people are able to afford a 30' boat, let alone mooring fees).
Miniature golf, go karts, live acoustic music. Acoustic would assure music isn't loud like a concert. Just like you see in certain national city videos where acoustic street performers provide a great vibe for downtown environments. A movie drive in somewhere would be a great idea. No one wants to be indoors during our beautiful summer weather.
<b><u>What type of business/parking developments would you like to see in the Downtown area?</u></b>
Boutique retail or select national franchises that still reflect an aesthetic perspective - 10,000 Villages, even a Pier 1 would be better than Ashley's furniture. Diverse restaurants - we have Himalaya, Blue Collar Bistro, Aleka's...what about an Indian cuisine? Tea shop? Dare I even say the dirty words...Starbucks? What about clothing stores that market towards a younger crowd? We have 5000+ of those types who show up every August and hang out until May or so for 3-6 years. Fair trade shops? Jewelry/art boutique shop? We DON'T need any more bars downtown.
Less parking. More density. It's not a suburb. Don't try to make it one.
Quality restaurants
We don't need more commercial buildings in the durkee street lot or anywhere else. There are plenty of vacant commercial places downtown right now. Maybe some rentable cubicles along bridge St (see Old Port Montreal, they have temporary structures every summer that artisans and local stores/eateries rent out). See above statements about residential development.
I think we need more business near the water, a water front restaurant and (boutique) hotel. Guided boat tours. Nature center like Echo in Burlington. Businesses centered around education and conservation of Lake Champlain.
Create a new space for the farmer's market. It needs more room and more vendors. It's lame as it is now - not enough space for people to browse, and not enough vendors with similar products. We need competition to keep prices fair.
Restaurants and retail - restaurants along the water. Make it really European and romantic.
A larger farmer's market. More local businesses, better parks and museums.
A big music venue would be nice. Clean classy bars would be nice. They are all old and musty like Moes on the Simpsons.
Need a large retailer that would draw people downtown. We don't need anymore antique shops/flea market type stores.
Parking is tight, for people living with off street parking that is only 2 hours, it's likely you will get a ticket. Perhaps a permit that allows you to remain in certain time limited parking zones near your residence to avoid unnecessary tickets and fines.

I would like to see nicer businesses in the area that bring people downtown. Right now, downtown has a lot of professional offices. Great for during the week and they keep the restaurants busy, but the weekend have no allure. Between the 6 "antique and junk" stores on Margaret Street, I have no desire to go downtown. I'd rather go garage sale-ing than pay for some of the overpriced junk. It also doesn't look good that they throw it out on the street during the day and it looks like a garbage pile. I'd like to see a downtown that people want to go to on the weekends. Canadians and College kids from the city have money. I'd like to see Whole Foods, The Body Shop, Urban Outfitters, Express (there is no place to buy nice professional and stylish clothes in this area...JcPenney and Maurice's for a girl does not do it and when you're in your 30's Hollister and American Eagle is a bit immature and childish), Ben & Jerry's, Ecco (store in Burlington), Barnes and Noble. How many junk stores and tattoo parlors does one downtown need. I like my expensive jeans and I know college girls too, I would like a place to buy my True Religions, Joe's Jeans and Hudson. Parking, I think there is ample parking. If streets were to be closed off to make a walking street like Church Street, I would not be opposed to building onto the parking garage.

I'm very satisfied with a lot of what we have in downtown and am unsure what is missing. We have amazing restaurants, cafes, quaint shops, etc.

Parking for extended times 90 minutes to 2 hours can be limiting.

We build a half assed garage on durkey st - no vision - make it bigger!

more parking/better parking/an online guide to parking that is available in downtown plattsburgh

Honestly, I've never had a parking problem in Downtown Plattsburgh. Between the side streets and the large dDurkee street parking lot I've always been able to find a space when I lived and worked in downtown Plattsburgh. The only time I see this being an issue is during a snow ban, and we might be able to learn more from our Canadian neighbors like MTL who are able to clear streets in the presence of cars. Also, there are parking areas that go under utilized such as the small lot near the strand that is privately owned as well as the small lot located near the Monopole.

A skating rink downtown would be popular. A good old fashioned movie theater showing art films and cult films. Bike shops, kayaks/canoes for rent and sale, bait and tackle shop. Retail shops selling new clothing/shoes.

I think I have addressed above already. The extra parking garage in Durkee St lot as well as the extra parking along waterfront/ marina Additional shops. Convenience store ie Stewart's, on Bridge St where gas station used to be..located beside Durkee parking lot.

make margaret street on side of the street parking only... Then widen the other side walk on the opposite side to encourage outdoor dining, etc that is NOT in the street . A multi level parking garage over the current durkee st. lot. Two level minimum, preferably three.

for the last part parking seems to be okay. The Strand could use a bigger parking lot, but I'm not sure where you would put it. :)

None in the areas indicated on the map.

Family entertainment centers. NO HOTELS! This is our city as tax payers. Let us enjoy the natural lake views as opposed to someone wishing to rent a room. Let our hotels remain on route 3 where they belong for travelers coming off interstate. Downtown Plattsburgh is not meant for hotels. We don't need additional downtown parking as we already have a parking garage that is hardly used during evening hours.

### **Suggestions for a more vibrant Downtown area?**

ART corridor - PUBLIC ART - music hall (for rock concerts) - consistent community gatherings - maybe one night a week the downtown businesses stay open a little longer (until 8pm) - Holiday Living Windows, Window displays for other holidays or events - Breast Cancer Awareness, etc. Access for people to get to and from downtown easily during the day and evenings - rather than a circuit of public transport, but specific transport to/from downtown (from CCC campus and PSU campus).

This question assumes it's not vibrant. Restaurants, pedestrian street traffic, parking are there -- and people from outside the area think it's just great. It's locals who (a) "see" downtown from decades ago and (b) don't see what is actually there today.

Get rid of drunks and racists.

Clean it up

We're moving towards it slowly but surely. Simon Conroy has started a great event for downtown with local foods and artisans, we look forward to that next year. Destination downtown seems to be doing well. First Weekends started out great with family activities, but has now gone to what seems like just live music. More festivals, more FAMILY activities - attract the kids...the parents follow! Have bi-weekly family events with local performers: dirty diapers band, Grotto family jugglers, pipsqueak's magic show, artists offering projects - check with Clinton County Youth Bureau, they offer varied events all year. Town of Plattsburgh Recreation department does a fantastic job with varied activities too. Our City Rec Dept. does well with their sports, but they don't seem to go beyond that.

Repair of existing buildings, business, and homes. It truly is a beautiful area, but when you take a closer look you do notice that a lot of the older buildings are not properly cared for by their owners. More walking trails.

Access to the natural beauty of the river and lake with play areas for children, restaurants, and shops, and places to relax outside downtown.

Move the museum area to downtown or the children's museum.

The art on the buildings was nice and looks classy... Good job on that.

Businesses that are open 7 days per week. Downtown is dead on a Sunday afternoon. Try to bring in a major retailer.

Music and festivals

Updated landscaping with colorful trees, flower beds, vibrant flags on the light posts, string lights in the trees. Add an allure to downtown that will entice people to go downtown and bring more business. More business means more businesses wanting to come downtown and places open later. Places open later means people are around, places are not deserted. Less opportunity for vandalism, crime, fights, drugs, etc. Host weekly free events in the summer that cater to the professional and families. Not the scum bags that sit at home all day and are free loaders. I used to love going to Mayor's Cup as a little kid. Now, I might go and it's more about the people watching. I feel like more creatures come crawling out from under a rock at mayor's cup than what they used to be. The area needs a facelift. A park would be nice for kids to play. Nice and clean, no graffiti or needles. Trinity Park is a sad space of green with what little grass there is and i always see the same scummy family sitting on the bench across from the court house smoking away all day when I run errands for work. There's about 5 of them of all different ages with one holding a baby and the other one pushing a stroller. Out there everyday in the summer, chain smoking with kids. It does not send a good message about the area to the random passerby.

Additional stores that people are actually interested in shopping in.

less bars

Increasing ease of foot and bike traffic. Increasing accessibility of public transit such as a light rail or a trolley system. I think it would also be interesting if the train system could be used to our advantage like a wine train route. We also should be mindful of our fellow citizens with handicap issues such as wheelchair accessibility and space, as well as benches for anyone who needs to take a break.
Market place with out traffic
definitely improvement on facades is a good idea - but keep it historically accurate?
Events, Events, Events. Plattsburgh has done an amazing job this year promoting itself on social media. I think we need to increase that, and silly events like the Luge activity, first weekends, food competitions, the battle of plattsburgh, dance classes, dance competitions, getting local speakers and comedians. We are already doing a lot of this stuff, which is great. I think we lack in our clear promotion of what everyone is doing. We have the two or three computer terminals that have been installed downtown but they are not utilized. We have the board near the Durkee Street parking lot that people just post their posters on with tape. If we could get more ways to post upcoming events and activities. Individuals have attempted to be a place to send all upcoming events, but have been unsuccessful. I'm not sure how we can fix this, it has always been a problem.
Close streets as often as possible and have free music of all kinds - classical, country, rock, jazz, blues - appeal to everyone!
Think you are headed in right direction. The Strand has added a large variety of activities for all ages. Parking is a definite must. Small parking garage on corner lot Court St & Margaret perhaps?? Add a new fountain to trinity Square!!
More restaurants, FEWER bars. Development of trinity park... The riverwalk committee has plans that were nixed by previous administrations for the development of this part, returning it to how it once was. Currently it's very shabby.
kids fun
The downtown area could be spectacular and a huge tourist draw with more open space along the river and lake.
Miniature golf, go karts, movie drive in, acoustic street performers provided they acquire a summer permit which shows they are serious about what they are doing and not just anyone can come up and play as a distraction. We need more downtown restaurants to be open on Sunday's. Downtown Plattsburgh on a Sunday is a ghost town. It's a shame we can not go out to eat at one of our many great restaurants downtown on a Sunday. Not everyone is free to do dinner on a Friday or Saturday. Almost everyone I have spoken too agrees.
<b><u>Any other ideas/thoughts regarding the Downtown area?</u></b>
Let's make it happen!!
High-speed commuter ferry between downtown Plattsburgh and downtown Burlington, so Burlingtonians can come to Plattsburgh and revitalize crumbling center city housing stock. But that would never happen. Because people here hate anyone who's not from around here.
No more bars allowed
Any improvements are a good thing. It's still just a matter of getting people to want to leave their couches or walmart to see what it means to live in the City of Plattsburgh and to see what it has to offer for quality of life.
The Mayor's Cup and Battle of Plattsburgh Celebrations are always so full of activities and entertainment. I think that some of these themes/offering should be in the down town area more often, live performances (music and theater) in particular.
More public art and sculptures, installations, etc. Creative placemaking is where it's at.

Less cops... I mean seriously there is way too much presence...it made my visiting friends and family nervous... After 1am until 3am they should be there full force, tho.
I have lots of ideas, like my comment for the North End...kylanulavich@hotmail.com
I think people eating out in the road in front of restaurants is a ridiculous idea. It's dangerous and takes up valuable parking spots
Fix it or become another depressed norther New York town that gave up
I think that it is great to crate the whitewater park and other recreation programs. However, while we build all these new things, what are we doing to make the rest of the city stay up to date. It's nice if we get a hotel downtown with all of these great spaces, but if the rest of our downtown is an eyesore it is still a difficult sell.
Start charging for parking on the streets and in the Durkee St. lot.
I think we are heading in right direction. Empty spots need to be filled with private businessmen, shops or any additional profession that will bring people downtown. Definitely need more hotel/motel accommodations and stop adding to the other end of Cornelia/Rt 3. More parking Don't forget about our residents that live above ALL those businesses. They need a place to go as well, especially in winter!
CLEAN, CLEAN, CLEAN... the place is dirty and litter strewn... Cleaning it will go a long way toward one's perception of downtown. No one wants to hang out or visit a dirty place.
stop the bar scene it's ruining the town

### **Identify Strengths for the Old Base Subarea**

Architecture, lake and history.

Great old buildings.

I LOVE THIS AREA! I wish more people wanted to visit the museums they are such great resources. HISTORY, open space, waterfront access, bike trail, historic architecture, recreation space, gazebo, playground, residential and commercial mix, so much potential!!

Trails are already in place. The Old Base is a sought out destination for history buffs.

A long stretch of lake access

Lots of space and interesting buildings.

Its next to the water...

Bike path is a huge strength, as well as U.S. oval.

It's on the water is a strength along with its historical value

Enlarge it

its a beautiful area, rich in history

Beautiful area, deeply historical, lake views, park in the oval

Agree with what was identified in the proposal

Same idea ..lease it all to a private business. If a private business doesnt want it then it isnt worth it to the taxpayers.

Walkability is good. It is possible to walk from downtown to all of these areas on quiet, safe streets.

Love the concept of connecting everything to Dock St and beyond Love building up the historical aspect Restoring the docking area would be an added bonus for access from water.

proximity to lake, views of VT, open space

### **Identify Challenges for the Old Base Subarea**

Preventing the whole place from becoming a museum (Old Sturbridge Village, Williamsburg). Focus on the continuity between past, present and future.

Great old buildings that are crumbling. Dumb zoning. The railroad tracks.

Getting people to know what's there. The museums have done so well, but they're a work in progress. The only way to speed the progress is admissions and donations. vacant buildings. This is a big challenge: there are 2 LARGE buildings on the Oval that are virtually un-developable. Reasons: COST, asbestos abatement, lack of tenants, lack of use, COST! We looked into buying the large building next to the Court, but the money it needs to make it usable far exceeds the potential profit. The railroad and it's easement is a big challenge for waterfront development and usage

No clear link between down town Plattsburgh and this area, at this time. No (attractive) businesses in this area at this time.

Railroads

Reshaping it as a whole.

The train tracks are kissing the waterfront ALL the way down....

Still a few vacant buildings on the oval that continue to just sit empty and rot away.

It is falling apart and has been abandoned for a few years. Needs some TLC and improvements. It's a little bit off the beaten path and some of the homes in the area are sore on the eyes. Try and get the community involved in a facelift. I have an idea...towns have a gardening contest for their residences and win \$1000. Give people a reason to take pride in their homes and neighborhoods. It gets people outside working and being neighborly. It's a win-win. People might win money and the city gets cleaned up for free. You do not have to pay tax dollars for clean-up or deal with abandoned properties.

Lake views are obstructed by trees however clearing that provides environmental concerns
More parking at peak times.
Agree with what was identified in the proposal
Tying it all together as one walkable, pedestrain/bike friendly strand will be difficult.
Promotion of historical aspect..getting the word out and people in. PR would be big job in order to promote well enough to bring in enough people to cover cost of project. Convenient accommodations for those who do come
Parking
erosion of cliffs blocking access to old base marina beach. maintenance of current bike way.
<b><u>Identify Opportunities for the Old Base Subarea</u></b>
I think it's over-museumed, but create a museum/workspace/??? about the future. Plattsburgh's history didn't end in 1814 (or 1995), and there are actually some people who don't wear hoop skirts and powdered wigs today. The abundance of museums leads to tremendous duplication of effort -- and, at the same time, serious omissions because each museum is trying to manage its own collections. Reuse some old base industrial space for modern museum support (perhaps a consortium of the museums) to provide skilled services in preservation of materials (a scandal in most small museums including ours). Such a service could also consult/support the residents upgrading and restoring historic homes. Do we really want people who are trying to restore a Queen Anne house getting recommendations from Lowe's?
Put a massive museum/interpretive center--with a room for every local hamlet's museum in it--in the beautiful giant old building on the south end of the Oval. Instead of, you know, letting it collapse into dust. Fix the old docks, connect them with ferries, use the old base marina for outdoor theater productions in the summer. Re-route the railroad tracks and their bomb trains off the lakeshore, and send the trains through the town rather than the city. Turn the railbed into bike access.
to recycle or replace waterfront abandoned buildings in this area
Nice signage (some of the current signage is haphazard and not "nice looking"), excellent waterfront access!
Very historical and important part of our city.
Make a trampoline park or something fun for the winter
Probably the best area for outdoor recreation and activities.
Museum connections. Restaurants. Living. More arts and cultural centers and schools.
A pier situation.. a big wooden pier from the naked turtle to the gazebo would be great... expensive, but great.
Opportunity to develop remaining buildings into housing or some other use. A banquet/reception hall in the building at the end of the oval opposite the chapel would be a great asset, although I realize this isn't something the city could take on.
Plattsburgh City Dock is an empty parking lot most of the time, except weekends. In the winter it turns into a dumping ground for all the snow. Do something with it! Have snow castle building contests or a citywide snowball fight (not sure how safe or practical), but get the residents involved to do something. Have an ice skating rink.
Open up more museums or places to visit, similar ot the Adirondack Museum in Blue Mountain Lake, NY
pursue the history aspect

Promoting business in the area, such as the brew pub that is coming in soon. Better access to downtown such as a light rail or a trolley system. With increased foot traffic places like the historical society and the museums could be open for more hours and promote our historical area. Utilizing the oval park for community events. The ground needs to be taken care of - there are a lot of divets throughout the property. Lighting the bike trail for safety issues. I live on the oval right next to the bike trail and I do not believe light pollution would be a problem and whatever problem it presents would be worth it in exchange for the increase in safety.

Agree with what was identified in the proposal

I have always thought a section of the Oval would make a much better performance space than the steep banks of the Saranac River below the monument. There is plenty of room to set up a stage on the Oval and provide lawn seating that does not interfere with sports venues on the Oval.

We have an abundance of history surrounding us and there are a lot of people who would love to take it ALL in if they just knew about is.

development of old base beach

### **Feedback on Old Base Priority Project Concepts (Link in description)**

Focus on the beach where the pavilion and pedestrian bridge is first. Sailors beach requires a large amount of repair and improvement for safety. Just fix the bridge and add some signage, maybe clean up the beach area a bit. Museums: give them money ;) They are trying so hard! improve signage. Maybe all the signs should look similar, state their open days/hours and admission prices.

I think everything set in the plans for this are is perfect. Focusing on history and education is a must.

Rails to trails!

This one seems the least inspired. The Oval has so much untapped potential.

The railways kills a lot of things....

They sound good.

I support all of the projects but would be extremely hesitant about the building of any additional permanent structures on the oval park.

lights/ emergency buttons on the bike path for night use.

Love all of the ideas. I would like to see at least one small motel/hotel option at this end of city. Restoring the base marina area a must even if small scale. Like the walkway extension to Dock st. The Battle of Plattsburgh festivities every year would indeed bring the historians who knew of us. Finding a way to bring people in the rest of year would be more challenging Having school field trips would be an excellent way to bring our history to our children as well as others from other areas. However, with all the school cuts in the surrounding areas thru the years.. field trips were the first thing to go.

This plan looks good.

### **What recreational activities would you like to see in the Downtown area? (Note: Typo in Survey)**

Bixi or Citi bike type stations, more benches along the bike trail, clear out some underbrush to improve lake visibility from the bike path and the Oval

Community events centered around education and the history of the old base. Fundraising events. Tours.

Parades, block party's, and playground to keep families involved and included .

More areas to just walk around and window shop.

An ice skating rink.



Music...Rock and roll music...
i'm pretty sure i answered this question in the downtown area. See that response. BUT, I do remember as a little kid, the oval being the hub of everything. Host an Easter egg hunt, host a santa's workshop with reindeer for kids...have a petting zoo with mini carnival for kids.
Bike events. Increasing bike awareness for both bicyclists and drivers. Too many bikers on the sidewalk, or not obeying traffic laws (going the opposite direction on one ways, not stopping at stop signs). Maybe events that discuss these issues to make a more complete city.
More live music - seven nights a week in several venues.
Guided tours from the base all along the walkway through town showing as well as giving all the historical information. Ferrying people from base marina to Valcour island for reasonable price.
<b><u>Suggestions for the Museum Campus/Historic Corridor?</u></b>
More mixed-use zoning, so it's walkable. You have to drive to everything in this city.
MUSUEM CAMPUS MAP PLEASE!
Really make it a museum campus. Have trails between. A trolley that takes you between museums. Restaurants. More recreational spots and playgrounds or creative spaces for children to play.
Really hard.. good luck with that...
I have not been to the museum so unfortunately I do not feel like i can comment.
Better promotion and public access such as light rail or a trolley system.
Tie it all together a little better with walking paths and other attractions. Incorporate the two new breweries and encourage other small vendors to come in. A coffee shop/bakery would be real nice there. So would a taco stand or a sandwich shop.
Great for school tours..or any adult group tours as well.
Much of what needs vis a vis the museums depends on funding. W/o proper funding/staffing/promotion , these will either remain small or not succeed.
nobody cares about that too boring and slow
<b><u>Suggestions for Waterfront Access and Trail Development?</u></b>
This exists in several places -- let's not duplicate effort.
Connect trails to other trails.
Please improve the pedestrian bridge over the tracks. It makes me nervous every time I bring my kids across.
Dog beach!
We have a beautiful lake next to city and the only restaurant on the lake is a McDonalds. This is pathetic. How did the city allow the best stretch of lake access go to private devolpment, condos, an eyecare center, a hotel (now derelict), and a fast food restaurant? This should be public access or at the least, a nice restaurant and several shops (think like they have on the coast in NC and SC, and what they have along the river in Savannah, GA).
Develop this more and involve artists in the development.
Just use a good amount of led lights..
More safer trails. Colleges have the blue lights that connect to campus security, maybe put something like that on the trails for people to feel safer that relays back to city PD.
at this time there is no handicap accessibility which is a shame. I also believe that the old mariana could be revitalized and promote a great stop from the bike trail
They are currently well maintained and work great. Maybe finding a way to connect the waterfront bike path to the street path with clear signage for bikers and drivers.

Keep working to tie the neighborhoods together so that it will be possible one day to ride a bike from McSweeneys to McSweeneys to McSweeneys on a bike path or at least on safe bike lanes.
Definite need for the base marina/docks to be revamped
deal with and correct cliff erosion and develop that area near the old base marina. Expand current bike ways.
<b><u>What recreational activities would you like to see in the Downtown area? (Note: question repeated, with typo)</u></b>
Is this question correct? Do you mean Old Base/Museum area? Seems to have plenty of recreational activities.
Historical plays and re-enactments.
Ice skating rink.
Things that get people out and moving around.
skateboard park, skating rink
kids fun house. Open the create and turn it into a tramploeen park and host concerts

## Appendix G **Project Matrix**

Previous planning reports were reviewed and a list of project suggestions was synthesized from all reports. The list of reports is presented on the first page, followed by the project matrix, which references the source in the right-hand column.

This list of projects is provided for reference only. They are not all proposed as projects under this LWRP. This list was reviewed with the LWRP Committee to inform the proposed projects that appear in Section IV of the LWRP.

## Reports Referenced in Developing Project Matrix

Type	Date	Document	Spreadsheet #
City Beach	1967	Municipal City Beach Complex Environmental Assessment - Stage III	
City Beach	1970	City Beach Soil Borings	
City Beach	1994	City Beach Boundary Survey	
City Beach	1994	City Beach Topographic Survey	
City Beach	2011	Adirondack Coast Destination Master Plan slideshow and narrative	8
City Beach	2013	Destination Master Plan: Plattsburgh City Beach	
City	Mar-99	Dock-Bridge Street Corridor Design and Linkage Study	1
City	May-99	Comprehensive Plan for the City of Plattsburgh, with maps	
City	Apr-01	Plattsburgh Waterfront Horizons - Draft	2
City	Jul-03	Plattsburgh Downtown/Waterfront Economic Enhancement Strategy Report	3
City	Mar-03	Proposed Waterfront Hotel Feasibility Study	4
City	Jun-03	Durkee Street Development Design Study	5
City	N.D.	Plans for Progress Brochure - Quality Communities Program - Plattsburgh	
City	Jul-06	Saranac River Trail Feasibility Study	
City	Jul-00	Cumberland Bay redevelopment (DOS funded; abandoned)	
City	May-09	Streetscape and Design Guidelines for the Downtown Area	
City	Jun-09	LWRP Draft	
City	Jan-10	Plattsburgh Brownfield Opportunity Area Pre-Nomination Study	6
City	Feb-10	City of Plattsburgh Local Waterfront Revitalization Program (Draft)	7
City	Apr-11	Wastewater Treatment Facility Mitigation Final Feasibility Study - Waterfront Rediscovery Program Phase VI	
City	Sep-14	Vision to Action notes	9
City	Dec-14	City and Town of Plattsburgh Recreation Survey Summary Report	11
PAC	Jan-15	PAC Meeting notes	10
Regional	Nov-10	Lake Champlain Basin Program - Opportunities for Action	
	Dec-10	Essex/Clinton Counties Waterfront Plan	
	2011	Destination Master Plan - Action Items	
	2012	Clinton County Destination Master Plan Revised Goals	
	2013	Clinton County Destination Master Plan Revised Goals	
	2011	North Country Regional Economic Development Council Strategic Plan	
	2012	North Country Regional Economic Development Council Progress Report	
	2013	North Country Regional Economic Development Council Progress Report	
	2014	North Country Regional Economic Development Council Progress Report	

**Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization**

Subarea	Project	Source
1-North End	Develop a multi-use indoor sports complex: indoor tennis facility, soccer, possibly an indoor/outdoor pool with waterslide, miniature golf, basketball courts, and space for youth	11
1-North End	Improve City Beach bathhouse	11
1-North End	Expand City Beach swimming area; consider a clothing optional section of beach	11
1-North End	Consider programming at City Beach: sand castle competitions, shaded reading areas/reading programs, snow shoeing, ice fishing, cross-country skiing	11
1-North End	Consider a location for a concrete skatepark	11
1-North End	Implement Destination Master Plan for City Beach Site	10
1-North End	Preserve habitat; dunes; Scotion Creek	10
1-North End	Infrastructure improvements (bath houses; potential to include restaurant in short-term	10
1-North End	Clean up landfill site	10
1-North End	Unify streetscape and include aesthetic improvements	10
1-North End	Modify zoning to allow for mixed use businesses (kayak shack; artisans; sports-oriented uses and businesses; move the professional offices)	10
1-North End	Explore the feasibility of a elevated waterfront trail; easements needed from property owners (berm may provide flood protection)	10
1-North End	Preserve dune grass at beach; preserve wooded areas for wildlife; keep the beach natural (no large commercial signs, shops, etc)	9
1-North End	Expand beach use - "use at your own risk" - year-round use	9
1-North End	Protect the unique habitat at Scotion Creek - no sewer plant	9
1-North End	Provide public access to Valcour lighthouse (Sundays; provide transportation)	9
1-North End	Remove lifeguard chair in front of camping area in swimming zone for kites (is this the state park??)	9
1-North End	Provide ferry tours/entertainment cruises	9
1-North End	Hold Concerts on the beach (band shell, amphitheater)	9
1-North End	Create a boardwalk from City Beach to Wilcox Dock - shops, restaurants, hotel - and to state campsite	9
1-North End	Create a lakeside bike path from City Beach to downtown	9
1-North End	Year-round destination; shops, restaurants, entertainment, pier into bay with boat dockage	9
1-North End	Ice rink with lights near hotel on Bay	9
1-North End	Upgrade bathhouse to bar/restaurant to use for events in the short-term until conference center/hotel opens	9
1-North End	Use Crete Center storage building for concerts	9
1-North End	Improve beach security and communication equipment for staff/security; police beach at night (hire HS kids)	9

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1-North End	Clean Up City Beach - complicated by bottles in sand; more garbage cans; use community volunteerism programs for cleanup; could raise cost to maintain beach better; pursue grants	9
1-North End	Eliminate porta potty; invest in overwhelmed restrooms (need repair, maintenance, supplies)	9
1-North End	Develop a boat taxi to/from Vermont; boat tours; music barge	9
1-North End	More activities - paddle boarding, kayaking, paddleboats, bike/walk paths, parasailing, volleyball; farmers' market on the lawn; winter parasailing on ice; ice skating; ice castle; international ice boat regattas; tennis court (year-round youth tennis); Include family-oriented activities: intergenerational playground, mini golf, go-carts, regular bonfires, mobile food vendors	9
1-North End	Construct a pier for fishing	9
1-North End	Establish a dog-friendly beach area	9
1-North End	Modify zoning as needed to create a mixed-use recreation district; some apartments (mixed income/pet-friendly; lakeside); some commercial near streets (Note: did not include zoning comments from other reports)	9
1-North End	Improve publicity for events held at the beach (volleyball, beach itself); kiosk at beach front to list restaurants, hotels; use fence near ticket booth for local event announcements	9
1-North End	Construct a breakwater at beach - boat mooring, boardwalk	9
1-North End	Construct a kayak boat launch	9
1-North End	Provide more seating along walk	9
1-North End	Pursue City annexation of adjoining state beach/campground (underutilized)	9
1-North End	Create running trails/ski trails in winter	9
1-North End	Scrap "Destination Master Plan" - keep beach for sports and downtown and old base for historical activities including boat building	9
1-North End	Destination Master Plan: Public-private partnership-public park use with private retail/entertainment developments; Museum/interpretive center focused on history; Regional visitor center; boardwalk; festival/concert area; nature trails/canal system; botanical garden; snow sled/sightseeing tower; hand boat launch/fishing pier; retail; restaurant/entertainment; 125-room hotel; retail boardwalk	8
1-North End	Expand public outreach & education regarding easements from private property waterfront property owners for public access	7
1-North End	Establish a volunteer incentive package for obtaining waterfront easements from private property owners	7
1-North End	Provide additional signage and recreational programming for Scotion Creek wetlands and dunes area	7
1-North End	Provide additional beach monitoring and cleaning from Scotion Creek to the end of City Beach	7
1-North End	Work with private property owners to obtain easements to all waterfront parcels as a means of ensuring protection and providing improved public access to the waterfront	7
1-North End	Construct a Cumberland Bay trail connecting the interpretive trail proposed for Scotion Creek and the Wilcox Dock site	7
1-North End	Consider former landfill site as an alternative location for the desired eco-center or Municipal Complex, taking advantage of existing underutilized parking capacity	6

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1-North End	Evaluate site for alternative power generation. A bio-energy facility could utilize sewage sludge and other recyclables could be developed.	6
1-North End	Science Center (Draw)	2
1-North End	Observation tower (Draw)	2
1-North End	Visitor Center/Truck stop (Soft Draw)	2
1-North End	Boulevard thoroughfare (Support)	2
1-North End	Festive retail (Support)	2
1-North End	Interpretive trail/boardwalk/lakeshore promenade (Support)	2
1-North End	Parks (Support)	2
2-Cumberland Avenue/Wilcox Dock	Improve link (pedestrian/bicycle) between North End and Dock St/Downtown - streetscape enhancements	10
2-Cumberland Avenue/Wilcox Dock	Expand use of the existing (nice) beach and moorings	10
2-Cumberland Avenue/Wilcox Dock	Construct a kayak/hand launch	10
2-Cumberland Avenue/Wilcox Dock	Develop a sailing or boating school	10
2-Cumberland Avenue/Wilcox Dock	Increase residential development to support the downtown/local businesses	10
2-Cumberland Avenue/Wilcox Dock	Acquire privately owned vacant lot at north end of Cumberland Ave; redevelop for commercial or recreational use	7
2-Cumberland Avenue/Wilcox Dock	Support the dead-ending of Cumberland Ave to stop auto through-traffic but allow pedestrian/bicycle access	7
2-Cumberland Avenue/Wilcox Dock	Explore opportunities to create a cul-de-sac and additional parking	7
2-Cumberland Avenue/Wilcox Dock	Explore the possibility of waterfront/recreation/conservation use for abandoned property next to Georgia Pacific	7
2-Cumberland Avenue/Wilcox Dock	Develop design guidelines related to the Dock St. Landing area	7
2-Cumberland Avenue/Wilcox Dock	Maintain and enhance recreational uses at the mouth of the Saranac River, including debris removal from the water	7
2-Cumberland Avenue/Wilcox Dock	Install decorative paving at Dock St. Bury overhead utility wires, perhaps in a green strip along the south side of the street.	7
2-Cumberland Avenue/Wilcox Dock	Work with the owner of the maintenance building facing Dock St to redevelop for commercial use in the long-term. Treat area under overhang with special paving.	7

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2-Cumberland Avenue/Wilcox Dock	Improve linkages between the downtown and waterfront on the Dock/Bridge St corridor (references EPF-funded design & linkage study)	7
2-Cumberland Avenue/Wilcox Dock	Install a pedestrian walkway with accessible paving and seating along the shoreline perimeter throughout the subarea waterfront	7
2-Cumberland Avenue/Wilcox Dock	Encourage and market tour boat operation	7
2-Cumberland Avenue/Wilcox Dock	Work with property owners to encourage intensive revitalization of the breakwater in this area	7
2-Cumberland Avenue/Wilcox Dock	Develop a southern extension of the Heritage Trail bicycle path, from the former PAFB to shoreline	7
2-Cumberland Avenue/Wilcox Dock	Link the mouth of the Saranac River to the new Waterfront Park at Dock St Landing	7
2-Cumberland Avenue/Wilcox Dock	Create a hand boat launch at Wilcox Dock	7
2-Cumberland Avenue/Wilcox Dock	Explore adaptive reuse of the Exxon/Mobil Property	6
2-Cumberland Avenue/Wilcox Dock	Evaluate reuse concepts that include shoreline parcels and the canal harbor	6
2-Cumberland Avenue/Wilcox Dock	Explore feasibility of the development of a major eco-tourism based attraction (like ECHO center in Burlington) on former Exxon/Mobil site	6
2-Cumberland Avenue/Wilcox Dock	Evaluate sustainable and environmentally responsible design techniques for Exxon/Mobil waterfront site	6
2-Cumberland Avenue/Wilcox Dock	Explore related uses for the shoreline and canal harbor facilities near Exxon/Mobil	6
2-Cumberland Avenue/Wilcox Dock	Analyze how the proposed Exxon/Mobil reuse projects will complement the Downtown Revitalization efforts	6
2-Cumberland Avenue/Wilcox Dock	Analyze the potential to incorporate a new state-of-the-art municipal complex that would include several relocated facilities, including the municipal light company, the sewage treatment plant, the emergency services department, and the City DPW, serving to demonstrate modern sustainable design techniques for these facilities	6
2-Cumberland Avenue/Wilcox Dock	Explore funding programs which can be leveraged to accomplish the development	6
3-Downtown	Municipal marina is planned for Dock St	10
3-Downtown	Implement previous design for Durkee Street lot redevelopment (top project)	10
3-Downtown	Redevelop Lakeside Container/Plattsburgh Grocery lots - mixed use; housing/artist studios above	10
3-Downtown	Recognize historic residential areas of Jay, Hamilton, Macomb streets	10
3-Downtown	Explore feasibility of a downtown grocery store	10



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3-Downtown	Develop a corridor to link Dock St to Downtown - include Strand theater/arts center - streetscape enhancements and mixed use buildings	10
3-Downtown	Explore feasibility of using the Municipal Lighting Dept area for indoor sports	10
3-Downtown	Develop strategies to address the wastewater treatment plant - greener? Educational Showcase?	10
3-Downtown	Implement a whitewater park along the Saranac, between the bridges	10
3-Downtown	Clean up downtown streets - weeds, cigarette butts, building facades	9
3-Downtown	Pursue completion of the Saranac River Trail	9
3-Downtown	Improve connections: road, sidewalk, bike lanes, between uptown and downtown	9
3-Downtown	Boat basin parking lot: zip line, amphitheater, drive-in, go carts	9
3-Downtown	Construct a trailer boat launch and transient docks at Dock St Landing	7
3-Downtown	Explore possible expansion at the marina	7
3-Downtown	The proposed waterfront park at Dock St Landing	7
3-Downtown	Construct additional fishing docks along the Saranac	7
3-Downtown	Attract recreational equipment rental businesses along Bridge Street	6
3-Downtown	Create a pedestrian mall	6
3-Downtown	Develop an "available building" inventory to market to investors	6
3-Downtown	Program sponsored events and activities to encourage citizens to go downtown (grocery store, employment)	6
3-Downtown	Consolidate downtown businesses	6
3-Downtown	Create clearer paths of access throughout the City and to waterfront	6
3-Downtown	Simplify traffic patterns	6
3-Downtown	Improve curb appeal, aesthetics, and signage	6
3-Downtown	Implement a community trolley system/water taxis	6
3-Downtown	Create a pedestrian bridge to the waterfront	6
3-Downtown	Complete, market, and build from the Arts Corridor	6
3-Downtown	Assist in development of First Phase based upon Keil plans	6
3-Downtown	Study extension of the Arts Corridor, including alternative routes, to link it to the waterfront and eventually Lake Champlain	6
3-Downtown	Analyze the potential to revitalize the Peru/Pond Street area	6
3-Downtown	Establish the "Lake City Arts Corridor"	6
3-Downtown	Restore Strand Theater to 1920s architecture	6
3-Downtown	Acquire Federal Building and associated land as an addition to the Strand Theater for administrative and accessory space	6
3-Downtown	Create new public park space on the site of the Federal Building at the intersection of Brinkerhoff and Margaret Streets	6
3-Downtown	Create a public plaza and reflecting pool/skating rink in the existing Durkee parking lot next to the Farmers Market shelter	6

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3-Downtown	Explore future creation of a signature pedestrian bridge crossing the Saranac River to the foot of Pond Street	6
3-Downtown	Establish a boulevard along Macomb Street to the Lake Shore	6
3-Downtown	Create a wide underpass beneath the Amtrak Rails to provide public access to the Lake Champlain shoreline via the Macomb ROW	6
3-Downtown	Create of a major visual element at the terminus of the Macomb Street ROW on Lake Champlain	6
3-Downtown	Establish a branding element for the Arts Corridor with unique signage and amenities	6
3-Downtown	Establish a centrally located Community Garden	6
3-Downtown	Encourage LEED Certification of new developments and visibly accessible sustainable design practices	6
3-Downtown	Revise local land use laws for consistency with the goals and objectives of the Arts Corridor	6
3-Downtown	Provide financial incentives for development of compatible economic development projects	6
3-Downtown	Revitalize properties on Pond and Peru Streets to serve as restaurants, studio space, and niche retail space	6
3-Downtown	Designate Protection and/or Clinton Street as pedestrian malls	6
3-Downtown	Expand access and linkage improvements between Downtown and the Waterfront (begun at Waterfront Park in 2008)	6
3-Downtown	Conduct a linkage and access study to evaluate visual and physical linkages between the waterfront and downtown; and between downtown and the surrounding districts - analyze capabilities of the existing systems and recommend improvements, new facilities, and changes to surrounding land uses.	6
3-Downtown	Study potential use of alternative modes of transportation (water taxis, buses, trolleys, pedi-cabs)	6
3-Downtown	Study the feasibility of relocating the CSX tracks/ROW away from the lake shore	6
3-Downtown	Extend the Saranac River Trail into Downtown through signage and striping on Pine Street	6
3-Downtown	Extend the new Trail at the Waterfront Park to connect bridge Street at O'Neill Packing, utilizing the existing city-owned rail corridor	6
3-Downtown	Extend the existing Fleury Trail to connect to the new Waterfront Park	6
3-Downtown	Incorporate sustainable design practices to protect natural resources while encouraging smart development	6
3-Downtown	Develop interpretive driving and walking tours using existing or new trails and roadways	6
3-Downtown	Rehabilitate the existing parks including restoration of the fountain in Trinity Park; new landscaping in existing parks; expansion of existing downtown landscape and beautification programs	6
3-Downtown	Expand the existing Main Street Program to encourage attractive rehabilitation of downtown facades including awnings, signage, and window displays	6
3-Downtown	Evaluate and prioritize potential building sites for high impact revitalization efforts	6
3-Downtown	Conduct an analysis of parking needs and potential for shared use parking areas, expansion of existing parking, creation of multilevel parking	6
3-Downtown	Implement additional pedestrian and bicyclist safety improvements downtown	6
3-Downtown	Install interpretive signage at important sites around downtown	6
3-Downtown	Attract needed retail and service projects, including a downtown grocery retailer; a hardware retailer; and boutique/niche stores	6

Preliminary Draft: City of Plattsburgh Local Waterfront Revitalization Program

3-Downtown	Conduct a downtown building survey to assess the conditions and needs of buildings inventory vacancies, and analyze infill opportunities	6
3-Downtown	Expand the use of the City's "Blue Directional" signage	6
3-Downtown	Identify potential sites for Downtown Visitor's Center	6
3-Downtown	Identify potential sites for museums downtown	6
3-Downtown	Analyze the potential to make bridges crossing the Saranac River more pedestrian friendly	6
3-Downtown	Identify new four season events to attract visitors downtown	6
3-Downtown	Evaluate incentive programs for use in attracting businesses to Downtown such as tax incentive financing, tax-free zones, etc; coordinate this effort with other development agencies	6
3-Downtown	Add a Botanical Garden as a usable attraction	6
3-Downtown	Implement streetscaping for both aesthetic and stormwater management purposes	6
3-Downtown	Develop direct trail links from the existing trails to the new Waterfront Park	6
3-Downtown	Develop pedestrian and traffic link improvements between Downtown and the Waterfront	6
3-Downtown	Pursue creation of the Arts Corridor	6
3-Downtown	Continue to monitor water quality	6
3-Downtown	Relocate the Municipal Lighting Department and Sewage Treatment Plant, creating recreational open space at the mouth of the Saranac River.	6
3-Downtown	Identify a potential site for a Community Garden near the waterfront. Care should be taken to giving attention to green, sustainable developments and appropriate stormwater management that complements the waterfront.	6
3-Downtown	Develop waterfront land at the end of Macomb Street	6
3-Downtown	Relocate the Municipal Lighting Department out of downtown	6
3-Downtown	Return the public works department back to the City	6
3-Downtown	Update the 'Vision for Downtown Plattsburgh,' reevaluating previous efforts and ideas, such as the waterfront hotel, Durkee Street Gateway, and the 7 Point Hub.	6
3-Downtown	Undertake a Retail Leakage Study to identify potential areas of retail need downtown.	6
3-Downtown	Evaluate specific needs for a grocery store Downtown	6
3-Downtown	Undertake a coordinated marketing effort, including an inventory of available rehab and redevelopment sites downtown	6
3-Downtown	Improve linkages between Downtown and the US Oval to encourage visits to the museums	6
3-Downtown	At current Durkee St parking lot site: multistory parking facility; 2-story retail/commercial; pedestrian mall at Durkee Street; green space with reflecting pool/ice rink/pavilion; connect to Margaret Street walk-thru; public activity space; access to riverfront and Farmers Market	5
3-Downtown	Explore feasibility of the proposed waterfront hotel with shopping, parking, and restaurants at Dock Street	4
3-Downtown	Implement a wayfinding system to direct motorists to Plattsburgh and destination points	3
3-Downtown	Create financial incentives for Downtown business and property owners for façade improvements, business development, and housing development	3

Preliminary Draft: City of Plattsburgh Local Waterfront Revitalization Program

3-Downtown	Complete the Lake Champlain Bikeways Network and Plattsburgh Heritage Trail	3
3-Downtown	Beautification of/visual showcase at "Six Points" intersection	3
3-Downtown	Implement streetscape improvements to link Six Points and Lake Champlain	3
3-Downtown	Develop an Artwalk from Margaret to Durkee Street	3
3-Downtown	Expand performances held and marketed within Arts & Entertainment district	3
3-Downtown	Ensure regular contact with businesses by Downtown Director to promote business retention	3
3-Downtown	Pursue targeted business recruitment for Downtown	3
3-Downtown	Form a public-private partnership for the downtown	3
3-Downtown	Explore Lakefront Development Project (former hotel proposal)	3
3-Downtown	Implement Durkee Street infill project at parking lot (proposed parking deck with ribbon retail and ice rink)	3
3-Downtown	Create a Clinton Street Renaissance Project (vacancies, deteriorated buildings; streetscape)	3
3-Downtown	Increase upper story housing throughout Downtown	3
3-Downtown	Discourage inappropriate uses in Downtown	3
3-Downtown	Augment marketing of activities: family-friendly; signature event; french theme; bilingual signage/menus; website; media coverage; brochure/visitor guide	3
3-Downtown	Waterfront TV Station (Draw)	2
3-Downtown	Railway Museum at old terminal site (Draw)	2
3-Downtown	Science and technology business incubator (Draw)	2
3-Downtown	Hotel and conference center (Draw)	2
3-Downtown	Marina expansion (Soft Draw)	2
3-Downtown	Open Air Theater (Soft Draw)	2
3-Downtown	Culinary arts academy (Soft Draw)	2
3-Downtown	Residential expansion (Soft Draw)	2
3-Downtown	Festive retail (Support)	2
3-Downtown	Intergenerational center (Support)	2
3-Downtown	Parks (Support)	2
3-Downtown	Implement Bridge/Dock St Streetscape improvements, from Durkee/Bridge to waterfront	1
3-Downtown	Construct a Town Pier at waterfront (150'x20')	1
3-Downtown	Develop retail/anchor buildings (20,000 sf) at end of Dock St to support pier	1
3-Downtown	Enhance gateways at: Durkee/Bridge; Marina/Dock St; Dock/Bridge	1
3-Downtown	Create a Bridge Street Park - N side of Bridge St, between existing parking lot and D&H building	1
3-Downtown	Construct a boardwalk along the Saranac River - west bank, from Bridge St to farmers market pavilion (~750 LF)	1
3-Downtown	Create a Kayak and Canoe Launch Point across from City Hall on west bank of Saranac River	1
3-Downtown	Provide wastewater treatment plant screening with plant materials	1
4-Old Base	Extend the subarea to include the Saranac River up to the City line	10

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4-Old Base	Incorporate the existing recreation center on Old Base property	10
4-Old Base	Connect with Children's museum (opening soon)	10
4-Old Base	Connect with Fort Brown on Saranac River/Route 9/US Ave; Old Stone Barracks	10
4-Old Base	Connect with Northern Forest Canoe Trail - follows the Saranac (access points)	10
4-Old Base	Create fishing access points along the river	10
4-Old Base	Create a history interpretation trail	10
4-Old Base	Enhance access to Old Base Marina and Sailor's Beach; site accessible only by paddlers/pedestrian bridge	10
4-Old Base	Provide interpretation of history on the "museum campus" on the Old Base	9
4-Old Base	Obtain a right-of-way along the eastern edge of the CP Rail tracks from Dock Street at "Dock St Landing" to the southern end	7
4-Old Base	Create a small parking lot, expandable as overflow, for the Dock St Landing development adjacent to the former Officers' Club	7
4-Old Base	Develop a public boat launch, in addition to an area to accommodate public trailers & trucks at the marina at the former PAFB	7
4-Old Base	Enhance use of the beaches on the Old Base	7
4-Old Base	Provide additional fishing docks along the Saranac	7
4-Old Base	Improve linkages between Downtown and the US Oval to encourage visits to the museums	6
4-Old Base	Identify potential locations for a Science Center (Draw)	2
4-Old Base	Develop a science and technology business incubator (Draw)	2
4-Old Base	Construct a hotel and conference center (Draw)	2
4-Old Base	Develop a culinary arts academy (Soft Draw)	2
4-Old Base	Develop an Intergenerational center (Support)	2
4-Old Base	Parks (Support)	2
5-Citywide	Create a multi-use recreational facility	11
5-Citywide	Expand the waterfront to include more vendors	11
5-Citywide	Improve opportunities for non-competitive recreation, e.g. expand biking and running paths, improve existing playgrounds	11
5-Citywide	Expand available areas for pickle ball	11
5-Citywide	Develop a municipal golf course	11
5-Citywide	Create a municipal marina	11
5-Citywide	Construct a town fitness facility	11
5-Citywide	Implement the planned Saranac River Trail, pedestrian bridge along SRT	10
5-Citywide	Create a lakefront boardwalk/trails/access points, fishing piers, waterfront recreation (mix of active/passive)	10
5-Citywide	Initiate/strengthen relationship with the Lake Champlain Basin Program	7
5-Citywide	Develop and implement a waterfront education and awareness program	7
5-Citywide	Establish a monthly meeting among representatives from each community organization	6

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5-Citywide	Plan activities/attractions to bring people in during winter months	6
5-Citywide	Implement a community calendar	6
5-Citywide	Encourage more teamwork with SUNY Plattsburgh; encourage student participation in redevelopment	6
5-Citywide	Develop a Brand for Plattsburgh/strengthen "Lake City" Brand	6
5-Citywide	Improve information presented on website	6
5-Citywide	Investigate relocation of railroad tracks away from the waterfront	6
5-Citywide	Improve both visual and physical access to the waterfront	6
5-Citywide	Build a tourist attraction on the waterfront (eco-center, aquarium, etc)	6
5-Citywide	Market the historical significance of the City (beyond War of 1812/conflict history)	6
5-Citywide	Develop and distribute a tour book; create a tourist/welcome booth	6
5-Citywide	Host activities/attractions to bring people in during winter months	6
5-Citywide	Develop a common vision with other local community development agencies for Plattsburgh and to discuss growth beyond the former PAFB.	6
5-Citywide	Expand the City website to include more links and information	6
5-Citywide	Further develop the "Lake City" brand	6
5-Citywide	Complete historic sites survey in the City and establish one or more new historic districts	6
5-Citywide	Develop an assistance program for historic preservation of commercial and residential buildings	6
5-Citywide	Renovate the War of 1812 interpretive trail, adding modern interpretive signage and place markers.	6
5-Citywide	Improve signage and awareness regarding the existing historic museums	6
5-Citywide	Create a History and Heritage Steering Committee, consisting of representatives from each historic organization, to coordinate their efforts.	6
5-Citywide	Establish a Revitalization Steward and Revitalization Committee on a volunteer basis, to help oversee efforts and reach out to stakeholders, other communities, potential funding partners, private developers, community groups, and local institutions, and enlist their assistance	6
5-Citywide	Establish a schedule of roundtable and coordination meetings with representatives of the many local groups and institutions with an interest in revitalization.	6
5-Citywide	Establish a schedule of revitalization workshops. Enlist the help of the Technical Assistance Center at SUNY Plattsburgh for occasional professional facilitation.	6
5-Citywide	Enlist volunteer or other assistance in the visualization of proposed projects including graphics, SketchUp models, and color renderings from local artists and professionals	6
5-Citywide	Coordinate with SUNY Plattsburgh to establish a student volunteer organization to assist with downtown beautification	6
5-Citywide	Work with SUNY Plattsburgh to develop and enforce laws that make landlords accountable for the condition of student rentals	6
5-Citywide	Coordinate with SUNY Plattsburgh toward development of an appropriately located student-oriented business zone	6

5-Citywide	Work with the North Country Cultural Center for the Arts to host benefits and fundraisers for needed beautification projects	6
5-Citywide	Collaborate between SUNY Plattsburgh and the North Country Cultural Center for the Arts to cohost art exhibits, plays, shows, etc.	6
5-Citywide	Identify sites for Community Gardens	6
5-Citywide	Encourage green, sustainable developments and appropriate stormwater management practices	6
5-Citywide	Attain LEED Certification for City projects	6
5-Citywide	Implement use and generation of alternative fuels/sustainable power	6
5-Citywide	Adopt Smart Growth land use controls	6
5-Citywide	Expand recycling and encourage recycling of construction waste for redevelopment	6
5-Citywide	Improve walkability throughout the City	6
5-Citywide	Plant street and ornamental trees and shrubs	6
5-Citywide	Develop a Maritime Museum (Draw) - no location specified	2
5-Citywide	Create a Performing Arts Center (Soft Draw) - no location specified	2
5-Citywide	Construct/designate Artists' studios (Soft Draw) - no location specified	2

## **Appendix H Chapter 270 of the City of Plattsburgh Code: Zoning Law**

The full City of Plattsburgh municipal code is also available online at <https://ecode360.com/PL0920>.

Zoning is Chapter 360 of the City of Plattsburgh code.



**Chapter 360****ZONING**

<b>ARTICLE I</b>		<b>§ 360-20.</b>	<b>Landscaping and fencing requirements.</b>
<b>General Provisions</b>			
<b>§ 360-1.</b>	<b>Short title.</b>	<b>§ 360-21.</b>	<b>Planned unit developments.</b>
<b>§ 360-2.</b>	<b>Authority.</b>	<b>§ 360-22.</b>	<b>Additional lot regulations.</b>
<b>§ 360-3.</b>	<b>Purpose.</b>	<b>§ 360-23.</b>	<b>Amusement uses.</b>
		<b>§ 360-24.</b>	<b>Community facilities.</b>
		<b>§ 360-25.</b>	<b>Retail and manufacturing regulations.</b>
<b>ARTICLE II</b>		<b>§ 360-26.</b>	<b>Off-street parking and loading regulations.</b>
<b>Definitions</b>			
<b>§ 360-4.</b>	<b>Word usage.</b>	<b>§ 360-27.</b>	<b>Signs.</b>
<b>§ 360-5.</b>	<b>Terms defined.</b>	<b>§ 360-28.</b>	<b>Mobile homes and mobile home parks.</b>
<b>ARTICLE III</b>		<b>§ 360-29.</b>	<b>Miscellaneous uses.</b>
<b>Establishment of Districts</b>		<b>§ 360-30.</b>	<b>General use standards.</b>
<b>§ 360-6.</b>	<b>Districts designated.</b>	<b>§ 360-31.</b>	<b>Special use permits.</b>
<b>§ 360-7.</b>	<b>Zoning Map.</b>	<b>§ 360-32.</b>	<b>Historic sites.</b>
<b>§ 360-8.</b>	<b>Interpretation of district boundaries.</b>	<b>§ 360-33.</b>	<b>Exemptions.</b>
<b>§ 360-9.</b>	<b>Land uses limited to district regulations.</b>		<b>ARTICLE VI</b>
<b>§ 360-10.</b>	<b>Classification of annexed lands.</b>		<b>Site Plans</b>
		<b>§ 360-34.</b>	<b>Submission.</b>
<b>ARTICLE IV</b>		<b>§ 360-35.</b>	<b>Submission requirements and compliance with other local, county or state codes required.</b>
<b>District Regulations</b>			
<b>§ 360-11.</b>	<b>Schedules.</b>	<b>§ 360-36.</b>	<b>Waiver of site plan requirements or guidelines.</b>
<b>§ 360-12.</b>	<b>Application.</b>	<b>§ 360-37.</b>	<b>Required information for site plans.</b>
<b>§ 360-13.</b>	<b>General regulations.</b>	<b>§ 360-38.</b>	<b>Guidelines for review.</b>
		<b>§ 360-39.</b>	<b>Posting of performance security.</b>
<b>ARTICLE V</b>			
<b>Supplementary Regulations</b>			
<b>§ 360-14.</b>	<b>Lot requirements for existing lots of record.</b>		<b>ARTICLE VII</b>
<b>§ 360-15.</b>	<b>Height requirements.</b>		<b>Nonconforming Uses and Structures</b>
<b>§ 360-16.</b>	<b>Yard requirements.</b>	<b>§ 360-40.</b>	<b>Continuance.</b>
<b>§ 360-17.</b>	<b>Building coverage and open space requirements.</b>	<b>§ 360-41.</b>	<b>Termination.</b>
<b>§ 360-18.</b>	<b>Number of buildings and dwelling units restricted.</b>	<b>§ 360-42.</b>	<b>Change to another nonconforming use.</b>
<b>§ 360-19.</b>	<b>Accessory structures.</b>	<b>§ 360-43.</b>	<b>Maintenance.</b>
		<b>§ 360-44.</b>	<b>General requirements.</b>

<b>§ 360-45.</b>	<b>Damage by fire, flood or act of God.</b>	<b>§ 360-53.</b>	<b>Permit requirements; fees; certificates of occupancy.</b>
		<b>§ 360-54.</b>	<b>Zoning Board of Appeals.</b>
	<b>ARTICLE VIII</b>	<b>§ 360-55.</b>	<b>General administrative procedures.</b>
	<b>Backyard Hens</b>	<b>§ 360-56.</b>	<b>Applications; hearings and decisions.</b>
<b>§ 360-46.</b>	<b>Requirements for keeping hens.</b>	<b>§ 360-57.</b>	<b>Grievance procedure.</b>
<b>§ 360-47.</b>	<b>through § 360-51. (Reserved)</b>	<b>§ 360-58.</b>	<b>Remedies.</b>
		<b>§ 360-59.</b>	<b>Penalties for offenses.</b>
	<b>ARTICLE IX</b>	<b>§ 360-60.</b>	<b>Amendments.</b>
	<b>Administration and Enforcement</b>	<b>§ 360-61.</b>	<b>Professional review fees.</b>
<b>§ 360-52.</b>	<b>Designation of enforcing officer; powers and duties.</b>	<b>§ 360-62.</b>	<b>City exemption.</b>

**[HISTORY: Adopted by the Common Council of the City of Plattsburgh 11-15-2001 by L.L. No. 5-2001 (Ch. 270 of the 1989 Code). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Environmental quality review — See Ch. 167.

Streets and sidewalks — See Ch. 295.

Flood damage prevention — See Ch. 176.

Subdivision of land — See Ch. 300.

Sewers and sewage disposal — See Ch. 278.



ARTICLE I  
General Provisions

**§ 360-1. Short title.**

This chapter shall be known and may be cited as the "Zoning Ordinance of the City of Plattsburgh, New York."

**§ 360-2. Authority.**

Pursuant to the authority and power granted by the General City Law of the State of New York, Chapter 21, Article 2-A, of the Consolidated Laws, to regulate and limit the height, and determine the area of yards, courts and other open spaces and to regulate the density of population in any given area and for said purposes divide the City into districts, the Common Council of the City of Plattsburgh, New York, does ordain the following provisions.

**§ 360-3. Purpose.**

The zoning regulations and districts herein set forth and as identified upon the Zoning Map of the City of Plattsburgh<sup>1</sup> are made in accordance with a Comprehensive Plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, as to the character of each district and its suitability for particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Plattsburgh and to achieve the following specific purposes:

- A. To promote an orderly, economical and desirable development of the entire community.
- B. To encourage the most appropriate use of land in the community in order to conserve and enhance the value of property.
- C. To provide adequate open spaces in order to ensure access of light and circulation of air, in order to facilitate the prevention and fighting of fires, in order to prevent undue concentration of population and in order to lessen congestion on streets and highways.
- D. To protect the right to solar access in order to facilitate the use of this alternate energy source by residents and property owners.
- E. To create an attractive and cohesive central business district.
- F. To improve the financial structure of the City by increasing the rate of growth of municipal income through enhanced value of property.
- G. To slow down the deterioration cycle of neighborhoods.
- H. To enhance the aesthetic aspects throughout the entire community.
- I. To ensure that tax revenues will remain sufficient to meet the increasing expenses of government.

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1. Editor's Note: The Official Zoning Map of the City of Plattsburgh is on file and open to public inspection during normal business hours in the office of the Building Inspector.



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## ARTICLE II Definitions

### § 360-4. Word usage.

In the construction of this chapter, the present tense shall include the future; the singular number shall include the plural, and the plural, the singular. The word "shall" is always used in its mandatory and not its permissive sense, and "may" is always used in its permissive sense and not its mandatory sense. The words "zone" and "district" are synonymous, and the words "building" and "structure" are synonymous. The word "used" shall include the words "arranged, designed or intended to be used."

### § 360-5. Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

**ACCESSORY APARTMENT** — An apartment with not more than two bedrooms, allowed by a special permit in an owner-occupied dwelling. See § 360-29I below for other standards governing accessory apartments.

**ACCESSORY BUILDING** — A building or structure on the same lot with and subordinate to a principal building, occupied or devoted exclusively to an accessory use. Where an "accessory building" is attached to a principal building by a breezeway, roof, wall or the like, such "accessory building" shall be considered part of the principal building.

**ACCESSORY USE** — A use customarily incidental and subordinate to the principal and primary use upon any premises.

**ADULT ARCADE** — An establishment where film, slides, or any other images of specified sexual activities or specified anatomical areas are available for viewing by the public.

**ADULT BOOKSTORE or ADULT VIDEO STORE** — A bookstore or video store which, as one of its principal business purposes, offers for sale or rental any printed matter or video material that depicts specified anatomical areas or specified sexual activities. For the purpose of this definition, a "principal business purpose" shall mean that part of the business that constitutes 10% or more of the printed material or video material retail value for sale or rent in the establishment. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**ADULT CABARET** — A nightclub, bar, tavern, juice bar or similar establishment, whether or not such establishment is licensed to sell alcoholic beverages, where persons appear in a state of nudity, or where there are live performances, films, video material or slides characterized by the exposure of specified anatomical areas or by specified sexual activities. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**ADULT USE OR ENTERTAINMENT ESTABLISHMENTS** — An establishment, or any part thereof, which includes any of the following: topless or bottomless dancers or waitresses; strippers; topless hair care or massages; entertainment where the servers or entertainers wear pasties or G-strings; adult cabaret; adult arcade; adult bookstore; or adult video store.

**AGRICULTURAL USE** — Gardening, farming or maintenance of orchards, the produce of which is intended for the principal consumption of occupants of an allowed principal use in the district. However, the maintenance of livestock of any kind is specifically prohibited as a permitted use and from the term of "agricultural use."

**ALLEY** — A public or private way having a right-of-way width of 20 feet or less.

**ALTERATION OF BUILDING** — As applied to a building or structure, any change or rearrangement in the structural parts of existing facilities of such building or structure or any enlargement thereof, whether by extension on any side or by any increase in height, or the moving of such building or structure from one location or position to another.

**ANIMAL HOSPITAL or VETERINARY CLINIC** — An establishment for temporary occupation by sick or injured animals for the purpose of medical diagnosis and treatment, and shall exclude the treatment or other care of humans.

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**APARTMENT** — One or more dwelling rooms, with private bath and kitchen facilities, comprising an independent self-contained dwelling unit in a larger building.

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**APPLICANT** — A developer submitting an application for development.

**APPLICATION FOR DEVELOPMENT** — The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned unit development, special use or zoning variance.

**AREA, LAND** — When referring to the required area per dwelling unit, net land area, the area exclusive of a street and other public open space.

**ATTIC** — The open, uninhabitable space between the ceiling beams of the top habitable story and the roof in any building.

**AUTOMOBILE SALES AREA** — A premises, including open areas, other than a street or way, and showrooms, enclosed within a building used for the display or sale of new or used automobiles, trucks, cargo trailers and boats.

**AUTOMOBILE WASH** — An establishment for the washing of motor vehicles as a principal use.

**BASEMENT** — That space of a building that is partly below grade, which has more than 1/2 of its height, measured from floor to ceiling, above the finished grade of the ground adjoining the building.

**BED-AND-BREAKFAST** — A dwelling occupied by a family and used incidentally to provide accommodation and meals to transient travelers and includes a tourist home, but does not include a boarding house, rooming house, domiciliary hostel, group home, motel or hotel.

**BLOCK** — A plot of land which is bounded on all its sides by public streets or places.

**BOARDING, LODGING OR ROOMING HOUSE** — A dwelling or part thereof where, for compensation, lodging or meals, or both, are provided for nontransient guests.

**BUFFER ZONE** — An area of land, designated by the Planning Board or Zoning Board of Appeals as a condition of a permit or approval, intended to preserve or protect adjoining lands from a use that may adversely affect an existing, adjoining use, neighborhood or zoning district. Structures and parking areas are prohibited in buffer zones. Buffer zones may be included in lot open space calculations.

**BUILDING** — A combination of materials to form a construction that is safe and stable, adapted to permanent or continuous occupancy for public, residence, business, assembly or storage purposes. The term "building" shall be construed as if followed by the words "or part thereof."

**BUILDING COVERAGE** — The area of the plot of land covered by the principal and accessory buildings and structures. This includes the combined ground floor area of all buildings and structures on a lot, measured at the outside face of the exterior walls, including roofed porches, balconies and cantilevered parts of the building at any level, but not including, however, any structures, the heights of which do not exceed five feet.

**BUILDING LINE** — The line, established by statute, local law or ordinance, beyond which a building shall not exceed. This line is located within the bounds of a lot and is parallel to a property line at a distance from the respective property line equaling the respective required front, rear or side yard.

**BUILDING OR STRUCTURE, NONCONFORMING** — An established building or structure lawfully existing prior to and at the time of the adoption, revision or amendment of this chapter which, because of its inherent nature or construction, does not conform to and with the provisions of this chapter for the district in which it is located. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**BUILDING, HEIGHT OF** — The vertical distance from the average grade adjacent to the foundation walls to the top of the highest finished roof surface of a flat roof or to the average height of a pitched, gabled, hip or gambrel roof.

**BUILDING, PRINCIPAL** — A building, including covered porches, in which is conducted the principal use of the lot on which it is situated.

**BULK** — A term used to describe the size, volume, area and shape of buildings and structures and the physical



§ 360-5 relationship of their exterior walls or their location to lot lines, other buildings and structures or other walls of the same building and all open spaces required in connection with a building, other structure or tract of land. § 360-5

**CAR SALES LOT** — A lot where motor vehicles are stored for the purpose of sale or lease only.

**CELLAR** — That space of a building that is partly or entirely below grade and which has more than 1/2 of its height, measured from floor to ceiling, below the finished grade of the ground adjoining the building.

**CEMETERY** — Land used or intended to be used for the burial of dead human beings and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated with and within the boundary of such cemetery.

**CHANGE OF USE** — A change from the use permitted in one zone district to a use permitted in another zone district, or a change from a permitted use to another kind of permitted use in the same zone, or any removal of a building from one location to another, or the conversion of any building or any part thereof from a use permitted in one zone district to a use permitted in another zone district, or the conversion of any building or any part thereof from a permitted use to another kind of permitted use in the same zone.

**CHILD DAY-CARE CENTER** — Shall have the meaning set forth in Social Services Law § 390.[**Added 5-25-2006 by L.L. No. 3-2006**]

**CHURCH OR OTHER PLACE OF WORSHIP** — A building used for public worship by the members or representatives of a religious sect or organization as defined by state statute.

**CITY PROPERTY** — Includes any land or lands over which the City of Plattsburgh, New York, maintains control, including the public streets; the public sidewalks, from the inner line thereof, adjacent to the property line fronting thereon; and the space between the sidewalks and the curbs.

**CLINIC** —

A. **DENTAL CLINIC** — A structure designed for the practice of dentistry in which nonresident patients are treated.

B. **MEDICAL CLINIC** — A structure designed for the practice of medicine in which nonresident patients are treated.

**CLUB** — A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose on an exclusively not-for-profit basis, does not provide overnight accommodations and which renders a service which is customarily carried on as a business and which is not an adjunct to or operated by or in connection with a public tavern, cafe, or other public place.

**COLLEGE or UNIVERSITY** — A college or university giving general academic instruction. Included within this term are areas or structures used for administration, housing of students and faculty, dining halls and social or athletic activities when located on the institution's land that is not detached from land where classroom facilities are maintained.

**COMMON OWNERSHIP** — Ownership of two or more contiguous parcels of real property by one person or by two or more persons owning such property in any form of joint ownership.

**COMMUNITY GARDEN** — A lot, or part of a lot, licensed or leased to, or owned by, a not-for-profit corporation whose members use the property for the sole purpose of growing fruit, vegetables, flowers, and plants for consumption or use by the members, donation to organizations who give food to people who cannot afford it, but not for sale.[**Added 4-30-2009 by L.L. No. 3-2009**]

**CONDITIONAL USE** — A use permitted in a particular zone district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of an authorization therefor by the Zoning Board of Appeals.

**CONDOMINIUM** — A building or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by the owners on a proportional undivided basis.

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**CONTRACTOR'S YARD** — A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work, but not including any other yard or establishment otherwise defined or classified herein.**[Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**CONVERSION** — A change in either occupancy or use of a building or land, by alteration, addition, or other reorganization.**[Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**COOPERATIVE HOUSING PROJECT** — A multiple-unit residential building, the owners of which jointly administer and maintain all dwelling units and building services, facilities and amenities.

**COURT** — An open, unoccupied space, other than a yard, on the same lot with a principal building, which is wholly or partially enclosed by a building, wall or other structure.

A. **INNER COURT** — A court surrounded on all sides by walls or by walls and a lot line which is not a street line.

B. **OUTER COURT** — A court extending for its full width to an opening upon a street or yard.

**DAYS** — Calendar days.

**DEVELOPER** — The legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development, including the holder of an option or contract to purchase or other persons having an enforceable proprietary interest in such land.

**DEVELOPMENT** — The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure and any use or change in the use of land for which permission may be required pursuant to this chapter.

**DRAINAGE RIGHT-OF-WAY** — The lands required for the installation of stormwater sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage and including lands intended as flood-control basins.

**DRIVE-IN BUSINESS** — Includes drive-in outdoor theaters, refreshment stands, banks and the like where patrons enter the premises and are served or entertained in automobiles.

**DRIVE-IN OUTDOOR THEATER** — Open land with its appurtenant facilities devoted to the showing of motion pictures to patrons in automobiles.

**DRIVEWAY** — Land situated on a lot, used or intended to be used to provide access to it by vehicular traffic.

**DUMP** — A lot or land or part thereof used primarily for the disposal, by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof or waste material of any kind.

**DWELLING UNIT** — A structure or portion of a structure containing a unit comprising living accommodations designed and used for occupancy by only one family.

**EATING AND/OR DRINKING ESTABLISHMENT** — A restaurant or similar facility providing for the sale and consumption of food beverages by the public on the premises.

**FAMILY****[Amended 3-13-2008 by L.L. No. 4-2008]** —

A. The term "family" means:

- (1) Any number of persons related by blood, marriage, or adoption living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or
- (2) Up to four unrelated persons living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or
- (3) Five or more persons occupying a dwelling unit and living together as the functional equivalent of a family.

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B. It shall be presumed that five or more persons occupying a dwelling unit do not comprise the functional equivalent of a family. A functional equivalent of a family is a group of persons living together in a dwelling unit who:

- (1) Share the use of the entire dwelling unit.
- (2) Share the cost of rent, food, utilities, property maintenance and other household expenses.
- (3) Intend to reside together on a permanent basis and have a stable relationship.

C. The following facts shall be considered in deciding whether a group intends to reside together on a permanent basis and has a stable relationship:

- (1) The presence of minor dependent children regularly residing in the household who are enrolled in local schools.
- (2) Whether the group members regularly dine together.
- (3) Whether the dwelling is the legal residence of all group members as evidenced by the address listed on their driver's license, motor vehicle registration, voter registration card, income tax return or any other document that lists the member's residence address.
- (4) Employment in the local area.
- (5) Joint or common ownership of household furnishings.
- (6) Other facts relevant to prove that the group functions as a stable household unit and intends to reside together for the indefinite future.

D. The Building Inspector shall make the initial determination whether a group of persons living together in a dwelling unit is the functional equivalent of a family. His determination may be appealed to the Zoning Board of Appeals under the procedures for administrative reviews in this chapter. (Note: This change requires a person "aggrieved" by the Building Inspector's interpretation to exhaust his administrative remedy of an appeal to the ZBA. If the ZBA upholds the interpretation, the applicant must then take an Article 78<sup>2</sup> proceeding which imposes the burden of proof on the aggrieved party.)

**FLOOR AREA** — The aggregate area of all floors in a building enclosed by an exterior wall, excluding, however, attic and unfinished basement floors not used for anything other than storage or the location of mechanical utilities, open porches, balconies, stairways, breezeways and garages, as measured between inside faces of exterior walls.

**FLOOR AREA RATIO** — The floor area of a building divided by the area of the lot which it occupies.

**FRATERNITY HOUSE, SORORITY HOUSE, DORMITORY AND RESIDENCE HALL** — A facility used for the housing, with or without dining facilities, of students attending a college or university as defined herein. Or an institution recognized by a local college or university that has not had its charter revoked by an overseeing authority. However, for purposes of consideration of area, bulk and special requirements of this chapter, such facility shall be considered a boarding, lodging or rooming house.

**FUNCTIONAL FAMILY** —

A. A group of individuals living together within a single dwelling unit in a family-like living arrangement that:

- (1) In size, appearance and structure resembles a family of related individuals; or
- (2) Is headed by a person or persons responsible for providing care for a reasonable number of individuals such as a home care facility for senior citizens.

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2. Editor's Note: See New York Civil Practice Law and Rules, Article 78, Proceeding Against Body or Officer.

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B. A group of five or more unrelated individuals, exclusive of minor dependent children, living together in the same dwelling unit shall be presumed not to be living together as a functional family that in size, appearance and structure resembles a family of related individuals. This presumption may be rebutted by sufficient evidence showing that their living arrangement possesses substantially each of the following four characteristics.

- (1) The occupants share the entire dwelling unit. A unit in which occupants act as separate roomers shall not be deemed to be occupied by a functional family.
- (2) There is joint ownership of the dwelling unit, or a lease whereby the occupants, except dependent occupants, are jointly and severally liable to pay the entire rent for the premises. In situations where the occupants have separate leases or rental agreements, they shall be deemed not to be living together as a single housekeeping unit.
- (3) The presence of one or more occupants who is dependent upon another occupant for their financial support.
- (4) There is evidence of stability of the housekeeping unit, and that it is not transitory in character. The following criteria shall be considered in determining stability.
  - (a) Evidence that the occupants intend to reside together on a permanent rather than on a transient basis, such as a showing that the household has been living together for 12 months or more.
  - (b) The sharing of household expenses by the occupants, such as utility bills, insurance, real property taxes, cleaning supplies, maintenance costs, food, and household supplies.
  - (c) Joint or common ownership of household furnishings located in the common areas of the dwelling unit.
  - (d) The presence of dependent persons regularly residing in the household.
  - (e) The fact that different members of the household use the household address for purposes of voter registration, driver's license, motor vehicle registration, and filing of taxes.
  - (f) Any other factors that show that the group is of a permanent rather than a transient nature.

#### **GARAGE —**

- A. **PRIVATE GARAGE —** A garage not conducted as a business or used for the storage space for more than one commercial vehicle, which shall be owned by a person residing on the premises.
- B. **PUBLIC GARAGE —** A garage conducted as a business. The rental of storage space for more than two passenger cars or for one commercial vehicle not owned by a person residing on the premises shall be deemed a business use.

**GRADE —** When a curb level has been established, the curb level. When a curb level has not been established or when the natural surface is at a different level than the curb level and remains unchanged, "grade" shall mean, with respect to a building, the average ground elevation adjoining the building.

**GROUP RESIDENCE —** A residence occupied by five or more unrelated individuals who are not a family.

**HAZARDOUS CHEMICAL —** Solid, liquid, or gaseous substances which pose a potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed, including, but not limited to, the hazardous substances designated by the United States Environmental Protection Agency under Section 311 of the Clean Water Act (40 CFR 116).

**HIGH RISE —** Any structure located in an R-2 or RC District which exceeds 35 feet and/or 2 1/2 stories in height and also any structure located in a C District which exceeds 36 feet and/or three stories in height.

§ 360-5 HISTORIC DISTRICT — A geographically defined area possessing a significant concentration or continuity of landmarks, improvements or landscape features united by historic events or by physical development, and which area has been designated as an historic landmark district; said district may have within its boundaries noncontributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district.

HISTORIC SITE — Land or a structure identified as an historic building or place on the National Register of Historic Places, or an inventory of historic or architecturally significant structures prepared or approved by the New York State Office of Parks, Recreation and Historic Preservation, a copy of which shall be kept on file in the office of the Building Inspector.**[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

HOME OCCUPATION — Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental to and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. "Home occupations" may be construed to include dressmaking, millinery, home cooking, musical instruction limited to a single pupil at a time, art studios and activities of a similar nature. Including home-based computer-related or telemarketing operations. "Home occupations" shall not be construed to include barbershops and beauty parlors, public stables, real estate offices, kennels, animal hospitals, restaurants and tearooms, musical instruction to groups, dancing instruction to groups, nursing homes, nursery schools, public garages, plumbing or electrical shops or shops for other trades or businesses of a similar nature, nor shall any customary "home occupation" be construed to include that which requires the presence in the home of machinery or equipment normally associated with commercial or industrial activities or which produces offensive noise, vibration, smoke, dust, odors, heat, glare or other nuisance.

HOME, TOURIST — A dwelling in which overnight accommodations are provided for transient, paying guests.

HOSPITAL — An establishment for temporary occupation by the sick or injured for the purpose of medical diagnosis and treatment, including sanatoriums, and shall be limited to the treatment or other care of humans.

HOTEL — A building in which lodging is provided, with or without meals, and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding or rooming house, apartment hotel, fraternity or sorority house.

INDUSTRIAL OPERATION OR USE — Any activity conducted in connection with the manufacture, assembly, disassembly, fabrication, resource recovery, storage or processing of materials or products, all or any part of which is marketed off the premises or marketed to other than the ultimate consumer.

INDUSTRY — The location or premises used for any industrial operation.

INSTITUTIONAL USE —

- A. NONPROFIT INSTITUTIONAL USES — Those uses limited to churches, public or private schools covering kindergarten through grade 12, hospitals for humans, libraries and uses by the municipal, state or federal government.
- B. PROFIT-MAKING INSTITUTIONAL USES — Those uses limited to sanatoriums and nursing homes.

INTERESTED PARTY —

- A. In a criminal or quasi-criminal proceeding, any citizen of the State of New York.
- B. In the case of a civil proceeding in any court or in an administrative proceeding before a municipal agency, any person, whether residing within or without the City, whose right to use, acquire or enjoy property is or may be affected by an action taken under this chapter or under any other law of this state or of the United States or has been denied, violated or infringed by an action or a failure to act under this chapter.

JUNKYARD — A place over 200 square feet in area where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumberyards and places or yards for used or salvaged house wrecking and structural steel materials and equipment, as distinguished from such uses when conducted entirely within a completely enclosed

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building and as distinguished from pawnshops and establishments for the sale, purchase or storage of used cars in operable condition, salvaged machinery, used furniture and household equipment and the processing of used, discarded or salvaged materials as part of manufacturing operations. One or more motor vehicles not properly registered and inspected and licensed by the State of New York or not in operating condition for a period of over 60 days shall be deemed to constitute a "junkyard."

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**KENNEL** — Any establishment or building, including cages, dog runs and structures, wherein more than three dogs or cats which are over six months old are harbored, and such use shall be considered a business.

**LAUNDRY, COIN-OPERATED AND DRY CLEANER** — A business premises equipped with individual clothes washing and drying and/or cleaning machines for the principal use of retail customers.

**LIGHT INDUSTRIAL USE** — The assembly, manufacture, fabrication, processing, or other handling of products, the operation of which is conducted solely with a building or group of buildings, and which does not involve any of the following: (a) the outdoor storage of materials; (b) dissemination of noise, vibration, odor, dust, smoke, observable gas or fumes, or other observable atmospheric pollutants beyond the exterior walls of the building where the use is conducted; (c) the creation of airborne, liquid, or solid hazardous chemicals. A light industrial use may include food and beverage facilities, showrooms, retail sale that are incidental to promoting the sale of the product produced on the site.

**LIVESTOCK** — Farm animals kept for use, for propagation, or for intended profit or gain and, without limiting the generality of the foregoing, includes: dairy and beef cattle, horses, swine, sheep, roosters, guinea hens, ducks, turkeys, goats, geese, mink and rabbits. Female chickens raised in accordance with this chapter, are not included within the definition of "livestock."**[Amended 12-15-2022 by L.L. No. 6-2022]**

**LODGER, BOARDER or ROOMER** — A person, other than a family member of a family occupying a part of any dwelling unit, who, for a consideration, is furnished living accommodations in such dwelling unit.

**LOT** — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. The boundary line of the City of Plattsburgh shall be deemed the lot line of any parcel of ground abutting thereon.

**LOT AREA** — The total square unit content of any lot, as measured within the lot lines.

**LOT, CORNER** — A lot at the intersection of two or more streets and which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting upon a curved street shall be considered a "corner lot" if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than 135°.

**LOT DEPTH** — The mean distance between the front and rear property liens of any lot. If a lot shall not have parallel rear and front lines, the average of such depths taken perpendicular to the front street side line throughout the width of the lot shall constitute the average depth of the lot.

**LOT FRONTAGE** — The shortest distance between the intersection points of the side lines of a lot with the front street right-of-way line. In the case of corner lots, the frontage shall be measured along a straight line between the intersection point formed by the projection of two street side lines and the intersection point of a side lot line with a front street right-of-way line. In the case of a lot running throughout from one street to another, the front of such lot shall, for the purpose of this chapter, be considered that frontage upon which the majority of the buildings in the same block front, but in case there has been no clearly defined frontage established, the owner may, when applying for a building permit, specify on his permit application which lot line shall be considered the front lot line.

**LOT, INTERIOR** — A lot other than a corner lot.

**LOT OF RECORD** — Any lot which has been established as such by plat, survey, record or deed prior to the date of this chapter, as shown on the records of the Clinton County Clerk's office.

**LOT, THROUGH** — An interior lot having frontages on two parallel or approximately parallel streets.

**LOT WIDTH** — The shortest straight-line distance between the two side lines of any lot. If a lot shall not have parallel side lines, the average of such widths parallel to the front street side line throughout the depth of the lot shall constitute the average width of the lot.

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**MOBILE HOME** — A structure capable of sustaining static and dynamic loading, which is constructed on a chassis assembly and designed for use without a foundation, but which may or may not be located on a foundation.

**MOBILE HOME PARK** — A tract of land which is used or intended to be used for the parking of 10 or more mobile homes.

**MOTEL** — A series of attached, semidetached or detached dwelling units (one- or two-story) containing bedroom, bathroom and closet space, where each unit has convenient access to a parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients.

**NEIGHBORHOOD AND CONVENIENCE-TYPE COMMERCIAL FACILITIES** — Small-scale business, including both retail and personal service establishments, which meet frequently recurring needs of nearby residents and visitors to nearby public recreational facilities. Such facilities shall be limited to less than 1,600 square feet of total floor area. These facilities include:

- A. Barber and beauty shops
- B. Bicycle sales and repair shops
- C. Candy, ice cream and confectionery shops
- D. Greeting card shops, retail
- E. Dairy products, retail
- F. Pastry and coffee shops
- G. Drugstores, retail
- H. Florists, retail
- I. Grocery, fruit, meat, and vegetable stores, retail
- J. Laundry or dry cleaning pickup stations
- K. Marine equipment sale shops
- L. Newspaper, magazine, book and stationary stores
- M. Shoe repair shops
- N. Video rental stores

**NONCONFORMING LOT** — A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NONCONFORMING STRUCTURE** — A structure, the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NONCONFORMING USE** — A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NURSERY SCHOOL or DAY-CARE FACILITY** — A school or facility designed or used to provide daytime care or instruction for four or more children from infant to five years of age, inclusive, and operated on a regular basis.

**NURSING HOME** — A building or group of buildings in which nursing care and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery in the State of New

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York for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who do require skilled nursing care and related medical services. § 360-5

**OCCUPANCY or OCCUPIED** — The residing of a person or persons in a dwelling unit overnight or the installation, storage or use of equipment, merchandise or machinery in any commercial, public and industrial building.

**OPEN SPACE** — The open unobstructed space from ground to sky at grade on a lot accessible by walking and which is suitable for and maintained as grass, flowers, trees, bushes and other landscaping and includes any surface walk, patio or other similar area but does not include driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

**OVERLAY ZONING DISTRICT** — A particular geographic area where there is a specific concern that has been identified as an additional zoning requirement over and above the existing zoning designation. An overlay district may encompass more than one presently zoned district and the overlay district provides additional regulations for the land it includes. The zoning text will describe these additional regulations.

**OWNER** — Any individual, firm, association, syndicate, copartnership or corporation having sufficient proprietary interest in the land sought to be processed for development under this chapter.

**PARKING AREA** — An open area, other than a street or other public road or way, used for the parking of motor vehicles, including access drives or aisles for ingress and egress.

**PARKING MANEUVER AREA** — That portion of the parking area, exclusive of parking spaces, designed and used for the purpose of maneuvering vehicles into designated parking spaces.

**PARKING SPACE** — A rectangular space, either outdoors or enclosed within a structure, used for accommodation of off-street motor vehicle parking.

**PAVED AREA** — An area covered with impervious material, such as bituminous concrete, asphalt or concrete, of sufficient depth to support the anticipated load factor of the area in accordance with standard accepted engineering practice.

**PERSON** — Includes any person, individual, business entity, partnership, corporation, company, organization or legal entity of any kind or nature.

**PLAT** — The map or maps of a subdivision.

**PREMISES** — A lot, together with all the buildings and uses thereon.

**PRINCIPAL USE OR STRUCTURE** — The primary or predominant use of any lot. A "principal structure" is one devoted to the principal use.

**PRIVATE STREET** — Any right-of-way designated on a site plan or subdivision plat as a route to be used for vehicular access to various locations of the site or subdivision, but not intended to be dedicated for public use.

**PRIVATE SWIMMING POOL** — Any artificially constructed basin or other structure designed to contain water for use by the possessor, his family or guests for swimming, diving and other aquatic sports and recreation, with the maximum depth of water in the structure greater than 24 inches. The term "swimming pool" does not include any plastic, canvas or rubber pool temporarily erected upon the ground without chlorination and/or filtration equipment. The term does include hot tubs and jacuzzis.

**PROFESSIONAL OFFICE** — An office principally occupied by a lawyer, engineer, architect, accountant, insurance agent, stock broker, financial planner, real estate agent or similar occupant.**[Added 3-1-1984, effective 3-16-1984]**

**PUBLIC** — Owned, operated or controlled by a governmental agency (federal, state or local), including a corporation created by laws for the performance of certain specialized governmental functions, a public school district or service district.

**PUBLIC UTILITY FACILITIES** — Telephone and electric lines, poles, equipment and structures and water or gas



§ 360-5 pipes, mains, valves or structures or sewer pipes, valves or structures maintained, operated and conducted for the service, convenience, necessity, health and welfare of the general public, whether owned by any arm or creature of the local, state or federal government or by any privately owned public utility corporation. § 360-5

**QUARRY, SAND PIT, GRAVEL PIT OR TOPSOIL STRIPPING** — A lot or land or part thereof used for the purpose of extracting stone, sand, gravel or soil for sale as an industrial operation and exclusive of the process of grading preparatory to the construction of a building or highway construction.

**RESIDENCE** — A structure or portion of a structure set aside for the separate private occupancy of a family and containing necessary living, sleeping, dining, sanitary and kitchen facilities designed for the sole use of the family.

- A. **SINGLE-FAMILY RESIDENCE** — A freestanding detached structure which contains a residence designed for and occupied by one family as defined herein.
- B. **TWO-FAMILY RESIDENCE** — A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and/or occupied by two families as defined herein. Horizontally separated residences may not be separately owned except as a condominium unit. **[Amended 12-20-2005 by L.L. No. 7-2005]**
- C. **THREE-FAMILY RESIDENCE** — A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and occupied by three families as defined herein. Horizontally separated residences may not be separately owned except as a condominium unit. **[Amended 12-20-2005 by L.L. No. 7-2005]**
- D. **MOBILE HOME RESIDENCE** — A vehicle or movable dwelling structure which is designed to be used as a residence as defined herein.
- E. **MULTIFAMILY RESIDENCE** — A building designed for occupancy by four or more families living independently of each other and containing four or more residences or dwelling units separated by vertical walls or horizontal floors unconnected except for access to the outside, common areas or to a common cellar.
- F. **TOWNHOUSE RESIDENCE** — A building designed for occupancy by two or more families living independently of each other and containing two or more residences or dwelling units separated by vertical walls, each with a separate access to the outside. **[Amended 12-20-2005 by L.L. No. 7-2005]**

**RESIDENTIAL DISTRICT** — Areas designated as R-1, R-2 or RH under the Zoning Ordinance of the City of Plattsburgh. **[Added 5-3-2002 by Ord. No. 2-2002; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**SANITARIUM** — A private hospital, whether or not such a facility is operated for profit.

**SCHOOLS** — Public schools covering any or all grades, pre-kindergarten through grade 12, and full-time private schools covering any or all grades, pre-kindergarten through grade 12, operated by charitable religious or eleemosynary organizations, which are attended to satisfy state-mandated educational requirements.

**SERVICE STATION** — A structure, building or premises or any portion thereof that is used for the sale of gasoline or any other motor vehicle fuel or oil and other lubricating substances, including any sale of motor vehicle accessories, and which may or may not include facilities for lubricating, washing or otherwise servicing motor vehicles, but not including the painting thereof by any means.

**SETBACK LINE** — A line within the bounds of a lot parallel to a property line at a distance from the respective property line equaling the respective required front, rear or side yard.

**SHOPPING CENTER** — A group of buildings or separate shops, stores or offices on a single lot providing primarily retail services with supporting service and office establishments.

**SPECIAL USE PERMIT** — An authorization of a particular land use which is permitted in a zoning ordinance or local law, subject to requirements imposed by such zoning ordinance or local law to ensure that the proposed use is in harmony with such zoning ordinance or local law and will not adversely affect the neighborhood if such

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requirements are met.

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#### SPECIFIED ANATOMICAL AREAS —

- A. Less than completely and opaquely covered: human genitals, pubic region, buttocks, female breast below a point immediately above the areola; or
- B. Human male genitals is a discernibly turgid state.

#### SPECIFIED SEXUAL ACTIVITIES —

- A. Human genitals in a state of sexual stimulation or arousal; or
- B. Acts of human masturbation, sexual intercourse or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

#### STORY —

- A. **FULL STORY** — That portion of a building included between the surface of any one floor, exclusive of any basement or cellar, and the surface of the floor next above it, or, if there is no floor above it, then that portion of the building included between the surface of any floor and the ceiling next above it, exclusive of any area between the horizontal plane of the eaves and the highest gable or slope of a hip or pitched roof.
- B. **HALF STORY** — The habitable portion of a building which is a basement, as defined herein, and/or the area between the horizontal plane of the eaves and the highest gable or slope of a hip or pitched roof if the roof pitch exceeds five on 12.

**STREET** — Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway or is shown upon a plat heretofore approved pursuant to law or is approved by official action as provided by this chapter or is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines.

**STREET SIDE LINE** — The outermost line of the whole area devoted to street purposes on either side thereof. "Street side line" is synonymous with "street right-of-way line."

**STRUCTURE** — A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land, that is safe and stable and includes, among other things, parking areas, stadiums, gospel and circus tents, reviewing stands, platform staging, observation towers, radio and television towers, water tanks and towers, trestles, piers, wharves, sheds, storage bins, walls, fences and display signs. The word "structure" shall be construed as if followed by the words "or part thereof."

**SUBDIVISION** — The division of any parcel of land into two or more lots or the re-subdivision of existing lots.

**THEATER** — A building or part of a building devoted to presenting entertainment on a paid admission basis.

#### TRAILER —

- A. **BOAT TRAILER** — A vehicle designed exclusively for the transportation of one boat.
- B. **CAMP OR TRAVEL TRAILER** — A vehicle or portable structure, not over 256 square feet in floor area, equipped for but not regularly used for sleeping, but which may have sanitary facilities.
- C. **CARGO TRAILER** — A vehicle, not over 70 square feet in floor area, used for the hauling of cargo.

**USE** — The specific purpose for which land or a building is designed, arranged or intended or for which it is or may be occupied or maintained. The term "permitted use" shall not be deemed to include any nonconforming use.

**YARD** — An open, unoccupied space on the same lot with a building, situated between a lot line and the parts of

§ 360-5 the main building, exclusive of cornices and the uncovered porches, setting back from and nearest to such line. § 360-5

- A. FRONT YARD — A yard situated between the building and the street line, extending for the full width of the lot.
- B. REAR YARD — A yard situated between the main building and the rear of the lot, extending for the full width of the lot.
- C. REQUIRED YARD — A yard, as defined herein, which is required by provisions of this chapter to be maintained as a "yard."
- D. SIDE YARD — A yard situated between the building and the side line of the lot and extending through from the front yard of the lot to the rear yard or, where no front or rear yard is required, to the front or rear line of the lot.



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ARTICLE III  
**Establishment of Districts**

**§ 360-6. Districts designated.**

For the purpose of this chapter, the City of Plattsburgh is hereby divided into the following classes of districts:

RH	Residential Historic
R-1	Low-Density Residential
R-2	General Residential
B-1	General Business
B-2	Highway Business
C	Central Business
I	Industrial
OL-P	Overlay District - Parking
OL-W	Overlay District - Waterfront
RC-1	Recreational and Related Uses
RC-2	Recreational and Related Uses
RC-3	Recreational and Related Uses

**§ 360-7. Zoning Map.**

The boundaries of these zoning districts are hereby established on a set of City Tax Maps entitled, "Zoning Maps of the City of Plattsburgh," which maps are kept on file and will be available for public viewing in the Building Inspector's office, and such maps are hereby declared to be a part of this chapter. For informational purposes, a zoning boundary map of the City of Plattsburgh, at an approximate scale of one inch equals 1,800 feet, has been prepared and is included as an attachment to this chapter.

**§ 360-8. Interpretation of district boundaries.**

Unless shown to the contrary on the Zoning Maps, the boundary lines of districts are the center lines of streets and alleys or such lines extended, railroad right-of-way lines, the center lines of creeks and waterways, lot lines and the corporate limit line as it existed at the time of the enactment of this chapter. Where a district boundary line, as appearing on the Zoning Maps, divides a lot or land in single ownership as existing at the time of enactment, the use of the lot shall be divided to conform to each zoning district as shown on the Zoning Map.

**§ 360-9. Land uses limited to district regulations.**

Except as provided in this chapter, no building or part thereof or other structure shall be erected, altered, added to or enlarged nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose other than as for the uses hereinafter listed as permitted, accessory and special uses established in the district in which such building, land or premises is located.

**§ 360-10. Classification of annexed lands.**

Any land hereafter annexed to or consolidated with the City of Plattsburgh shall be classified by an amendment to this chapter as part of the annexation or consolidation of such land.



ARTICLE IV  
**District Regulations**

**§ 360-11. Schedules.**

The restrictions and controls intended to regulate development in each district are set forth in the attached schedules, which are supplemented by other sections of this chapter.

**§ 360-12. Application.**

No building, structure or land shall hereafter be used and no building, structure or part thereof shall be erected, moved or altered unless for a use expressly permitted by and in conformity with the regulations herein specified to the district in which it is located, except as hereinafter provided.

**§ 360-13. General regulations.**

- A. Building and structure height. No building or structure shall hereafter be erected or altered to exceed, in height, the limit designated for the district in which it is located.<sup>3</sup>
- B. Space and area regulations. No building or structure shall be hereinafter erected, nor shall any existing building or structure be altered, enlarged or moved, nor shall any lot, yard, lot width, open space, loading or parking space required in relation to any building or structure or use be encroached upon or reduced in any manner not in conformity with the lot area, lot area per family, lot coverage, open space and building bulk regulations, yard requirements and other space and area regulations designated herein for the district in which it is located unless such reduction is by a duly constituted public authority for a public purpose.
- C. Required yard restriction. No part of a yard or other open space required appurtenant to any building or use shall be included as a part of a yard or other open space required for any other building on any other lot.
- D. Use of yards. Yards, as required herein, shall not be used for the storage of merchandise, equipment, building materials, junk, vehicles, vehicle parts or any other material or for signs except as specific provision is made therefor.
- E. The maintenance of livestock is specifically prohibited in the City of Plattsburgh.
- F. Solar energy systems. Solar energy systems are permitted in all zoning districts on the sites as an accessory use.

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3. Editor's Note: Schedules regulating permitted uses in all districts, area and bulk controls and formulas for calculating area and bulk controls are included as Schedules I through III, respectively, as attachments to this chapter.





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ARTICLE V  
Supplementary Regulations

**§ 360-14. Lot requirements for existing lots of record.**

A structure may be constructed on any lot lawfully established prior to adoption of this chapter if said lot is less than the minimum area required for building lots in the district in which it is located, provided that the following conditions exist or are met:

- A. Availability of adjacent vacant land. No structure shall be erected on any nonconforming lot if the owner of said lot owns any adjoining vacant land which would create a conforming lot if said vacant land were combined with the deficient lot.
- B. Side yards. The width of a side yard and total side yards, when required, may be reduced in the same proportion as the actual lot width ratio is to the required lot width; provided, however, that no structure shall be constructed on a nonconforming lot unless it shall have a minimum side yard of five feet and total of 15 feet.
- C. Front and rear yards. No structure shall be constructed on a nonconforming lot unless it shall have front and rear yards conforming to the minimums required for the district in which said lot is located, except as said lot may meet the conditions set forth below in § 360-16C of this chapter.
- D. Lot width. The minimum lot width of any lot shall be measured along the minimum building setback line, as required for the district in which it is located.
- E. Corner lots. At all street intersections, no obstruction to vision, other than an existing building, post, column, tree or hedges, exceeding 30 inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within the triangle formed by the street lot lines of such lot and a line drawn between the points along such street lot lines 30 feet distant from their points of intersection.
- F. Through lots. In the case of a lot running through from one street to another, the front of such lot shall, for the purposes of this chapter, be considered that frontage upon which the majority of the buildings in the same block front, but in case there has been no clearly defined frontage established, the owner may, when applying for a building permit, specify on the permit application which lot line shall be considered the front line. The rear portion of such a lot shall, however, be treated as a lot front for the purposes of determining required setbacks and locations of permitted structures and uses so as not to detract from the aesthetic quality of the second street frontage.
- G. Reduction of required area or space. The area or dimension of any lot, yard, parking area or other space shall not be reduced to less than the minimum required by this chapter, except as provided in this chapter, and if already less than the minimum required by this chapter, said area or dimension may be continued but shall not be further reduced.

**§ 360-15. Height requirements.**

- A. General application. No building or structure shall have a greater number of stories nor have an aggregate height of a greater number of feet than is permitted in the district in which such building or structure is located, except as noted elsewhere in this chapter.
- B. Exceptions. District building height regulations shall not apply to flagpoles, radio or television antennas, transmission towers or cables, spires or cupolas, chimneys, elevator or stair bulkheads, penthouses, parapets or railings, water tanks or cooling towers or any similar structures, provided that such structures:
  - (1) In their aggregate coverage occupy no more than 10% of the roof area of the building.
  - (2) Are not more than 12 feet above the highest point in the roofline of the principal structure.

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(3) Which exceed the height regulations are located on the roof of the principal structure.

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**§ 360-16. Yard requirements.**

Every part of a required yard must be open to the sky and unobstructed, except for accessory buildings in the rear or side yard and except for the ordinary projection of uncovered porches, balconies, steps, sills, belt courses, cornices and/or ornamental features, not to exceed four inches.

- A. Side yards. Where the side wall of a building is not parallel to the side lot line or the side lot line is broken or otherwise irregular, the side yard may be varied. In such case, the average width of the side yard shall not be less than the otherwise required minimum width; provided, however, that such yard shall not be narrower at any one point than 1/2 the otherwise required minimum width.
- B. Corner lots. Any corner lot, as defined herein, shall have a setback equal to the required front yard from any street right-of-way. The side yard of a corner lot may be determined by the owner if there are no conflicting adjacent uses, and provided that the Building Inspector concurs in the selection.
- C. Front yard exception. When a vacant lot is situated between two improved lots, each having a principal building within 25 feet of any side lot line of such unimproved lot, the required front yard may be reduced to yards of the two adjoining improved lots, but shall not be less than 10 feet. However, where such lot fronts on a right-of-way proposed to be widened, as shown on the Official Map of the City of Plattsburgh, the front yard shall be as required for the district in which the lot is located and shall be measured from the proposed future right-of-way.
- D. Existing roofed porches. Existing roofed porches which project into the required yards may be enclosed.
- E. Projections into required yards. The following projections into required yards may be permitted:
  - (1) Open fire escapes may project six feet into side or rear yards.
  - (2) Awnings or movable canopies may project six feet into any yard.
  - (3) Cornices or eaves may project three feet into any yard.
  - (4) Chimneys.
  - (5) Uncovered steps and porches at ground-floor level may project into any yard not to exceed the following:
    - (a) The width of the porch and/or steps may not exceed the lesser of eight feet or 1/4 the width of the wall upon which it is located.
    - (b) The depth of the porch may not exceed the lesser of six feet or 1/5 the width of the wall upon which it is located.
    - (c) The depth of step treads shall not exceed one foot.
  - (6) Handicap access ramps are permitted at the discretion of the Building Inspector for as long as they are needed by the owner or tenant.
- F. Transition yard requirements.
  - (1) Where a residence district abuts a nonresidence district on a street line, there shall be provided in the nonresidence district, for a distance of 35 feet from the district boundary line, a front yard at least equal in depth to that required in the residence district.
  - (2) Where the side or rear yard in a residence district abuts a side yard in a nonresidence district, there shall be provided along such abutting line or lines a side or rear yard at least equal in depth to that required in

§ 360-16 the residence district. In no case, however, shall the abutting rear yard be less than 25 feet. § 360-20

**§ 360-17. Building coverage and open space requirements.**

- A. The maximum percentage of land coverage by principal and accessory buildings or structures, including covered patios and carports, on each zone lot shall not be greater than is permitted in the district where such principal and accessory buildings are located.
- B. The minimum percentage of land dedicated to open space on each zone lot shall not be less than is required in the district in which such lot is located. In calculating open space, the following criteria shall apply:
  - (1) Areas used and/or paved as parking area(s), as defined herein, shall not be included as open space.
  - (2) Areas covered by buildings or structures or their projections, except projections specifically permitted elsewhere in this chapter, shall not be included as open space.
  - (3) Areas paved or otherwise covered and used as uncovered patios, swimming pools, tennis courts or similar recreation-oriented uses may be included as open space, provided that such uses do not comprise more than 1/3 of the required open space.

**§ 360-18. Number of buildings and dwelling units restricted.**

- A. There shall be not more than one principal use structure nor more than two accessory use structures, of which no more than one shall be a private garage, on each lot intended or used for purposes permitted in the zone in which it is located, except as provided in § 360-21, Planned unit developments, of this chapter.
- B. There shall be not more than 24 dwelling units on each lot where permitted in a zoning district, except as provided in § 360-21 of this chapter.

**§ 360-19. Accessory structures.**

- A. Unattached accessory structures in R-1, R-2 and RH Districts. Accessory structures which are not attached to a principal structure may be erected in accordance with the following requirements:
  - (1) An accessory building shall not exceed 12 feet in average height and shall be located in the rear yard only.
  - (2) No accessory structure shall be located within five feet of side or rear lot lines.
  - (3) For corner lots, the setback from all streets shall be the same for accessory buildings as for principal buildings.
- B. Attached accessory structures in R-1, R-2, RH Districts. When an accessory structure is attached to the principal building, it shall comply in all respects with the yard requirements of this chapter applicable to the principal building.
- C. Accessory structures in other than R-1, R-2, RH Districts. Accessory structures shall comply with front, side and rear yard requirements for the principal structure to which they are accessory.

**§ 360-20. Landscaping and fencing requirements.**

- A. Enclosed uses. Any enclosed use as may be required by this chapter to be landscaped in accordance with this subsection shall provide a fence, screen or landscaping sufficient to obscure such uses from view from abutting properties lying in R-1, R-2, or RH Districts or from public rights-of-way. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- B. Unenclosed uses. Any use which is not conducted within a completely enclosed building, including, but not

§ 360-20 limited to, junkyards, storage yards and lumberyards and building materials yards, and which use is in, abuts or is adjacent to an R-1, R-2, or RH District or fronts on a public right-of-way shall be obscured from view from such R-1, R-2, or RH Districts and public rights-of-way in an effective manner. This subsection shall not apply to nurseries and the display for sales purposes of new or used cars, trucks, trailers, boats, bicycles, motorcycles or farm equipment, except that such uses shall be obscured from R-1, R-2, or RH Districts not separated from such use by a public right-of-way. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

- C. Approval by the Planning Board. Plans and site design for the installation of required fences or landscaping shall be reviewed by the Planning Board prior to issuance of a building permit for such uses as are required by this chapter to be provided with such fences or landscaping.
- D. Maintenance. Any fencing or landscaping installed in accordance with this section shall be maintained in good order to achieve the objectives of this section. Failure to maintain fencing or to replace dead or diseased landscaping shall be considered a violation of this chapter.

#### **§ 360-21. Planned unit developments.**

- A. Definitions. As used in this section: **[Amended 10-25-2018 by L.L. No. 5-2018]**

**PLANNED UNIT DEVELOPMENT** — A subdivision plat or plats, approved pursuant to City Code Chapter 300, Subdivision of Land, in which the minimum lot size requirements, minimum yard requirements, and minimum open space requirements as specified in Schedule II<sup>4</sup> of this chapter of the City Code, and in which the maximum number of structures and dwelling units on a lot as specified in § 360-18 of this chapter of the City Code, and any amendments thereto, may be varied to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open lands.

- B. Purpose. The purpose of a planned unit development shall be to enable and encourage flexibility of design and development of land in such a manner as to preserve the natural and scenic qualities of open lands.
- C. Grant of authority and general conditions.
  - (1) This procedure may be followed at the discretion of the Planning Board if, in said Board's judgment, its application would benefit the City.
  - (2) A planned unit development shall result in a permitted number of building lots or dwelling units which shall in no case exceed the number which could be permitted, in the Planning Board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of Chapter 360 applicable to the district or districts in which such land is situated and conforming to all other applicable requirements. Provided, however, that where the plat falls within two or more contiguous districts, the Planning Board may approve a planned unit development representing the cumulative density as derived from the summing of all units allowed in all such districts and may authorize any actual construction to take place in all or any portion of one or more of such districts.
  - (3) The Planning Board as a condition of plat approval may establish such conditions on the ownership, use, and maintenance of such open lands shown on the plat as it deems necessary to ensure the preservation of the natural and scenic qualities of such open lands. The Planning Board shall consider the goals, objectives and recommendations contained in the City of Plattsburgh Comprehensive Plan, the City of Plattsburgh Local Waterfront Revitalization Plan, and the Re-Use Plan for the former Plattsburgh Air Force Base before approving such plan.
  - (4) The minimum percentage of open space contained in the entire PUD shall be the minimum percentage

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4. Editor's Note: Schedule II is included as an attachment to this chapter.

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required by Schedule II for the zoning district in which the PUD is located. In calculating the area of required open space, § 360-17B of this chapter shall apply. In addition, any land below the low-water mark in Lake Champlain, as determined from the year prior to that in which the PUD is proposed, shall not be considered as open space for purposes of the calculations.

- (5) The plat showing such planned unit development may include areas within which structures may be located, the height and spacing of buildings, open spaces and their landscaping, off-street open and enclosed parking spaces, streets, driveways, and any other features required by the Planning Board. In the case of a residential plat or plats, the dwelling units permitted may be, at the discretion of the Planning Board, in detached, semidetached, attached, or multistory structures.
- (6) Planned unit developments are permitted in all zoning districts except RH.
- (7) A planned unit development may include any mixture of uses, permitted as of right or by special use permit that are permitted within the zoning district.
- (8) In reviewing and approving all plans, the Planning Board, in addition to the standards set forth herein, may utilize the standards of the subdivision and site plan review requirements, as well as the opinions of the City Planner, other department heads and City consultants. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- (9) No tract, parcel or lot or tracts, parcels or lots shall be developed as a planned unit development unless it shall contain an area of adjoining and contiguous land as specified in the following table and shall contain sufficient access to the public road system as designated on the Official Map of the City of Plattsburgh, as amended. For the purpose of this section, internal streets, roads and rights-of-way shall not be deemed to divide acreage of a planned unit development. Development of planned unit developments shall contain an area of adjoining and contiguous land as follows: **[Amended 10-25-2018 by L.L. No. 5-2018]**

Zone District	Minimum Land Area (acres)
R-1	5
R-2	5
B-1	5
B-2	5
C	3
I	5
RC-1	5
RC-2	5
RC-3	10

- D. Guidelines for review and approval of planned unit developments. The Planning Board shall consider the following guidelines in reviewing and approving planned unit developments. Notwithstanding the use of the word "shall," the Planning Board may vary the requirements of the guidelines upon a showing that standards for obtaining an area variance have been met.

- (1) Boundary line and internal street setback requirements.
  - (a) Boundary line setback requirements. All buildings, structures and uses shall be set back no less than as required for front yard setback in Schedule II from all external streets.<sup>5</sup>

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- (b) Internal street setback requirements. All buildings and structures for principal or accessory nonresidential uses shall be set back no less than 25 feet from any public or private street within a planned unit development.
- (2) Building height. No building or structure shall have a height greater than as provided in this chapter.
- (3) Distance between buildings. The minimum distance between any two buildings, other than buildings containing common walls, shall be not less than as computed under the following formula.

$$S=LA+LB+2(HA+HB)$$

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Where:

- S = Required minimum horizontal distance between any wall of Building A at any given level and any wall of Building B at any given level or the vertical prolongation of either.
- LA = Total length of Building A. Building A shall be that structure which is of equal or greater length of the two buildings selected.
- LB = Length of Building B.
- HA = Height of Building A. The height of Building A is the average height above the finished grade of the structure.
- HB = Height of Building B.

- (4) Land use density. The land use density and minimum lot size requirements set forth in this chapter for the district in which the planned unit development is located shall apply. However, land use density calculations shall be based on the overall development, without regard to or requirement for division of the site.
- (5) Open space.
- (a) Required percentage of site. The percentage of the site dedicated to open space shall be equal to the requirements set forth in this chapter for the district in which the planned unit development is located. In the case of multiple uses located in a single planned unit development, the floor area ratios of the various uses will be calculated to determine an average open space percentage, which shall be applied to the site.
- (b) Computation. Any required open space may include common recreation areas and required buffer areas for computation purposes.
- (c) Modification. The Planning Board, at its discretion, shall have the right to reduce the required minimum area of open space if the following conditions are met: if one or more tracts, parcels or lots are required to be dedicated for public use or public purpose, including, but not limited to, schools, fire stations, police facilities, libraries or other similar municipal uses, but not including utility, sewer or stormwater drainage easements, water or sewer improvements, roadways or any other recreational facilities or other similar dedication required by this chapter.
- (d) Circulation and off-street parking requirements. In a planned unit development, off-street parking facilities shall be provided in accordance with the following requirements.

[1] Size of parking spaces and aisles. The size of off-street parking spaces and aisles shall

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conform to the provisions of § 360-26 of this chapter.

- [2] Number of parking spaces required. The number of off-street parking spaces required shall be as set forth in § 360-26 of this chapter.
  - [3] Access. There shall be adequate provision for ingress and egress to all parking spaces. Access drives or driveways shall be no less than 12 feet wide for ingress or egress and 24 feet wide for both ingress and egress, except that for single- or two-family dwellings, access drives or driveways shall be not less than 10 feet wide for both ingress and egress. No driveway or access drive shall be closer than 50 feet to the point of intersection of the street lines of any two intersecting streets.
  - [4] Location. All off-street parking or loading areas for uses other than single-family detached dwellings shall meet the minimum setback requirements.
  - [5] Mixed or multiple uses. In the case of mixed or multiple uses within a single structure or building or in the use of land, the amount of off-street parking required shall be determined by the sum of the requirements of the various uses computed separately in accordance with § 360-26 of this chapter, except where the applicant can demonstrate to the satisfaction of the Planning Board that another method of computation will adequately serve the proposed mixed or multiple use.
- (6) Off-street loading requirements. In any planned unit development, off-street loading berths shall be provided and maintained on the same site with such building in accordance with the requirements of § 360-26 of this chapter.
- (7) Streets.
- (a) The right-of-way and pavement widths of all internal streets, roads and vehicular traveled ways shall be determined from sound planning and engineering standards in conformity with the estimated needs of the full proposed development and the traffic to be generated thereby. They shall be adequate in size, location and design to accommodate the maximum traffic, parking and loading needs and the access of firefighting and police vehicles. All streets and roads, either dedicated public streets or privately owned and maintained or any combination thereof, shall be subject to all City ordinances and regulations, as well as the laws of the State of New York with regard to construction.
  - (b) The Planning Board shall be guided by the following criteria of street grades, but shall have the authority to modify same where exceptional circumstances warrant:
    - [1] Six percent for major and arterial streets.
    - [2] Ten percent for collector and local streets.
  - (c) Exceptions to these limitations shall be made after review and written approval by the City Planner. **[Amended 8-17-2017 by L.L. No. 3-2017]**
  - (d) When deemed necessary by the Planning Board, the landowner shall provide a continuous street circulation system with adjoining land areas.
  - (e) The proposed street system shall conform to the proposals and conditions shown on the Official Zoning Map and Comprehensive Plan, except as may be modified by the Planning Board or governing body, as provided by law.
- (8) Other improvements. **[Amended 8-17-2017 by L.L. No. 3-2017]**
- (a) All utility improvements, including storm drainage systems, sanitary sewage collection and

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disposal and water supply systems, shall be in accordance with the standards and procedures as established by other local, county and state regulations. Said improvements shall be subject to review and approval by the City Planner and City boards, as well as appropriate county and state agencies.

- (b) Utility service. Utility service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be provided as a part of an underground system. If such facilities cannot be reasonably provided due to topography or geologic condition of the land or due to technological circumstances and if the landowner shall adequately demonstrate the lack of feasibility of such an undertaking to the satisfaction of the Planning Board, a waiver of this requirement may be granted by the Planning Board.
- (c) Street improvements. Monuments, street names and other traffic control devices, shade trees, streetlights, sidewalks, curbs, fire hydrants and all aspects of street construction, as well as other improvements, shall be subject to local regulations and City Planner approval.
- (d) Consistency with approved land use plans. When reviewing PUDs and site plans for proposals located within the former Plattsburgh Air Force Base and/or within the OL-W (Overlay District - Waterfront), the Planning Board shall require consistency to the maximum extent practicable with the City of Plattsburgh Comprehensive Plan, City of Plattsburgh Local Waterfront Revitalization Plan and any approved or accepted base reuse plans. Open space and recreation areas on said plans shall be conserved as open space to the maximum extent practicable.

- E. Notice and public hearing. The proposed planned unit development shall be subject to review at a public hearing or hearings held pursuant to City Code Chapter 300, Subdivision of Land, for the approval of plats.
- F. Filing of plat. On the filing of the plat in the office of the County Clerk or register, a copy shall be filed with the City Clerk, who shall make appropriate notations and references thereto on the City Zoning Map.

#### **§ 360-22. Additional lot regulations.**

- A. Stripping of topsoil. No person, firm, corporation or governmental agency shall strip, excavate or otherwise remove topsoil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto.
- B. Excavating, filling. No re-grading or similar operations shall commence on any lot unless in conjunction with construction on the premises for which a building permit has been duly issued or unless a detailed plan for the proposed operation indicating existing natural topography and proposed topography and incorporating all necessary drainage features has been submitted to the Building Inspector and a building permit for the operation has been issued.
- C. Garage sales. A garage, porch, lawn, yard or similar sale shall be permitted on all residential lots for a maximum of two sale events per calendar year, with a duration of not more than four days per event.
- D. Except as permitted as part of an approved subdivision or planned unit development, no driveway or private street shall be constructed on any lot that connects two streets, or that provides access to a lot not owned by the owner of the lot where the driveway or private street enters a City street. Except as permitted by ordinance of the Common Council, no driveway or private street shall be approved as part of a subdivision, planned unit development or otherwise if the City Planner finds that the maximum allowed development of all lots likely to be served by the proposed driveway or private street may result in more than a 25% increase in traffic flow on any City street located in a R-1 or R-2 or RH District. The provisions of this subsection may not be varied by the Zoning Board of Appeals, but may be varied, waived or modified by ordinance by the Common Council. **[Amended 8-17-2017 by L.L. No. 3-2017]**



**§ 360-23. Amusement uses.****A. Amusement center, bowling alley and similar places of amusement:**

- (1) Such uses shall be conducted entirely within an enclosed structure.
- (2) Off-street parking areas shall be screened from adjoining residential properties in accordance with § 360-20 of this chapter.
- (3) A principal structure shall be not less than 20 feet from any property line.
- (4) There shall be no offensive noise or vibration.
- (5) No bowling alley, skateboard facility or roller-skate or roller-blade rink shall be maintained or operated within 300 feet of an entrance or exit of a public or private school, public library, church, hospital, children's home or homes for the aged and other similar public or semipublic institutions.

**B. Commercial outdoor recreational facilities.**

- (1) Such uses include golf courses, ice-skating rinks, amusement parks, beach swimming facilities, swimming pools, tennis courts and similar facilities.
- (2) In any district where permitted, no building shall be located within 50 feet of any property line.
- (3) In any district where permitted, there may be permitted retail sales which are clearly secondary to the principal use.
- (4) Unenclosed recreational facilities shall be located not less than 25 feet from any property line, except where greater distances are otherwise required herein, and shall be effectively screened from adjoining residential uses in accordance with the provisions of § 360-20 of this chapter.
- (5) Illuminated signs and other lights shall be directed away or shielded from adjoining residential properties in such a way as not to disturb the occupants thereof.
- (6) No public address system shall be permitted, except where such system is inaudible at any property line.
- (7) All commercial outdoor recreational facilities shall not occupy a lot or parcel of less than 20,000 square feet, and such lot or parcel shall not be less than 120 feet in width nor less than 150 feet in depth.
- (8) All commercial outdoor recreational facilities shall provide suitable off-street parking facilities in accordance with § 360-26 of this chapter.

**C. Private swimming pools. Such uses shall include permanent and portable swimming pools and hot tubs, as defined herein, and such swimming pools shall be accessory to a principal use and shall be regulated as follows:**

- (1) Such use may be erected or constructed only on the same lot as the principal structure.
- (2) Such use may be erected or constructed only in the rear yard of such structure, and the waterline shall be distant not less than 10 feet from the rear lot line nor less than five feet from any side yard, principal structure or accessory structure attached thereto.
- (3) Such use shall be fully enclosed by a secure fence not less than four feet in height and in accordance with the requirements of the New York State Uniform Fire Prevention and Building Code. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**D. Adult use or entertainment establishments. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

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- (1) No adult use and entertainment establishment shall be located:
  - (a) Within 500 feet of the boundary of any residential zoning district; or
  - (b) Within 500 feet of the property line of any preexisting residential property, church, synagogue, mosque or other place of worship, school, day-care facility, park, or playground;
  - (c) Within 200 feet of the center line of the NYS Routes 3, 9, and 22.
- (2) The adult use shall be conducted entirely within an enclosed building. No "specified anatomical areas" or "specified sexual activities" (as defined in § 360-5 of this chapter) shall be visible at any time from outside the building. This requirement shall also apply to any sign or display.
- (3) No outside displays or advertising other than an approved sign shall be permitted.
- (4) Such use will be allowed only by a "special use permit."

### § 360-24. Community facilities.

#### A. Public utilities services.

- (1) Enclosed essential services; permanent structures. Such uses shall include electric substations, transformers, switches and auxiliary apparatus serving a distribution area and water pumping stations in R Districts and shall be subject to the following regulations:
  - (a) Such facility shall not be located on a residential street, unless no other site is available, and shall be so located as to draw a minimum of vehicular traffic to and through such streets.
  - (b) The location, design and operation of such facility shall not adversely affect the character of the surrounding residential area.
  - (c) Adequate fences, barriers and other safety devices shall be provided and shall be landscaped in accordance with the provisions of § 360-20 of this chapter.
  - (d) Noise emitted from electric substations shall be kept at a minimum.
- (2) Open essential services. Such uses shall be limited to the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment; and accessories in connection therewith which is reasonable and necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings, and, where applicable, the landscaping regulations of § 360-20 of this chapter shall apply.

#### B. Fire stations and police stations. Such facilities shall be permitted in all R Districts, provided that:

- (1) Such facility is necessary to serve the surrounding residential area where it is not possible to serve such area from a facility located in B-1 Districts or less restrictive districts.
- (2) Such facility shall not be located on a residential street, unless no other site is available, and shall be so located as to draw a minimum of vehicular traffic to and through such streets.

#### C. Hospitals, institutions, philanthropic uses, sanatoriums and nursing and convalescent homes.

- (1) No building or structure or group of buildings or structures shall occupy a lot area of less than four acres. No building or structure shall be located closer than 30 feet from any front lot line and 50 feet from any

- § 360-24 side or rear lot line. Hospital facilities of 50 beds or less shall comply with all regulations of this subsection, except that a minimum lot area of two acres is required. § 360-25
- (2) Off-street parking requirements shall be in conformance with the standards established in § 360-26 of this chapter.
- D. Nursery schools and day-care facilities. Such use shall be subject to the following minimum requirements:
- (1) There shall be a minimum lot size of 20,000 square feet, with an additional 1,000 square feet of lot area for each child cared for or enrolled in excess of five.
- (2) There shall be provided 100 square feet of outdoor play area for each child.
- (3) The use shall be screened in accordance with § 360-20 of this chapter.
- (4) Off-street parking requirements shall be in conformance with the standards established in § 360-26 of this chapter. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

**§ 360-25. Retail and manufacturing regulations.**

- A. Drive-in business. Such businesses, where persons are served in automobiles, shall be not closer than 200 feet to an R District and shall be located on a public street having a pavement width of not less than 36 feet and shall provide ingress and egress so as to minimize traffic congestion. The number and location of curb cuts shall be subject to the review and approval of the Police Department.
- B. Automobile washing establishments. In addition to meeting the minimum yard and lot coverage requirements, these establishments shall be subject to the following regulations:
- (1) Such establishments shall not be closer than 200 feet to an R District.
- (2) Such establishments shall be located on a public street having a pavement width of not less than 36 feet and shall provide ingress and egress so as to minimize traffic congestion.
- (3) Such establishments, in addition to meeting the standard off-street parking and loading requirements of § 360-26 of this chapter, shall provide at least 15 off-street automobile waiting spaces on the lot in the moving lane to the automobile washing building entrance so as to reduce the number of waiting automobiles in the public street.
- C. Automobile service and repair establishments. In any district where permitted, automobile service stations and repair garages shall conform to the following:
- (1) All repair work and storage shall be within a completely enclosed building, with no openings in the side or rear walls less than 15 feet from any lot line.
- (2) No access drive shall be within a radius of 200 feet of a school, public library, theater, church or other public gathering place, park, playground or fire station.
- (3) Service stations shall be permitted only on lots of 10,000 square feet or more, with a minimum frontage of 100 feet. Gasoline pumps and other such facilities shall be located at least 20 feet from a street right-of-way line and 20 feet from any side or rear lot line.
- D. Industrial districts.
- (1) The following uses, new or expanded, shall not be located closer than 200 feet to any business district nor 300 feet to any residence district:
- (a) Building material processing.

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- (b) Processing of animal matter.
  - (c) Furnaces and forges.
  - (d) Heavy fabricating machinery.
  - (e) Milling or processing of flour, feed or grain.
  - (f) Petroleum processing or storage.
- (2) Contractors' yard. A contractor's yard shall be located at least 100 feet from a district boundary and shall be completely screened and enclosed by a six-foot fence. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
  - (3) Where an industrial district abuts any residence district or a recreation-commercial district, a landscaped area, at least 20 feet in width, shall be provided along any such district boundary. Such area shall be screened from adjoining properties in accordance with the provisions of § 360-20 of this chapter.

E. Excavation for extractive operations and soil mining.

- (1) Any excavation operation shall not adversely affect the drainage or structural safety of adjoining lots and buildings or contribute to soil erosion by wind or water. Open excavations deeper than 10 feet or having a slope greater than 30° from the horizontal shall be surrounded by a fence at least six feet high and no closer than 50 feet to the edge of the excavation or other hazardous condition. The slope of a pile of any material excavated shall not exceed its normal angle of repose. No excavation shall take place nor shall any mechanical equipment be stationed or supplies or excavated material stored any closer than 100 feet to the lot line of the lot being excavated.
- (2) Before excavation starts, plans indicating the extent of planned excavation and proposed site rehabilitation after excavation ceases shall be submitted to the Building Inspector and a performance bond posted with the City Clerk in an amount equal to the estimated cost of rehabilitation as determined by the Building Inspector. Such performance bond shall be released after the Building Inspector certifies that rehabilitation has been completed.

F. Cryptocurrency mining operations. **[Added 10-25-2018 by L.L. No. 6-2018]**

(1) Definitions.

**COMMERCIAL CRYPTOCURRENCY MINING** — The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this section, any equipment which requires a high-density load service, or any server farm, will constitute a commercial cryptocurrency mining operation.

**CRYPTOCURRENCY** — A digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

**HIGH-DENSITY LOAD SERVICE** — The provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts, or an average power density in excess of 250 kilowatt- hours per year per square foot, equivalent to 35.064 square feet per kilowatt, at 100% load factor. "Square footage" is defined as leased or owned boundaries of floor space devoted to the operating data processing equipment, and excludes space for offices, storage, shipping and receiving, or any other space that is not electronic processing.

**SERVER FARM** — Three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

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## (2) Firesafety.

- (a) Fire suppression. An active clean agent fire protection system must be provided and maintained in good working order within any structure which contains a commercial cryptocurrency mining operation. High-sensitivity smoke detectors shall be installed and operational in order to activate this clean agent fire suppression system.
- (b) There shall be an emergency electricity termination switch installed outside of any containment structure which contains a commercial cryptocurrency mining operation.
- (c) Containment space. The equipment used in any commercial cryptocurrency mining operation shall be housed in an individually metered, electrically grounded and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.
- (d) All building requirements required by this section, including, but not limited to, heat transfer apparatuses, fire detection/suppression systems, or containment structures shall be designed by a New York State licensed engineer and in accordance with all applicable codes and standards.

## (3) Heat.

- (a) The ambient temperature inside of a containment space which houses a commercial cryptocurrency mining operation shall not exceed 120° F. at any time. No person shall be permitted to regularly inspect and work within the containment area which houses a commercial cryptocurrency mining operation if the ambient temperature within the containment area exceeds 90° F.
- (b) Any commercial cryptocurrency mining operation shall ensure that no more than 20% of the heat dissipated by the mining activity shall be released directly to the outside when the average daily temperature is less than 40° F.

## (4) Nuisance abatement.

- (a) No commercial cryptocurrency mining operation may cause adverse or detrimental effects to adjoining lessees, owners, or residents that diminish the quality of life or increase the costs of serving their business or maintaining their homes.
- (b) No commercial cryptocurrency mining operation shall produce a noise level exceeding 90 dB from a distance of 25 feet from the exterior of the containment structure.

## (5) Special use permit. A special use permit, pursuant to this chapter of the City Code, is required for any new commercial cryptocurrency mining operation, and any expansion of any pre-existing commercial cryptocurrency mining operation, in order to ensure conformance with this section.

## (6) Effective date; applicability.

- (a) This subsection shall take effect immediately upon filing in the office of the New York State Secretary of State.
- (b) This subsection shall apply to all building permit or zoning applications pending at the time it becomes effective, unless the reviewing Council or Board shall determine that its application would be impracticable or unjust in the particular circumstances.

**§ 360-26. Off-street parking and loading regulations.**

In all districts, off-street automobile parking spaces and truck loading areas for the various permitted uses shall be required at the time any of the main buildings or structures of such uses are constructed, moved or altered.

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A. Off-street parking requirements. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

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- (1) Required off-street automobile parking spaces. The minimum cumulative number of spaces shall be determined by the amount of dwelling units, guest rooms, floor area, members, equipment, employees and/or seats contained in such new or moved buildings or structures or added by such alteration of buildings or structures, and such minimum number of spaces shall be maintained thereafter. The occupancy rating of a structure shall be determined by the Building Inspector in accordance with the requirements of the New York State Uniform Fire Prevention and Building Code.
- (2) The number of off-street parking spaces required for uses is set forth in the following table. When a proposed use is not listed, the Building Inspector shall base his determination of the parking requirement on the most analogous use.

Use	Parking Spaces	Measurement Unit
All office uses	1	250 square feet
Private recreation facilities	2	Each, lane, court, or similar facility
Dance halls and skating facilities	1	Each 50 square feet of dance or skating area + parking required as specified herein for other uses
Eating and drinking establishments	1 1	Per 50 square feet customer area Per 250 square feet other area
Elementary schools	2	Per classroom
High schools and colleges	5	Per classroom
Funeral homes	1 1	Per 50 square feet reception Per 4 auditorium seats
Home occupations	Number required for residential occupancy plus 1 space	
Hospitals	1 1	Per 2 beds Per 300 square feet of other space
Hotels and motels, lodging and bed-and-breakfast	1	Per rental unit
Industrial operations	1	Per 400 square feet
Industrial storage	1	Per 2,000 square feet
Libraries	1	Per 200 square feet
Mobile home parks	1	Per mobile home unit
Licensed nursing homes and group residences	1	Per 500 square feet
Museums	1	Per 500 square feet
Outdoor storage and vehicle sales or rental lots	1	Per 3,000 square feet of lot area
Auditoriums, theaters, stadiums, meeting halls	1	Per 4 seats of maximum seating capacity

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Use	Parking Spaces	Measurement Unit
Retail sales, service, banks and government buildings	1	Per 250 square feet open to public + spaces required as provided elsewhere for areas not open to public
Residential dwellings		
Single family home two family homes, townhouses and condominiums	1	Per dwelling unit; plus 1 additional space for each adult member of a family over 2
Three family and multifamily dwellings	2 1.75	Per dwelling unit for the first 10 units; Per dwelling unit over 10 units + 1 additional space per dwelling unit for each adult occupying the unit over 2
Nursery schools and day-care facilities	1	Per 100 square feet of gross floor area

B. Overlay parking district(s).

- (1) Two overlay parking districts are hereby established to provide parking for lots within such districts that are of insufficient size to provide on site parking. Such districts are designated as:
  - (a) OLP-1, which is located in the Downtown area of the City. See Zoning Maps annexed.
  - (b) OLP-2, which is located on the Old Base part of the former Plattsburgh Air Force Base. See Zoning Maps annexed.
- (2) The underlying zoning district parking requirement applies to lots located within an Overlay District - Parking. The parking requirement of the underlying district may be satisfied by public parking upon a determination by the Building Inspector, or the Zoning Board of Appeals, that:
  - (a) The land and building, when constructed or occupied, will be subject to the parking district special assessment, or the lot owner has agreed to make a payment equal to such assessment and in lieu thereof.
  - (b) There is insufficient land to meet all or part of the parking requirements on the lot.
  - (c) Each lot within the district shall be presumed to be entitled to use a number of public parking spaces equal to the minimum number of spaces required in the underlying zone. In the case of a combination of uses, the total requirements for off-street automobile parking spaces shall be the sum of the requirements for the various uses, unless it can be proven to the Building Inspector that staggered hours of use would permit modification. Whenever an ultimate fraction of a space is required, a full space shall be provided.
  - (d) The property's parking demand is not likely to be greater than the minimum number of spaces required in the underlying zone.
  - (e) If the parking demand is determined to be greater than the required minimum number of spaces, the Building Inspector, or the Zoning Board of Appeals, may permit the property to be used or occupied for the owner's intended purpose if it is determined there are sufficient public parking spaces to meet such demand, and the property owner agrees to pay an additional parking

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assessment for such excess parking.

- (f) The Building Inspector or Zoning Board of Appeals may require the lot owner to provide a parking survey, in such form as he/it determines is appropriate, to assist him/it in making the determinations required by this section.

C. Off-street parking design standards.

(1) Size of space.

- (a) Every such space provided shall be at least nine feet wide and 18 feet long, and every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows:

- [1] Parallel curb parking: five feet additional between each 18-foot space, with a 12-foot aisle width for one-directional flow and a 24-foot aisle for two-directional flow.

- [2] 30° parking: 13-foot aisle width for one-directional flow and 26-foot aisle width for one-directional flow and 26-foot aisle width for two-directional flow.

- [3] 45° parking: 16-foot aisle width for one-directional flow and 26-foot aisle width for two-directional flow.

- [4] 60° parking: 21-foot aisle width for one-directional flow and 26-foot aisle width for two-directional flow.

- [5] Perpendicular parking: 26-foot aisle width for one-directional and two-directional flow.

- (b) The above standards may be modified by the Planning Board as part of the site plan review process under the provisions of § 360-37 of this chapter.

(2) Location of parking areas.

- (a) In R-1, R-2 and RH Zones, off-street automobile parking spaces and maneuver areas shall be provided in the rear or side yard, or on a paved driveway in the front yard not more than 12 feet wide for lots under 100 feet in width, or 20 feet wide for lots more than 100 feet in width.

- (b) In all other zoning districts, parking spaces shall be provided on the same lot as the principal use. The Zoning Board of Appeals may grant the lot owner a special use permit for off-site parking on a lot not more than 500 feet from such principal use, provided said lot is restricted by deed for use as parking so long as the principal use remains.

D. Location of driveways. Driveways shall be located three feet from any property line, except when a common drive is provided.

E. Entrances and curb cuts.

- (1) Entrance drives and/or curb cuts shall be limited in width to 60% of the total lot frontage, but in no instance shall the aggregate width of such drives total more than 70 feet on any one street frontage. The maximum width of any single drive shall be 30 feet, and there shall be a minimum landscaped island of not less than five feet in width between drives.

- (2) The remaining lot frontage shall be physically separated from the street by means of a curb or a landscaped area at least five feet in width.

F. Construction of parking and maneuver areas. All open parking shall be paved with impervious material, such as bituminous concrete, asphalt or concrete, of sufficient depth to support the anticipated load factor of the area in accordance with standard accepted engineering practice and shall be adequately drained.



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G. Off-street loading requirements. Off-street loading requirements shall be as follows:

- (1) Required number. The required number of loading berths shall be as follows:

Use	Required Loading Berths
General business, retail, commercial eating establishments, offices and service establishments	1 per 10,000 to 25,000 square feet of floor area plus 1 for each additional 25,000 square feet of floor area or major fraction thereof
Hotels/motels	1 per 10,000 to 25,000 square feet of floor area plus 1 for each additional 25,000 square feet of floor area or major fraction thereof
Wholesale, warehouse and industrial uses	1 for 0 to 10,000 square feet of floor area plus 1 for each additional 25,000 square feet of floor area or major fraction thereof

- (2) Dimensions for off-street loading berths. Each required loading berth, open or enclosed, shall have minimum dimensions of 35 feet long, 12 feet wide and 14 feet high, except that berths for funeral homes may be 20 feet long, 10 feet wide and eight feet high.
- (3) Location of required berths. Open off-street loading berths or areas shall not be located within required front yards.

- H. Required screening. All loading berths or parking areas of 10 cars or more which are adjacent to a residential lot line shall be screened by a solid wall or fence or continuous hedge at least six feet in height.
- I. Barriers. On premises containing five or more parking spaces, all such spaces within 15 feet of the boundaries of the premises shall be equipped with barriers not less substantial than a four inch-square horizontal timber anchored and located so as to confine vehicles entirely within said premises, except in those cases where a wall is provided on the boundaries of the premises which, in the opinion of the Building Inspector, is of such construction as to suitably protect the adjoining property and/or right-of-way.
- J. In R-1, R-2 and R-H districts or OL-P districts, no motor vehicle shall be parked in the front yard of any lot, except on a paved driveway or an approved parking area. No motor vehicle shall be parked on any property owned by the City of Plattsburgh that lies between the improved bounds of a City street and the lot line(s) of any lot. **[Added 9-13-2007 by L.L. No. 10-2007; amended 5-14-2015 by L.L. No. 2-2015]**
- K. Common driveways. Where the dwelling units in a two family, three family or Townhouse residence are separately owned and served by a common driveway the Planning Board shall require, as a condition of site plan or subdivision approval, that the rights and obligations of the dwelling unit owners to use and maintain such common driveway shall be in the form of a recorded, permanent easement. The Planning Board may require such terms and conditions in such easement (or other recorded instrument) as it finds are necessary to ensure access, maintenance and an equitable allocation of costs between the users. Where the lot(s) on which a two-family residence is located are of sufficient size to provide separate driveways for each dwelling unit, the Planning Board may decline to approve a common driveway. **[Added 12-20-2005 by L.L. No. 7-2005]**

**§ 360-27. Signs. [Amended 11-3-2011 by L.L. No. 3-2011; 12-4-2014 by L.L. No. 3-2014]**

- A. Purpose, intent and scope. It is the purpose of this section to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this section are not intended to censor speech or to regulate viewpoints, but to insure traffic and pedestrian safety, to preserve and enhance the visual environment of the City and, to accommodate the signage needs of businesses and other organizations. It is the purpose and intent of this section to:

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- (1) Promote and improve pedestrian and traffic safety by:
  - (a) Not permitting signs that obstruct vision or distract motorists and other street and sidewalk users.
  - (b) Requiring signs be safely constructed, maintained and installed.
  - (c) Limiting the number and regulating the placement of signs.
- (2) Protect and improve the visual appearance of the City and the value of other property by:
  - (a) Encouraging the integration of signage with architectural and landscape designs so the overall appearance is harmonious in color, form and proportion.
  - (b) Prohibiting or restricting the number and size of signs on a lot and regulating the method and intensity of illumination.
  - (c) Preventing the placement of signs that obscure the public view of other properties and landscapes.
- (3) Accommodate the needs of businesses and other organizations by:
  - (a) Allowing for the use of new, digital sign technology.
  - (b) Permitting a choice of types of signs.
  - (c) Recognizing the main purpose of a sign is to provide information about the occupants of the signed premises.
  - (d) Prohibiting billboard advertising which generally is not consistent with the main purpose of a sign.
  - (e) Providing greater latitude for signs with noncommercial messages which generally concern organizations, events and activities of interest to the community as a whole.

**B. Definitions.** For the purposes of this section, the following terms shall have the meanings indicated.

**APPURTENANT** — Signs and messages that pertain to the occupants or use of the premises the sign is affixed to.

**AREA OF SIGN** — Each side of a sign that has a message is a "face." The area of a sign is the sum of all sign faces.

**AREA OF SIGN FACE** —

- (1) For cut-out letters, the sign face area shall be computed by taking 3/4 of the area enclosed within the smallest single geometric figure needed to completely encompass all letters, including vertical and horizontal spacing between letters.
- (2) For other signs the sign face area shall be the area bounded by the edge of the sign frame.

**BANNERS and PENNANTS** — Any advertising device affixed to poles, wires or ropes, such as banners, pennants, streamers, wind-operated propellers, string lighting or other similar advertising media, but not to include properly displayed flags of the City, state, county or country.

**BILLBOARD SIGN** — A sign which displays a commercial message about persons, events or goods and services that are not actually sold or delivered on the premises where the sign is located.

**BUSINESS** — A natural person or legal entity who occupies property other than as a residence regardless of whether the person is engaged in commerce.

**COMMERCIAL MESSAGE** — Any message that directly or indirectly names, advertises or calls attention to a product, service, sale or sales event or other commercial activity.

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**CONSTRUCTION OR PROJECT SIGNS** — Any sign or advertising device erected on a project site prior to or during a construction period.

**CUT-OUT or CUT-OUT LETTERS** — Letters, numbers, emblems and symbols which are detached or separately molded from the material from which they were made. Not to include vinyl letters, which will be treated as paint at Building Inspector's discretion.

**DIGITAL SIGNS** — Programmed, automated and interactive signs as defined herein:

- (1) **PROGRAMMED SIGNS** — Signs that display messages that can be changed by the sign's program on a predetermined schedule.
- (2) **AUTOMATED SIGNS** — Signs whose content and display instructions can be generated dynamically by a computer that may be part of the sign or connected via a network. Automated signs may display messages, images or video.
- (3) **INTERACTIVE SIGNS** — Signs that display content in response to actions by nearby people.

**DIRECTIONAL SIGN** — A sign not exceeding three square feet per sign face and with lettering not exceeding six inches in height, designed to direct and inform the public as to the location of exits, entrances, service areas, loading and unloading areas or similar wording of an informational nature.

**ERECT** — To build, construct, attach, hang, place, suspend or affix and shall also include the painting of wall signs.

**FREESTANDING SIGN** — A sign that is not attached to a building or other structure and is self-supporting.

**LOT** — A parcel of land, including a contiguous parcel of land under the same ownership, or leased by the same tenant as the other contiguous parcel of land.

**MESSAGE** — Letters, words, symbols, logos, images and other visual means of communicating information.

**NAMEPLATE SIGN** — Any sign not more than one square foot in area used to identify the owner or owners of a private residence.

**NONCOMMERCIAL MESSAGE** — Any message that is not a commercial message, including messages that do not pertain to the occupants or use of the signed premises.

**PARAPET WALL** — A low wall along the edge of a roof and being a portion of the wall which extends above the line of the roof, with the exterior of the extension forming a continuous plane with the wall below.

**PERSON** — Includes any person, firm, partnership, association corporation, company or organization of any kind.

**PROJECTING SIGN** — Any sign attached to a building or other structure and extending, in whole or in part, more than six inches beyond the building line.

**RESIDENTIAL ZONE** — R-1, RH and R-2 Zoning Districts.

**ROOF SIGN** — Any sign erected in any way upon a building or structure which extends above the roofline of the building or structure.

**ROOFLINE** — The point where any part of the roof structure first touches or bears upon the external wall, with the exception of mansard roofs. See also "wall."

**SIGN** — Any structure, object, device, fixture, or placard that displays a commercial or noncommercial message that is visible from off the premises where the sign is located.

**STATIC SIGN** — A sign with a message or image that does not change except when the business located on the lot and identified on the sign changes. A static sign may be a digital sign.

**WALL** — The surface area of any major plane unit of any side or face of a building. The lower slope of a mansard roof shall, for the purposes of this section, be deemed part of the "wall," and signs shall be permitted

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in this area.

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**WALL SIGN** — A sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the face of said wall, including any interior sign, whether attached to windows or otherwise, which is placed in view of the general public from outside the building or structure. A "wall sign" shall not project from the wall in excess of six inches.

C. Sign permit. It shall be unlawful to install, erect or display a sign without a sign permit unless the sign is an "exempt sign".

- (1) The Building Inspector is authorized to prescribe the form and content of sign permit applications, collect permit fees as set by the Common Council, approve or deny applications and issue sign permits.
- (2) An applicant who is denied a permit may appeal to the Zoning Board of Appeals for an interpretation or variance as provided in this chapter.

D. General sign requirements. The following requirements shall apply to all signs, including exempt signs:

- (1) Maintenance. All signs and their supports, braces, guys and anchors, shall be of substantial and sturdy construction, shall be kept in good repair and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance.
- (2) Wind pressure and dead load requirements. All signs shall be designed and constructed to withstand wind pressures and receive dead loads as required by recognized engineering and construction practices in the City of Plattsburgh.
- (3) Obstruction to doors, windows or fire escapes. No sign shall obstruct ingress or egress to or from a door, window or fire escape. No sign shall be attached to a standpipe or fire escape.
- (4) No sign shall be erected or maintained in a manner that obstructs the view of motorists on public streets of traffic signs and signals, or of vehicles on intersecting streets, or of vehicles entering or existing driveways that intersect with a public street.
- (5) Signs that identify on premises businesses, or advertise goods or services sold on premises, shall be changed or removed within 60 days of when the business vacates the premises, or the advertised goods or services are no longer sold on premises.
- (6) Lighting. Indirect or interior lighting may be used to illuminate any sign, provided that the source of light shall concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. Bare incandescent light sources and immediately adjacent reflecting surfaces shall be shielded from view. String lighting shall not be allowed.

E. Noncommercial messages. A permitted sign or exempt sign may display any noncommercial message or copy in lieu of other copy.

F. Prohibited signs. The following types of signs shall not be permitted.

- (1) Billboard signs.
- (2) Projecting signs.
- (3) Roof signs.
- (4) Signs located in City rights-of-way that are not owned by the state, county or City.
- (5) Signs located on utility poles, traffic control lights, trees, public structures or public property.

G. Exempt signs. The following types of signs are exempt from the requirement for a sign permit, but are subject

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to the provisions of Subsection B and the conditions of this subsection.

- (1) Except in residential zones, banners or pennants that promote or announce an event held on the premises, but only during the duration of the event and up to 30 days prior thereto.
- (2) Memorial signs or tablets, names of buildings and date of erection when cut into any stone or masonry surface or when constructed of bronze or other incombustible materials and not exceeding six square feet in total area.
- (3) One residential nameplate sign.
- (4) Traffic control signs and signs with messages required by law.
- (5) Signs owned by the City of Plattsburgh which may display noncommercial and commercial messages not appurtenant to the signed premises.
- (6) One sign with information about a construction project, not exceeding 96 square feet in area and 16 feet in height, erected not sooner than six months before the commencement of construction and removed upon completion of construction.
- (7) Directional signs.
- (8) Seasonal or holiday decorations which may be displayed for up to six weeks.
- (9) Warning, danger, no-trespassing or similar signs, in size and number as the Building Inspector determines is reasonably required to accomplish their intended purpose.
- (10) For sale or rent signs. Not more than two signs advertising real property for sale or rent that are located on the premises for sale or rent, provided that in residential district the sign face(s) do not exceed six square feet in the aggregate and in all other zoning districts the sign face(s) do not exceed 32 square feet in the aggregate.
- (11) Signs located on premises that advertise the opening of a new retail establishment for a period of not more than 15 days.
- (12) Official flags of a city, state or country, business or other organization not exceeding 100 square feet in area.
- (13) Free expression signs. For each lot, one free expression sign not exceeding four square feet in size (sign area) may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign. If displayed as a freestanding sign, the freestanding sign shall not exceed three feet in height. A free expression sign is in addition to any other sign permitted under this article and is permitted in any zoning district. Only one such sign shall be permitted on each parcel.
- (14) Election signs. For each lot, one election sign for each candidate and each issue may be displayed along each street frontage. An election sign may be displayed as an attached sign or a freestanding sign. An election sign shall not exceed 32 square feet in area, except that election signs on cardboard shall not exceed six square feet in area. All such signs shall be removed within 10 days following the election to which they pertain.

H. Additional regulations for types of sign. In addition to restrictions contained in the definition of a type of sign, the following regulations apply: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

- (1) Freestanding signs.
  - (a) The area around the base of the sign shall be kept clear of rubbish and weeds. Permanent

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landscaping may be required as a condition of the sign permit.

- (b) One freestanding sign is permitted for each lot.
- (c) The sign shall be supported entirely by posts or columns; guy wires are not permitted.
- (d) The sign shall be set back not less than five feet from the boundary of an adjacent public street.
- (e) The sign may not exceed 20 feet in height from ground level.
- (f) The bottom of the sign shall not be less than seven feet above ground level.
- (g) Where the lot is occupied by one business, the sign area shall not exceed 100 square feet.
- (h) Where the lot is occupied by more than one business, each of which is a separate legal entity and occupies separate space within the building, the allowable sign area is 100 square feet for the first business plus 25 square feet for each additional business up to four, but in no event shall the sign area exceed 200 square feet.

(2) Wall signs.

- (a) A building may have more than one wall sign, but the total sign area of all wall signs shall not exceed the greater of 75 square feet, or a total sign area equal to two square feet per linear foot of the side of a building that fronts on a street, but in no event more than 150 square feet.
- (b) A wall sign may not cover any part of a window or door opening or project above the wall it is attached to.

I. Digital signs. Digital signs are subject to all of the foregoing regulations, except as modified by this subsection.

- (1) Where allowed. Digital signs are not permitted in RH, R-1, RC-2 and RC-3 zoning districts. Digital signs of the type, number and sign face area set forth in Table A are permitted in those zoning districts listed in Table A.
- (2) Number allowed. There may not be more than one programmed digital sign on a lot. There may not be more than one automated or interactive digital sign for each business on a lot.
- (3) Light levels. Digital signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:
  - (a) All digital signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
  - (b) Maximum brightness levels for digital signs shall not exceed 5,000 nits or candelas per square meter or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, during daylight hours.
  - (c) Maximum brightness levels for digital signs shall not exceed 500 nits or candelas per square meter or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, between sunset, and sunrise, as those times are determined by the National Weather Service.
  - (d) Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this section, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.

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- (4) Dimensions. Digital signs shall comply with the sign area restrictions of Table A.
- (5) Message changes. Messages must be displayed for a minimum of 30 seconds. Transitions may not exceed three seconds. A transition is a sign display that can use animation effects to change one message to another. Digital signs that incorporate static and changing technologies may not use more than one changing technology.
- (6) Animation on programmed signs. Messages may not contain the appearance of motion or animation. Transitions between messages may contain the appearance of motion or animation.
- (7) Transitions on programmed signs. Transitions may appear between messages. They may not appear adjacent to other transitions.

<b>Table A</b>						
<b>Zoning District</b>			<b>Changing</b>			
	<b>Static</b>		<b>Programmed</b>		<b>Automated or Interactive</b>	
	<b>Number Per Lot</b>	<b>Maximum Area (square feet)</b>	<b>Number Per Lot</b>	<b>Maximum Area (square feet)</b>	<b>Number Per Lot</b>	<b>Maximum Area (square feet)</b>
RH	Digital signs are not allowed.					
R-1	Digital signs are not allowed.					
R-2	1	24	1	24	1	2
B-1	1	100	1	50	1	2
B-2	1	100	1	50	1	2
C	1	100	1	50	1	2
I	1	100	1	50	1	2
RC-1	1	100	1	50	1	2
RC-2	Digital signs are not allowed.					
RC-3	Digital signs are not allowed.					
Historic districts and historic sites	Digital signs are not allowed.					

J. Signs in residential districts. Signs are not permitted in residential districts except:

- (1) One nameplate sign.
- (2) One sign with a sign area of not more than two square feet, identifying a "home occupation" as that term is defined in this chapter.
- (3) One sign with a sign area of not more than 24 square feet and which is appurtenant to a lawful nonconforming use, or use authorized by use variance or special use permit.
- (4) In residential districts where multiple-family, condominium, townhouse or other nonresidential uses are permitted as of right, one sign with a sign area of not more than 24 square feet and which is appurtenant to the permitted use.

K. Nonconforming signs. A nonconforming sign that was lawfully erected may continue to be maintained until

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- L. Unsafe signs. If the Building Inspector finds a sign's physical condition poses a risk of injury to persons or property he shall notify the sign owner, in writing, by personal delivery or certified or registered mail. The notice will specify required alterations or repairs and a time by which the work must be completed.
- M. Violations and enforcement. In addition to the enforcement powers and fines or penalties provided elsewhere in this chapter for violations of this law. If a digital sign does not comply with the regulations of this subsection, the Building Inspector may order that the sign be reprogrammed or changed to a static sign.

**§ 360-28. Mobile homes and mobile home parks.**

- A. Nonresidential uses. Structures constructed within the general parameter of the definition of mobile home, as defined herein, but originally designed or subsequently adapted for nonresidential use shall not be permitted.
- B. Location of mobile homes. All mobile homes shall be located in an approved mobile home park, except that any mobile home used for living or sleeping purposes, but not located in a mobile home park which shall have been in existence and was so used and occupied at the time of the adoption of this chapter, shall be a nonconforming use while so used or occupied. However, if any such mobile home shall be removed or when title to the property changes hands, then said nonconforming use of the land shall cease.
- C. Existing mobile home parks. A mobile home park in existence on the date of adoption of this chapter may maintain, as a minimum, the conditions then present as to lot size and area and bulk provisions, with the exception of floor area ratios and open space, provided that a minimum of 10 feet of clearance is provided between a mobile home and an adjacent mobile home or structure and a five-foot clearance to access road edge and lot line. Also, each peripheral property line setback shall be in conformance with district regulations.
- D. Area and bulk requirements.
  - (1) Minimum size. Each mobile home park shall have a minimum of 175,000 square feet in area of adjoining and contiguous land.
  - (2) Development intensity. For the purposes of this chapter, each mobile home or mobile home site shall be considered a single-family residence, and the mobile home park must conform to the requirements of Schedule II, Area and Bulk Controls.<sup>6</sup>
  - (3) Design controls. For the purposes of this chapter, each mobile home park shall be considered a planned unit development and must conform to and be approved in accordance with the provisions of § 360-21 of this chapter.

**§ 360-29. Miscellaneous uses.**

- A. Conversions. Conversions shall be permitted in all R-2 Districts in accordance with the following provisions:
  - (1) R-2 Districts. Conversions are permitted, provided that:
    - (a) There shall not be more than the maximum number of dwelling units than are permitted in the respective districts.
    - (b) Such conversions may be permitted on lots of not less than the minimum required for the district where situated, except that a substandard lot width in itself shall not preclude conversion.
    - (c) Off-street parking shall be provided in an amount not less than as set forth in accordance with the

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6. Editor's Note: Schedule II, providing area and bulk controls for all districts, is included as an attachment to this chapter.  
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provisions of § 360-26 of this chapter.

(d) All provisions of the state Multiple Residence Law are met.

- (2) Nondwelling structures. No commercial or manufacturing structure originally designed for other than residential use shall be converted to a dwelling structure nor shall any such structure which was so converted prior to the adoption of this chapter be further converted to provide for additional dwellings unless, in either case, such building meets all the requirements of Schedule II for that zone, except that substandard lot width shall not in itself preclude conversions.<sup>7</sup>

B. Home occupations. In the zoning districts, a home occupation may be operated in any dwelling unit only if it complies with all of the following conditions:

- (1) A home occupation may be permitted within a single dwelling unit or in a building or other structure accessory to a dwelling unit and only by the person or persons maintaining a dwelling therein, and not more than one additional person may be employed or otherwise engaged in the performance of the home occupation.
- (2) The home occupation shall not display or create outside the building any evidence of such home occupation, except that one sign complying with § 360-27J(2) shall be permitted on the lot on which the building is situated. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- (3) The home occupation shall not utilize more than 20% of the gross floor area of the dwelling unit, and the use, if in an accessory structure, shall not detract from the required parking space area, except that medical and dental offices may utilize not more than 30% of the gross floor area of the dwelling unit.
- (4) Permitted uses shall be as defined herein and may include not more than one of the following types of uses, provided that such uses are clearly incidental and secondary to the use of the dwelling unit for residential purposes:
  - (a) Medical and dental offices.
  - (b) Other offices, including lawyer, engineer, architect, public accountant, financial planner, stock broker, insurance agent, bookkeeper, real estate agent with up to one salesperson and similar uses.
  - (c) Custom dressmaking, seamstress and milliner.
  - (d) Artist or musician providing instruction to one pupil at a time.
  - (e) Tutoring for not more than three students at a time.
  - (f) Telecommunicating, telemarketing or computer-based business.
- (5) Permitted home occupants shall also comply with the following standards:
  - (a) The use shall not noticeably affect the residential character of the property or the neighborhood.
  - (b) The use shall not generate pedestrian or vehicular traffic in excess of that which is normally expected from a residence.
  - (c) The use shall not create offensive glare, noise, odor and/or vibration.
  - (d) The use shall not include wholesale or retail sales of products or materials on the premises.
  - (e) The use may include only incidental stocking or warehousing of products or materials (5% of the gross floor area of the dwelling unit or less).

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7. Editor's Note: Schedule II, providing area and bulk controls for all districts, is included as an attachment to this chapter.

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- C. Outdoor storage areas. Such uses shall not be located within 20 feet from the nearest R District, and the operation thereof shall be governed by the following provisions and any other conditions as may be required by the Planning Board to protect the public health, safety, comfort, convenience and general welfare and especially with regard to abutting properties and the occupants thereof:
- (1) Screening, fencing and setbacks. All outdoor storage facilities shall be enclosed by a fence or wall and shall be screened to adequately conceal such facilities and the contents thereof from adjacent property in accordance with the provisions of § 360-20 of this chapter. Such walls and fences shall be distant not less than 25 feet from any public street.
  - (2) Deposit of materials and wastes. 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 and vandalism.
  - (3) Hazardous materials. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- D. Excavations. In any district, excavation relating to the construction on the same lot of a building for which a building permit has been issued shall be permitted. In the event that construction of a building is stopped prior to completion and the building permit is allowed to expire, the premises shall immediately be cleared of any rubbish or building materials, and any excavation shall immediately be filled in and the topsoil replaced.
- E. Cemeteries. No burial or memorial plots or buildings shall be located closer than 50 feet to any residential lot line, except that, when a dense evergreen hedge or a wall or fence at least six feet in height is provided, such burial or memorial plots of less than six feet in height may be located no closer than 20 feet to any residential lot line. Entrances and exits shall be located, wherever possible, on major roads and streets, but under no circumstances shall minor residential streets be used as a principal means of access to cemeteries.
- F. Retaining walls. Retaining walls shall be permitted anywhere on a lot, provided that the following conditions are met:
- (1) Height. The vertical height of any retaining wall shall not exceed three feet. In cases where topographic features require retaining walls of greater height, the retaining wall shall be terraced with not less than three feet of horizontal surface for each three feet of vertical rise. Where terracing is not feasible, a special use permit shall be required, and the top of the wall shall be secured with a four-foot-high fence and screened in accordance with the provisions of § 360-20 of this chapter.
  - (2) Construction. Retaining walls shall be constructed of masonry, concrete, pressure-treated timber or similar material and shall be installed in accordance with commonly accepted engineering and design standards.
  - (3) Maintenance. Maintenance of retaining walls shall be the responsibility of the owner of the property upon which such walls are located. Retaining walls shall be maintained in such a manner as to ensure that there is no soil erosion or other hazard affecting adjacent properties.
- G. Fences and walls. Walls and fences to provide for security, privacy or screening of a property shall be permitted anywhere on a lot, provided that the following conditions are met:
- (1) Corner clearance. Any wall or fence constructed on a corner lot shall comply with the provisions of § 360-14E of this chapter.
  - (2) Street frontage height requirement. Any wall or fence located in the required front yard or the required setback from a street right-of-way shall have a height of no more than four feet.
  - (3) Height in other yards. The maximum height of any wall or fence located in a rear or side yard may not exceed six feet in a residence district and eight feet in any other district.

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- (4) Special use permit conditions. The maximum height of any wall or fence located in a rear or side yard may be 10 feet in a residence district and may exceed eight feet in other districts, provided that the property owner has secured a special permit for such wall or fence.

H. Professional offices. In the R-2 or RH District, professional offices, other than home occupations, may be permitted by special permit, provided that no structure in such use shall contain more than four businesses and all parking and other regulations are met. And the total gross floor area is no more than 10,000 square feet.

I. Standards for accessory apartments.

- (1) Permits. A special permit shall be required. Special permits shall be issued for a three-year period, after which time they shall expire if they are not renewed.
- (2) Renewals. Renewal permits for an additional three-year period shall be granted by the Code Enforcement Officer following: 1) submission of a renewal application form by the applicant, 2) an inspection of the premises by the Code Enforcement Office, and 3) submission of a signed statement by the applicant stating that the conditions as originally set forth in granting the special permit have not changed in any way. The Code Enforcement Officer shall determine that the premises still meet the standards of the New York State Fire Protection and Building Code, and that the original qualifying conditions still exist.
- (3) Owner-occupancy required. The owner(s) or contract vendee of the lot upon which the accessory apartment is located shall occupy and maintain as a legal full-time resident at least one of the dwelling units on the premises, except for temporary absences not to exceed 18 months in any five-year-period. Longer absences will result in revocation of the temporary permit, except by approval of the Board of Appeals. Owner-occupants must maintain an interest of 33 1/3% in the property. In the event of the transfer of the property, either by deed or land contract or lease, to other than the owner's spouse or other family member residing on the premises, the permit shall automatically expire, and a new owner or contract vendee must apply for a renewal permit.
- (4) Occupancy. An accessory apartment may be occupied by no more than one family, as defined herein.
- (5) Location. An accessory apartment must be established within the existing residential structure, and not within a garage or other accessory building.
- (6) Size. The floor area of an accessory apartment shall not exceed 33 1/3% of the of the total habitable floor area of the building in which it is located. Each accessory apartment shall be limited to a maximum of two bedrooms.
- (7) Area requirements. A residential structure containing one accessory apartment shall meet the area and bulk requirements for a two-family dwelling.
- (8) Parking. No accessory apartment shall be permitted unless there is provided one on site parking space in addition to the parking spaces required for other uses in the building.
- (9) Exterior appearance. The entry to the building and its design shall be such that the appearance of the building shall remain as a single-family residence. New or additional front entrances or windows are discouraged but in any event must be in keeping with the architectural style of the rest of the structure. Exterior stairways may only be constructed in the rear, except where an alternate location would be less publicly visible.
- (10) Deed restriction. Within 30 days of an accessory apartment permit, the owner(s) must record at the Clinton County Clerk's office a declaration of covenants on the subject property, with cross-referencing to the original deed, and provide proof of such recording and cross-referencing to the Code Enforcement Officer, who may then issue a building permit. The declaration shall state that the right to let an

§ 360-29 accessory apartment ceases upon transfer of the title. The Code Enforcement Officer shall note the existence of an accessory apartment on the record of the property. § 360-29

J. Moratorium on commercial cryptocurrency mining operations. **[Added 3-15-2018 by L.L. No. 3-2018]**

(1) Enactment and title. The Common Council of the City of Plattsburgh does hereby ordain and enact the City of Plattsburgh moratorium on commercial cryptocurrency mining operations in the City of Plattsburgh. This subsection shall impose a moratorium on applications or proceedings, or the issuance of approvals or permits, for commercial cryptocurrency mining operations in the City of Plattsburgh.

(2) Authorization, purpose and definitions.

(a) Authorization.

[1] Pursuant to the authority and provisions of § 10 of the Municipal Home Rule Law of the State of New York and the statutory powers vested in the Common Council of the City of Plattsburgh to regulate and control land use and to protect the health, safety and welfare of its residents, the Common Council of the City of Plattsburgh hereby declares an 18-month moratorium on all applications, or proceedings for applications, for the issuance of approvals or permits for the commercial cryptocurrency mining operations in the City of Plattsburgh.

[2] This moratorium will allow time for the Zoning Code and Municipal Lighting Department regulations to be amended to regulate this potential use.

(b) Purpose.

[1] It is the purpose of this subsection to allow the City of Plattsburgh the opportunity to consider zoning and land use laws and Municipal Lighting Department regulations before commercial cryptocurrency mining operations results in irreversible change to the character and direction of the City.

[2] Further, it is the purpose of this subsection to allow the City of Plattsburgh time to address, through planning and legislation, the promotion of the protection, order, conduct, safety, health and well-being of the residents of the City which are presented as heightened risks associated with commercial cryptocurrency mining operations.

[3] It is the purpose of this subsection to facilitate the adoption of land use and zoning and/or Municipal Lighting Department regulations to protect and enhance the City's natural, historic, cultural and electrical resources.

(c) Definitions. As used in this section, the following terms shall have the meanings indicated:

**COMMERCIAL CRYPTOCURRENCY MINING** — The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the "block chain," and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this definition, any equipment which requires a high-density load service, or any server farm, will presumably be a commercial cryptocurrency mining operation.

**CRYPTOCURRENCY** — A digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

**HIGH-DENSITY LOAD SERVICE** — The provision of electrical service where the requested load density, in the portion of the premises containing the load consuming equipment, exceeds 250 kWh/ft<sup>2</sup>/year.

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SERVER FARM — Three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

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- (3) Scope of controls. During the effective period of this subsection:
- (a) The Code Enforcement Officer, Building Inspector, Planning Board, or Zoning Board of Appeals shall not accept an application for a commercial cryptocurrency mining operation.
  - (b) The Code Enforcement Officer, Building Inspector, Planning Board, or Zoning Board of Appeals shall not grant any permit for a commercial cryptocurrency mining operation.
- (4) No consideration of new applications. No applications for commercial cryptocurrency mining operations or for approvals for a site plan, special use permit, building permit, or any other permit shall be approved by any board, officer, employee or agent of the City of Plattsburgh while the moratorium imposed by this subsection is in effect. Nothing in this subsection shall be construed such as to result in any default approval for any application heard or considered during the moratorium imposed by this subsection. This moratorium shall apply to all such applications, whether pending or received prior to the effective date of this law.
- (5) Term. The moratorium imposed by this subsection shall be in effect for a period of 18 months from the effective date of this subsection. It may be terminated earlier if the Common Council determines by resolution that the purpose of the local law has been fulfilled. During the period of the moratorium, the Common Council shall endeavor to amend the local Zoning Code and/or Municipal Lighting Department regulations to address and regulate commercial cryptocurrency mining operations.
- (6) Location. The moratorium imposed by this subsection shall apply to the territorial limits of the City of Plattsburgh.
- (7) Penalties. Any firm, person, corporation, or other entity that shall establish, place, construct, erect or in any way site or locate a commercial cryptocurrency mining operation described in this subsection in the City of Plattsburgh in violation of the provisions of this subsection shall be subject to, in addition to any penalties prescribed by state or local law, a civil penalty of not more than \$1,000 for each day or part thereof during which such violation continues. If necessary to remove any construction or property that may have taken place in violation of this subsection, then the cost of such removal, including reasonable attorneys' fees incurred by the City, shall constitute a lien and charge against any real property owned or leased by the violator located within the City and shall be collected in the same manner and at the same time as other City charges. The civil penalties provided for by this subsection shall be recoverable in an action instituted in the name of the City in any court of competent jurisdiction.
- (8) Validity. The invalidity of any provision of this subsection shall not affect the validity of any other provision of this subsection that can be given effect without such invalid provision.

### § 360-30. General use standards.

In any district, the following standards for uses shall apply:

- A. Vibration, odor and glare. No offensive or objectionable noise, vibration, odor or glare shall be noticeable at or beyond the property line.
- B. Restriction of activities. No activity shall create a physical hazard by reason of fire, explosion, radiation or other such cause to persons or property in the same or adjacent district.
- C. Discharge of wastes. There shall be no discharge of any liquid or solid waste into any stream or body of water or any public or private disposal system or into the ground or any materials of such nature that may contaminate any water supply, including groundwater supply.

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- D. Storage of materials. There shall be no storage of any material, either indoors or outdoors, in such a manner that it facilitates the breeding of vermin or endangers health in any way.
- E. Restrictions on emissions. The emission of smoke, fly ash or dust which can cause damage to the health of persons, animals, plant life or to other forms of property shall be prohibited.

**§ 360-31. Special use permits.**

- A. General procedure. Application for a zoning and building permit shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land as required under the provisions of § 360-53 of this chapter. If, upon receipt of such application, the Building Inspector determines the excavation, construction or use of land for which the application is made requires the issuance of a special use permit, the Building Inspector shall forward a copy of such application to the Zoning Board of Appeals in accordance with the specific procedures in § 360-56 of this chapter.
- B. Standards. Such special use permits, however, may be authorized by the Zoning Board of Appeals only upon satisfaction of each instance of such conditions as to the general character, height and use of the structure or structures; as to the provision of surrounding open space and the treatment of grounds; as to the general fitness of the structure or use to its proposed location; as to the provision for automobile parking or storage; and as to street capacity and use as, in the opinion of the Board, may be necessary to safeguard public health, convenience and as may be required for the preservation of the general character of the neighborhood in which such building and/or structure is to be placed or such use is to be conducted. Specifically, the standards established by this chapter shall be applied as they may be applicable to a specific request for a special use permit. To assist the Zoning Board of Appeals in its determination, an application for a special use permit shall be accompanied by plans and other descriptive matter sufficient to clearly portray the intentions of the applicant, and such plans and other descriptive matter shall become a part of the record.
- C. Special use permit conditions. The following special permitted uses shall be subject to the conditions set forth below and such other conditions as the Zoning Board of Appeals may impose. **[Added 4-30-2009 by L.L. No. 3-2009]**
  - (1) A community garden special use permit shall be subject to the following conditions:
    - (a) The corporation shall be open to membership by any person who wishes to become a member and meets the corporation's membership requirements.
    - (b) The property shall be kept in productive use during the growing season.
    - (c) At the end of each growing season, annual vegetation shall be cut down to a height of not more than six inches above ground level.
    - (d) The property shall be maintained in accordance with City laws.
    - (e) If the property ceases to be used and maintained as a garden for more than one year after it is established, the special use permit shall expire.
    - (f) No structures shall be erected on the property, except that the Zoning Board of Appeals may permit the corporation to install or erect a building for storing garden tools and supplies and a fence. The location, size, materials, and design of the storage building and fence shall be approved by the Board.
    - (g) The cultivated garden plot shall be set back a minimum distance of five feet from adjoining lots.
    - (h) The garden plot shall have suitable access to a public street.
    - (i) The special use permit may be revoked by the Zoning Board of Appeals for a material violation of

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the permit conditions, following a hearing.

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**§ 360-32. Historic sites.****A. General procedure.**

- (1) Application for a zoning and building permit shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land as required under the provisions of § 360-53 of this chapter. Upon receipt of the application, the Building Inspector shall review the application to determine if the proposed action is located on an historic site.
- (2) If the action is located on an historic site or within an historic district, the applicant shall be required to secure an historic site approval prior to undertaking proposed actions. In such cases, the Building Inspector shall forward a copy of the application to the Planning Board for its review and approval or denial of activities affecting an historic site in accordance with the specific procedures set forth in § 360-56 of this chapter. Documentation to be submitted shall be as may be required by the Building Inspector and/or the Planning Board. Scale drawings of site plans, building design, elevations and narrative explanation shall be submitted in sufficient detail to allow the Planning Board to review the proposed activity in light of the standards found in Subsection B below. At a minimum, the documentation shall meet the requirements of Subsection B(1) below.

**B. Standards.** In reviewing applications for an historic site permit, the Planning Board shall consider the compatibility of the proposed action in light of guidelines and standards which may be established from time to time by the Secretary of the United States Department of the Interior "Standards for Historic Preservation Projects with Guidelines for Applying Standards," as well as the following standards:

- (1) Every reasonable effort should be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) All buildings, structures and sites should be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance should be discouraged.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site should be treated with sensitivity.
- (6) Deteriorated architectural features should be repaired, rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (7) The surface cleaning of structures should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should be discouraged.
- (8) Every reasonable effort should be made to protect and preserve archaeological resources affected by or

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adjacent to any project.

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- (9) Contemporary design for alterations and additions to existing properties should not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and the character of the property, neighborhood or environment.
- (10) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

**§ 360-33. Exemptions. [Added 4-30-2009 by L.L. No. 3-2009]**

The following uses of land shall be exempt from the requirements of City Code Chapter 300, Subdivision of Land.

- A. A community garden when part of a lot is licensed or leased, but not sold, for use as a community garden for a term of not more than five years.



ARTICLE VI  
Site Plans

**§ 360-34. Submission.**

- A. An application for a building and zoning permit and approval of a site plan shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land.
- B. Site plan approval is not required for the following development unless requested by the Building Inspector under Subsection C.
  - (1) Residential uses.
    - (a) In R-1, B-1, B-2, C, I, RC-1, and RC-2 Zoning Districts. Application for construction of a single structure designed for residential use and which requires area for 10 parking spaces or less. The foregoing notwithstanding, site plan approval shall be required for the development of a two- or three-family residence or townhouse where the dwelling units are under separate ownership and served by a common driveway. **[Amended 12-20-2005 by L.L. No. 7-2005]**
    - (b) In RH and RC-3 Zoning Districts. Applications for construction of a single structure designed for residential use and which requires a parking area of four parking spaces or less.
  - (2) Nonresidential uses. Applications for construction of a single structure designed for nonresidential use, but containing less than 10,000 square feet of gross floor area.
  - (3) Accessory uses. The construction of accessory uses to single-, two-, and three-family detached residences, such as private garages, toolhouses, gardens, greenhouses, swimming pools or other similar uses.
  - (4) Repairs and improvements. Repairs or improvements to the interior of a building that do not involve a structural change or enlargement of the building, as determined by the Building Inspector.
  - (5) Renovations. Renovations or alterations to a building exterior that do not involve a major structural change or enlargement of the building, as determined by the Building Inspector.
  - (6) Conversions.
    - (a) Conversions of properties which do not otherwise exceed the minimum threshold criteria set forth above.
    - (b) If an application for a building and zoning permit for new construction, an addition or a revised or enlarged parking area is received for a lot where the existing use or the existing use and the proposed action exceed the minimum threshold criteria set forth above, then such application shall require site plan approval, even though the work applied for may be within the minimum threshold criteria.
- C. The Building Inspector, in his discretion, may require site plan approval if, in his judgment, the proposed construction, alteration or change of use will affect existing circulation, drainage, landscaping, lighting, off-street parking or other elements of environment affecting the quality of life in the City.
- D. The Building Inspector shall forward all such applications and site plans to the Planning Board. The specific administrative procedures to be used in the review of site plans submitted to the Planning Board shall be as set forth in § 360-56 of this chapter.

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**§ 360-35. Submission requirements and compliance with other local, county or state codes required.**

The provisions of this article shall not limit, in any way, the requirements for submission and compliance with other local, county or state codes or ordinances.

**§ 360-36. Waiver of site plan requirements or guidelines.**

Where an applicant can demonstrate to the satisfaction of the Planning Board that some of the site plan requirements or guidelines cannot be complied with due to unusual physical constraints of the property or other extraordinary and exceptional circumstances, the Planning Board shall have the right to waive the applicable site plan requirements and/or guidelines as specified in §§ 360-37 and 360-38 of this chapter.

**§ 360-37. Required information for site plans.**

All site plans shall comply with the following requirements and include the following information and data, where applicable:

- A. Application information. The applicant shall supply to the Planning Board the following:
  - (1) Name and address of the owner. If the owner is a corporation, the name and address of the corporation and the names of the corporate officers shall be submitted.
  - (2) Title of development, if applicable.
  - (3) Tax Map designation and street address of proposed activities.
  - (4) Name, address and license number of the person preparing the site plan.
  - (5) Date of the site plan.
- B. Location map. A location map, delineating the location of the site with reference to surrounding areas and existing street intersections within 200 feet, shall be submitted. This map should also include a North arrow, scale, the location of buildings within 200 feet and the identification of zoning district boundaries within 200 feet.
- C. Site plan details. The information listed below shall be included on the site plan, which shall be prepared by a professional engineer, land surveyor or architect. Maps, as required, shall be drawn to a scale of not less than one inch equals 50 feet and shall include a North arrow and legend. The following details shall be included on the site plan:
  - (1) Existing features.
    - (a) Layout of proposed buildings or structures.
    - (b) Existing lot line dimensions in feet and all relevant bearings in tenths of seconds.
    - (c) Boundaries of the property, including required building or setback lines and lines of existing streets, lots and easements, and areas dedicated to public use, including grants, restrictions and rights-of-way.
    - (d) All distances, as measured along right-of-way lines, of existing streets abutting the property to the nearest intersection with any other street.
    - (e) Location of existing buildings on the site which shall remain and all other structures such as walls, fences, culverts and bridges. Structures to be removed shall be indicated by dashed lines.
    - (f) Location and elevation of all storm drainage structures, whether publicly or privately owned, with pipe sizes, grades and directions of flow.

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- (g) Existing contours at one-foot intervals where slopes are 10% or less, and five-foot intervals where slopes are greater than 10%. Where any changes are proposed, finished grades should be shown as solid lines and existing grades as dashed lines. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- (h) The location of significant natural features, such as rock outcrops, watercourses, ponds, marshes, wooded areas, depressions and flood lines.

(2) Proposed activities.

- (a) A survey, prepared and sealed by a licensed surveyor or engineer, showing the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use. The plan shall be accompanied by such other exhibits of an architectural nature as may be required by the Planning Board.
- (b) All proposed easements and public and community areas, all proposed streets with profiles indicating grading and cross sections showing road-way widths, the locations and widths of sidewalks and the location and size of proposed utility lines.
- (c) The proposed use or uses of land and buildings, including floor space, number of employees, housing units or any other capacity measurement, as relevant.
- (d) All proposed means of vehicular ingress and egress to and from the site, including the location and size of driveways and curb cuts, and the organization of traffic channels and controls, as applicable.
- (e) All proposed building materials and architectural treatments.
- (f) The location and design of any proposed off-street parking areas and/or loading areas, showing the size and location of parking bays, aisles and barriers.
- (g) Location of all proposed waterlines, valves, hydrants, sewer lines or alternative means of water supply or sewage disposal and treatment.
- (h) The proposed location, kind, direction and intensity of illumination and time of proposed outdoor lighting.
- (i) The proposed screening, landscaping and planting and natural vegetation to remain; the areas to be planted; and the type of vegetation to be utilized. Existing trees of three or more inches in caliper shall also be shown.
- (j) The location, dimensions and details of all signs.
- (k) Any additional information or data as may be required by the Planning Board.

**§ 360-38. Guidelines for review.**

The site plan and site design shall be consistent with the following guidelines. These guidelines establish general standards to accomplish the objectives of this chapter. These guidelines are intended to supplement other applicable codes and ordinances in the City, but in no case shall these guidelines waive any more restrictive regulation contained in other codes and ordinances. Guidelines for various considerations shall be as follows:

A. Residential.

- (1) Every residential building shall have sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habitable rooms and reasonable indoor privacy.
- (2) In a site development, consideration shall be given to the needs of the residents for nonvehicular open

§ 360-38 space for active and passive recreation. Adequate night lighting for the safe use of streets, parking areas, walks and steps shall be provided or arrangements made for its provision by public authority. § 360-38

- (3) The open space of each property shall provide for the following:
  - (a) The immediate diversion of water away from buildings and disposal from the site.
  - (b) The prevention of soil saturation detrimental to structures and lot use.
- (4) Where appropriate, paved walks, parking areas, driveways, exterior steps and landscaping.
- (5) Access to each dwelling unit shall be provided without passing through any other dwelling unit.
- (6) All dilapidated portions of existing properties or blighted structures which are not economically repairable shall be removed.
- (7) All alterations, repairs and other improvements shall be harmonious with existing conditions to remain on the site.
- (8) Vehicular access shall be designed to provide maximum safety and ease of circulation and to eliminate traffic conflicts.

B. Nonresidential.

- (1) All nonresidential structures shall be constructed, improved and/or maintained to a level necessary to adequately provide for the delivery of goods and services to customers and to provide safe, healthy working conditions for employees.
- (2) Entrances and exits to nonresidential and commercial uses shall be designed and maintained in such a manner as to encourage customer use, provide a safe means of ingress and egress for customers and employees and eliminate traffic conflicts.
- (3) Off-street parking, off-street loading and unloading and pedestrian access shall be separated so as not to create conflicting movements.
- (4) Store fronts, entrances and signs shall be of integrated design to enhance the appearance of the Central Business District and other commercial areas.
- (5) Each structure shall have at least one entrance with direct access to a public street.
- (6) Where used for public access, all side and rear passageways shall be paved.
- (7) Paved and unpaved areas shall be properly drained to sewers or underground drains. Roof drainage shall discharge in such a manner as to provide for acceptable drainage.
- (8) All unpaved areas shall be properly landscaped.

C. General architecture.

- (1) The location, general massing and character of building elements shall be organized to create a harmonious continuity of exterior spaces and an integrated overall site design.
- (2) The design of individual buildings shall be scaled and proportioned to normally accepted design standards, with proper consideration given to their relationships to adjacent buildings, both existing and proposed, in terms of height, bulk, light, air, usable space, access and off-street parking.
- (3) Building materials shall be selected for durability, harmonious relationships and, where appropriate, for continuity of treatment with neighboring structures.

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- (4) The treatment of the side and rear facings of new buildings shall be consistent with the treatment given their street frontage.
- (5) Building appurtenances and accessory structures shall receive architectural treatment consistent with that of the principal building(s).

D. Streets, pedestrian walks and open space.

- (1) Streets, pedestrian walks and open spaces shall be designed as integral parts of the overall site design and coordinated with adjacent development. They shall be properly related to existing and proposed buildings, parks and other neighboring facilities and shall be appropriately landscaped and adequately and attractively illuminated.
- (2) Landscaped and paved pedestrian walks shall be provided along the lines of most intense use, particularly from building entrances to streets and off-street parking areas.
- (3) The location and design of pedestrian walks shall provide for maximum safety and separation from vehicular traffic and shall emphasize desirable views of new and existing development.
- (4) Materials of paving, lighting fixtures, play areas, plantings, fences and other streetscape elements shall be durable and well designed, easily maintained and indicative of their function.
- (5) Open spaces shall be located to provide maximum usability and to create a harmonious relationship of buildings and land.

E. Off-street parking and loading.

- (1) Off-street parking and loading facilities shall be coordinated to minimize the number of entrances, exits and obstructions to pedestrian walks.
- (2) Pedestrian access from parking facilities to uses served by such facilities shall not be in conflict with vehicular movements. Where this cannot be avoided, pedestrian crossing areas shall be well marked for both vehicles and pedestrians.
- (3) Parking and loading facilities shall be landscaped and/or screened from public view, in accordance with the guidelines listed in Subsection F below, to eliminate the monotony and unattractive nature of large paved parking areas. All surface parking areas shall incorporate planting pockets and trees, where possible.
- (4) Design standards.
  - (a) The Planning Board may approve parking areas meeting design standards which are less than those required in § 360-37 of this chapter; however, in such instances, the applicant shall provide evidence that the use of such areas will be adequately controlled and restricted to allow such modification. In such cases, off-street parking spaces shall meet the following design standards:
    - [1] The size of off-street parking spaces shall be as follows:
      - [a] For subcompact cars: seven feet nine inches by 15 feet six inches.
      - [b] For compact cars: eight feet three inches by 16 feet six inches.
      - [c] For standard cars: eight feet nine inches by 17 feet six inches.
    - [2] When fewer than 10 parking spaces are provided or required, all spaces shall conform to standard size car requirements. Where 10 or more spaces are provided or required, up to 20% of the spaces may be designed to accommodate subcompact cars, and up to 20% of the spaces may be designed to accommodate compact cars.

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[3] Every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows:

- [a] For parallel curb parking: 4 1/2 feet additional between each space, with a 12-foot aisle width for one-directional flow and a 24-foot aisle width for two-directional flow.
- [b] For 30° parking: 12-1/2-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow.
- [c] For 45° parking: 15-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow.
- [d] For 60° parking: 20-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow.
- [e] For perpendicular parking: 25-foot aisle width for one-directional and two-directional flow.

(b) The Planning Board may modify these standards when off-street parking is provided in a parking structure or garage.

F. Landscape design.

- (1) Landscaping shall be integrated into the overall site design and be properly related to adjacent and proposed buildings.
- (2) Landscape materials should be appropriate to growing conditions of the City's environment.
- (3) Existing trees and vegetation, wherever possible, should be integrated into the site and landscaping plan.
- (4) Parking areas shall be unobtrusive and appropriately screened and landscaped to blend harmoniously with adjoining areas.

G. Solar access. Site plans shall be developed in such a manner as to provide maximum solar access for all users of the site as an energy conservation factor. The site plan shall specifically address this guideline, and the Planning Board will consider the effectiveness of the developer's proposal in achieving maximum solar access in its review and may require modifications to achieve improved solar access.

**§ 360-39. Posting of performance security.**

In the event that, due to extraordinary circumstances, the property is to be occupied or a certificate of occupancy is required prior to 100% completion of required improvements, the owner shall be obligated to post a performance security in accordance with the following:

- A. The amount of the security shall be established based on the City Planner's estimate of the cost of completion. **[Amended 8-17-2017 by L.L. No. 3-2017]**
- B. The security shall be posted with the Building Inspector with a schedule for completion.
- C. The security may be in the form of a performance bond, cash, pledge of savings account or irrevocable letter of credit from a bank or savings and loan.
- D. Failure of the developer to complete construction as approved in accordance with the completion schedule shall result in forfeiture of the security.
- E. The City may, at its discretion, complete approved remaining construction activities using security funds.

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## ARTICLE VII Nonconforming Uses and Structures

### § 360-40. Continuance.

Any lawful building or use of premises existing at the time of enactment of this chapter, or any subsequent amendment thereof applying to such building or use of premises, may be continued, although such building or use of premises does not conform to the provisions thereof provided that there is no increase or enlargement of the area or space occupied by or devoted to such nonconforming use and except as otherwise provided in this article.

### § 360-41. Termination.

Except as provided in § 360-45, if, for a continuous period of 12 months, either the nonconforming use of land with minor improvements is discontinued or the active operation of substantially all of the nonconforming uses in any building or other structure is discontinued, such land or building or other structure shall thereafter be used only for a conforming use. Intent to resume such nonconforming use shall not prevent such use's termination.

### § 360-42. Change to another nonconforming use.

- A. Except in R-1 and RH districts, if no external structural alterations are made, a nonconforming use of a building or land may be changed to another nonconforming use more nearly conforming to the requirements of the district in which it is situated. In R-1 and RH districts, no such change of use shall be made to all or part of building or land without a special use permit for the proposed new use authorized in accordance with the standards of § 360-31B of this chapter.
- B. Within an RH district, in accordance with a special use permit issued by the Zoning Board of Appeals, a nonconforming use may be converted to a more conforming use, in accordance with the following table. A nonconforming use appearing on the following list may be converted to a use appearing below the listed use.

#### **Least Conforming**

Repair shops

Restaurants

Retail businesses (including neighborhood convenience stores)

Laundry and dry-cleaning businesses

Day-care centers

Banks, beauty salons

Funeral homes

Multifamily dwellings

Fewer units in a multifamily dwelling

Duplex dwelling

#### **More conforming**

- C. When a proposed use does not appear in the above table and the Zoning Board of Appeals finds such use is not closely analogous to a listed use, the Zoning Board of Appeals shall evaluate the conformity of such proposed use by considering such factors as the amount of noise, dust, odor, light and traffic the proposed use is likely to generate.

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**§ 360-43. Maintenance.**

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A nonconforming use is hereby required to be maintained in such condition as will not constitute a danger to the safety, health or general welfare of the public. Alterations and extensions of the nonconforming use, in order to comply with the provisions of this section, are permitted, provided that such alteration or extension shall not tend to increase the inherent nuisance nor shall such alteration or extension violate any provisions of this chapter regarding yards, lot area or lot coverage for the district in which it is situated or increase any existing violation of such provision.

**§ 360-44. General requirements.**

Nonconforming uses or structures in all zone districts shall conform to the following requirements:

- A. Enlargement and extension. Any structure or use of land which is nonconforming because of use shall not be enlarged or extended in any manner whatsoever.
- B. Alterations. Structural alterations may be made in a building which is nonconforming because it fails to comply with use, height, area, yard, off-street parking or other like requirements of this chapter, so long as the structural alteration does not extend, enlarge or aggravate the nonconformance.
- C. Re-conversion. A nonconforming use changed or altered to a conforming use may not thereafter be changed back to a nonconforming use, but nothing hereinbefore stated shall prevent the strengthening or restoring to a safe and lawful condition of any part of any building declared unsafe by the Building Inspector or other city, county or state inspector.
- D. Existing permits. Nothing in this chapter shall require any change in plans, construction or designated use of a structure or building for which a building permit has been heretofore validly issued if construction has been started and diligently pursued at the time of the adoption, revision or amendment of this chapter. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- E. Previous violations. Nothing in this chapter shall be construed as authorization for an approval of the continuance of the use of a building, structure or premises in violation of any zoning ordinances, rules or regulations in effect immediately preceding the time of the effective date of this chapter.
- F. Enlargement. Any nonconforming structure that is nonconforming because it fails to comply with height, area, yard, off-street parking or other like requirements of this chapter shall not be changed or altered to enlarge the nonconformance.

**§ 360-45. Damage by fire, flood or act of God.**

- A. Damage to a nonconforming use.
  - (1) Any building or structure containing a nonconforming use which is damaged by fire, flood, wind or other act of God or man to the extent of 50% or more of its assessed value immediately prior to damage shall not be reoccupied, reused and/or reconstructed, except in conformity with the provisions of this chapter.
  - (2) Any building or structure containing a nonconforming use which is damaged by fire, flood, wind or other act of God or man to the extent of more than 25% but less than 50% of its assessed value immediately prior to damage shall not be repaired or reconstructed, except in conformity with this chapter, unless such reconstruction is completed within 12 months of the damage. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- B. Damage to a nonconforming building or structure. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**



- § 360-45 § 360-45
- (1) Any nonconforming building or structure which is damaged by fire, flood or other act of God or man to the extent of 50% or more of its assessed value immediately prior to damage shall not be repaired or reconstructed, except in conformity with the provisions of this chapter.
  - (2) Any nonconforming building or structure which is damaged by fire, flood, wind or other act of God or man to the extent of 25% or more but less than 50% of its assessed value immediately prior to damage shall not be repaired or reconstructed, except in conformity with this chapter, unless such reconstruction is completed within 12 months following the damage.
- C. Exemption of dwelling buildings and structures. The limitations of this section shall not apply to a building or other structure utilized as a dwelling which is nonconforming only in respect to yard space or area per dwelling and nonconforming to the district in which located, except that no dwelling building shall be altered, added to or reconstructed to extend further into an already deficient yard space or to reduce an already deficient amount of land area per dwelling.



ARTICLE VIII  
**Backyard Hens<sup>8</sup>**  
**[Added 12-15-2022 by L.L. No. 6-2022]**

**§ 360-46. Requirements for keeping hens.**

Regulations for the keeping of female chickens on residential properties are hereby established as follows:

- A. No more than six hens shall be allowed on each lot. Hens may only be kept by a domiciliary of a dwelling unit located on the lot on which the hens are kept.
- B. Male chickens (roosters), guinea hens or peacocks are expressly prohibited, regardless of age or maturity.
- C. Hens must be kept in and confined in a properly designed and constructed coop that is at least four square feet per chicken in size but is not in excess of 144 square feet. The coop shall require a building permit but shall not be defined as an "accessory structure" per this chapter. In addition, an outdoor fence run/range area, which is connected to the coop is required and must be constructed in a manner that contains the hens from all sides and provides at least 10 square feet per hen. The coop and run must be adequately constructed and fenced to contain the hens and to prevent access to the hens by dogs and other predators.
- D. Hens shall be provided with adequate food and water and kept in a humane condition. Chicken feed must be stored in rodent-resistant and weatherproof containers.
- E. Hens shall be confined at all times to the property on which they are kept. It shall be unlawful for any person to allow hens to run at large upon the streets, alleys or other public places of the City, or upon the property of any other person.
- F. Coops and runs shall be located in the rear yard of the parcel and be located no less than five feet from any property line. The square footage of the rear yard must be a minimum of 500 square feet. In the case of a rear yard where such required setback from property lines cannot be met, or the minimum square footage in the rear yard cannot be met, a coop or run may be located in a side yard at the discretion of the Building Department. No coop or run may be located in the front yard between the house and the public street under any circumstances. No chickens, coops, pens, cages, fences or other shelters are permitted on a lot within 100 feet of any lake, pond, river or stream, unless such body of water is wholly contained on the same lot.
- G. A coop, and the premises where the chicken coop is located, shall be maintained in a condition such that the facility or chickens do not produce noise or odor that creates a nuisance for adjoining lots, and the responsible domiciliary and the owner shall remove any odorous or unsanitary condition. The lot owner shall be responsible for the repair on any adjoining lot of any damage caused by the chickens, including but not limited to damage to dwellings, structures and yards, and shall be responsible for repair of any unsafe condition.
- H. The use and consumption of such hens and their eggs is limited to the occupants of the premises and shall not be sold. Selling chickens, eggs, or breeding chickens for commercial use is prohibited.
- I. The killing or slaughter of hens is limited to killings or slaughters undertaken for private use by the occupants of the premises and is prohibited outside of enclosed buildings. Waste materials from the slaughter of such animals shall be disposed of immediately in a clean and sanitary matter.
- J. The keeping of hens is prohibited unless a permit is obtained from the City Building Inspector. An annual fee for such permit shall be established by the Common Council pursuant to resolution. The Building Inspector shall maintain a current listing of all permits issued hereunder. Applications for a backyard hen permit will be available in the City Building Inspector's Office. Applications shall be made on forms as approved by the Common Council by the Building Inspector. Necessary information shall include, but not be limited to proof

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**8. Editor's Note: Former Art. VIII, Flood Hazard Areas, was repealed 4-17-2019 by L.L. No. 4-2019. See now Ch. 176, Flood Damage Prevention. 360:67**

§ 360-46 of compliance with this article. The City Building Inspector may impose any other restriction on the location, size or design of the coop or run that, in their sole judgment, protects the accessibility, health, safety and welfare of the public. The City Building Inspector may revoke a backyard hen permit for a specific site via written notice to the property owner when the Building Inspector or designee finds, at his or her sole discretion, that any requirements of this article are not met, a rebuttable presumption of which shall be created by a) a record of three or more complaints to the City Police Department or City Building Inspector's Office about a specific site's chickens; b) on the recommendation of Cornell Cooperative Extension; or c) on the recommendation of the City Police Department. Upon revocation, the City Building Inspector shall notify the permit holder in writing of the same, and if the revocation stands, the owner must remove the hens from the property per the requirements of the City Building Inspector. Any appeal of the City Building Inspector's revocation or denial of a permit issued under this article may be brought to the City of Plattsburgh Zoning Board of Appeals pursuant to the City Code.

**§ 360-47. through § 360-51. (Reserved)**

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ARTICLE IX  
**Administration and Enforcement**

**§ 360-52. Designation of enforcing officer; powers and duties.****A. Enforcing officer. [Amended 9-13-2007 by L.L. No. 10-2007; 8-17-2017 by L.L. No. 3-2017]**

- (1) The provisions of this chapter shall be administered and enforced by the Building Inspector or, in his absence, a person in the office of the Building Inspector designated by him to act in his absence, or the City Planner, or Assistant City Planner (referred to in this section as the Building Inspector), who shall have the power to make inspections of buildings or premises necessary to carry out their duties in the enforcement of this chapter.
- (2) The Building Inspector, housing code inspector, municipal code inspector, police officer or parking enforcement officer may enforce the provisions of § 360-36 of this chapter relating to front yard parking.

**B. Powers and duties.**

- (1) Records. It shall be the duty of the Building Inspector to keep a record of all applications for permits and a record of all permits issued, with a notation of all special conditions involved. The Building Inspector shall file and safely keep copies of all plans submitted, and the same shall form a part of the records of that office and shall be available for use of the Common Council and other officials.
- (2) Permits and certificates. The Building Inspector shall issue building and zoning permits and certificates of occupancy upon compliance by an applicant with all provisions of this chapter, as well as other ordinances and administrative procedures of the City which require review of plans by other departments, such as police, fire, engineering, etc., and all county, state and federal regulations which require compliance insofar as they apply.

**§ 360-53. Permit requirements; fees; certificates of occupancy.****A. Zoning and building permits.**

- (1) Permit required. It shall be unlawful to change the use of any building or structure or to commence the excavation for or the construction of any building or structure, including accessory buildings, or to commence the moving or alteration of any building or structure, including accessory buildings, without a building and zoning permit for such work.
- (2) Permit application and issuance. The building and zoning permit application shall include a plan to scale indicating the shape, size, height and location in relation to all property lines and to street or road lines of all buildings or structures to be erected, altered or moved and of any building or structure already on the lot. The application shall also state the existing and/or intended occupancy and use of all such buildings and land and supply other information as may be required by the Building Inspector to ensure that the provisions of this chapter are being observed. If the proposed actions as set forth in the application are in conformity with the provisions of this chapter and other ordinances of the City of Plattsburgh then in force, the Building Inspector shall issue a permit for such actions.
- (3) Refusal. If the application is denied, the applicant shall be notified promptly by regular mail.
  - (a) Fees. The fees for the issuance of zoning and building permits shall be established by resolution of the Common Council and kept on file in the office of the City Clerk and Building Inspector.
  - (b) For the purpose of calculating permit fees, the volume of a building shall be calculated using the exterior dimensions and shall include all enclosed space.
  - (c) Effect of permit. The issuance of a permit shall in no case be construed as waiving any provision

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of this chapter.

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## (d) Duration of permit.

- [1] A zoning and building permit shall become void six months from the date of issuance unless substantial actual construction has been made by that date on the project described therein.
- [2] Construction must be completed within two years of the date of issuance of the permit, except that construction valued at in excess of \$500,000 shall be completed three years after the date of issuance of the permit. The permit shall be void if construction is not completed in this time period.
- [3] Failure of a developer to meet the construction time requirements specified above shall void the zoning and building permit. In such instances, the Building Inspector shall not issue a new permit unless the developer has secured a variance from this section from the Zoning Board of Appeals.

- B. Approval by other departments. No permit issued under this chapter shall be effective unless or until corresponding requirements of the Building Code, sanitary and health regulations, fire regulations and any other local, state or federal regulations shall have been complied with insofar as they apply. Such compliance shall be the responsibility of the developer. The Building Inspector may refuse to issue the permit in cases where approval by a City department has been refused.
- C. Certificate of occupancy. No land or building or other structure or part thereof hereafter erected or altered in its use or structure shall be used or occupied until the Building Inspector shall have issued a certificate of occupancy stating that such land, building, structure or part thereof and the proposed occupancy or use thereof is found to be in conformity with the provisions of this chapter.

**§ 360-54. Zoning Board of Appeals.****A. General provisions. [Amended 1-30-2003 by L.L. No. 1-2003; 10-8-2008 by L.L. No. 5-2008<sup>9</sup>]**

- (1) Creation. A Zoning Board of Appeals is hereby re-established in accordance with General City Law § 81.
- (2) Composition. The Zoning Board of Appeals shall consist of five regular members and two alternate members. The alternate members shall serve only in the absence of a regular member, or where a regular member is unable to vote on an appeal due to conflict of interest considerations.
- (3) Appointment. The Mayor shall appoint the regular and alternate members of the Zoning Board of Appeals, subject to confirmation by the affirmative vote of three members of the Common Council. The Mayor shall attempt to appoint at least one regular member or alternate member from each ward, but in no event shall more than two regular members be appointed from the same ward. The Mayor shall appoint a chairperson of the Zoning Board of Appeals from among the regular members. No member of the Common Council or the Planning Board of the City of Plattsburgh shall be eligible for appointment to the Zoning Board of Appeals. A Board member may be removed from office by vote of the Common Council if he (she) fails to attend five or more Board meetings out of 12 consecutive, regular or special meetings of the Board.
- (4) Term. The terms of regular and alternate members shall expire on December 31st in the year when the term for which they were appointed expires. A member whose term expires may continue to serve until a successor is appointed. A person who is appointed to fill a vacancy shall serve until the expiration of

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9. Editor's Note: This local law included transitional provisions stating that a regular member position shall not be filled until the whole number of the current Zoning Board of Appeals is reduced to five members. Until such time as the whole Board is composed of five members, a majority of the whole number of incumbent members shall constitute a quorum and is required to take any action.

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the term of the person who vacated the position. The term of a regular member shall be five years, however, if two or more terms expire in the same year appointments to one or more of the regular positions shall be made for less than five years so that one position becomes vacant every five years. One alternate member shall be appointed to a two-year term; the other alternate member shall be appointed to a three-year term.

(5) Vacancies. Vacancies shall be filled by appointment by the Mayor.

B. General procedures.

- (1) Meetings. Meetings of the Zoning Board of Appeals shall be held at least once a month, unless there are no appeals to be heard, and at such other times as the Board may determine, or at the call of the Chairman. All meetings of such Board shall be open to the public.
- (2) Oaths. The Chairman or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses.
- (3) Minutes. The Zoning Board of Appeals shall adopt its own rules of procedure and shall keep minutes of its proceedings in accordance with § 360-56 of this chapter. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- (4) Quorum. A quorum shall consist of a majority of the whole Board. Voting shall be by voice vote or ballot. **[Amended 10-8-2008 by L.L. No. 5-2008]**

C. Fees. Application fees shall be established by resolution of the Common Council.

D. Powers. The Zoning Board of Appeals shall have the following powers:

- (1) Administrative review. The 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 Building Inspector or the administrative officer charged with the enforcement of such ordinance or local law and to that end shall have all the powers of the Building Inspector and the administrative officer from whose order, requirement, decision, interpretation or determination the appeal is taken.
- (2) Special use permits. To hear and decide applications for special permits as specified in this chapter and to authorize the issuance of special permits as specifically provided herein.
- (3) Variances.
  - (a) Use variances. The Board of Appeals, on appeal from the decision or determination of the Building Inspector or administrative official charged with the enforcement of such ordinance or local law, shall have the power to grant use variances, as defined herein.
    - [1] No such use variance shall be granted by a 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 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;

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- [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 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.
- (b) Area variances. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the Building Inspector or administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.
  - [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 Board of Appeals, in the granting of use and 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.
- (c) Definition of terms. As used in this subsection:
 

AREA OF VARIANCE — The authorization by the Zoning Board of Appeals for the use of land, building, structure or premises and signs in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

USE VARIANCE — The authorization by the Zoning Board of Appeals for the use of land, building, structure or premises for a purpose which is otherwise not allowed and is prohibited by the applicable zoning regulations.
- (d) Imposition of conditions. The Board of Appeals shall, in the granting of special use permits, 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 the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

## § 360-55. General administrative procedures.



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- A. Tolling of period of approval heretofore or hereafter granted to an application for development the developer is barred or prevented, directly or indirectly, from proceeding with the development otherwise permitted under such approval by a legal action instituted by any state agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health or welfare and the developer is otherwise ready, willing and able to proceed with said development, the running of the period of approval under this article or under any ordinance repealed by this article, as the case may be, shall be suspended for the period of time said legal action is pending or such directive or order is in effect.
- B. Conditional approval. In the event that a developer submits an application for development proposing a development that is barred or prevented, directly or indirectly, by a legal action instituted by any state agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health and welfare, the municipal agency shall process such application for development in accordance with this chapter, and if such application for development complies with this chapter, the municipal agency shall approve such application, conditioned on removal of such legal barrier to development.
- C. In the event that development proposed by an application for development requires an approval by a governmental agency other than the municipal agency, the municipal agency shall, in appropriate instances, condition its approval upon the subsequent approval of such governmental agency, provided that the City shall make a decision on any application for development within the time period provided in this chapter or within an extension of such period as has been agreed to by the applicant, unless the municipal agency is prevented or relieved from so acting by the operation of law.
- D. Vote of absentee members. When any hearing before the Planning Board or Zoning Board of Appeals, as the case may be, shall carry over two or more meetings, a member of the municipal agency conducting said hearing absent for one or more of the meetings shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one or more of the meetings; provided, however, that said member has available to him a transcript, recording or minutes of the meeting from which he was absent and certifies to the Board that he has read such transcript or minutes or listened to such recording prior to his voting or participating on any decision on the matter.

#### **§ 360-56. Applications; hearings and decisions.**

The following provisions apply to applications for administrative reviews, variances, special use permits, site plan approvals, planned unit development and historic site approval made to the Zoning Board of Appeals or the Planning Board:

- A. Meetings, minutes, records. Meetings of such Boards shall be open to the public to the extent provided in Article 7 of the Public Officers Law. Such Boards shall keep minutes of their 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 their examinations and other official actions.
- B. Filing requirements. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Boards shall be filed in the office of the City Clerk and the Building Inspector within five business days and shall be a public record.
- C. Assistance to the Boards. Such Boards shall have the authority to call upon any department, agency or employee of the City for such assistance as shall be deemed necessary and as shall be authorized by the legislative body. Such department, agency or employee may be reimbursed for any expenses incurred as a result of such assistance.
- D. Voting. The concurring vote of a majority of the whole board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to grant a use variance, area variance, special use permit, site plan approval, and any other permit or approval under this chapter.

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**[Amended 10-8-2008 by L.L. No. 5-2008]**

- E. Appeals. Appeals from any order, requirement, decision, interpretation, or determination made by the Building Inspector or administrative official charged with the enforcement of any ordinance or local law adopted pursuant to this chapter may be taken by any person aggrieved, or by an officer, department, board or bureau of the City. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- F. Filing of administrative decision. Each order, requirement, decision, interpretation or determination of the Building Inspector or administrative official charged with the enforcement of this chapter shall be filed within five business days from the day it is rendered, and shall be a public record.
- G. Time limits on appeal. An appeal shall be taken within 60 days after the filing of any order, requirement, decision, interpretation or determination of the Building Inspector or other administrative official charged with interpreting or enforcing this chapter, by filing with such Building Inspector and with the Board of Appeals a notice of appeal, specifying the grounds thereof and the relief sought. The Building Inspector shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
- H. At least 10 days before a hearing, the authorized board shall mail notices thereof to the applicant and to the County Planning Board or agency and regional planning council, as required by § 239-m of the General Municipal Law, which notice shall be accompanied by a full statement of such proposed action as defined in Subdivision 3 of § 239-m of the General Municipal Law, and to neighboring municipalities as required by § 239-nn of the General Municipal Law. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- I. Compliance with State Environmental Quality Review Act. Such Boards shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.
- J. Rehearing. A motion to hold a rehearing to review any order, decision or determination of a Board not previously reheard may be made by any member of the Board. A unanimous vote of all members of the Board then present is required for such rehearing to occur. Such rehearing is subject to the same notice provisions as an original hearing. Upon such rehearing the Board may reverse, modify or annul its original order, decision or determination upon the unanimous vote of all members then present, provided the Board finds that the rights vested in persons acting in good faith in reliance upon the reheard order, decision or determination will not be prejudiced thereby.
- K. Resubmissions. Where an application is denied by vote of the Board, the same, or substantially the same, application may not be filed until one year after the date of such denial. In cases where the appeal or application is withdrawn by the applicant after public notice of hearing, but before a decision by the Board, the same, or substantially the same, application may not be filed until 90 days after the date of withdrawal.
- L. An interested party, as defined herein, may make an apply for administrative reviews, permits or approvals under this chapter provided, however, that any person applying for an interpretation, decision, permit or approval to improve a property must be the owner(s) of the property, or have the owner's(owners') written permission.
- M. Applications are not considered filed until deemed complete by the Building Inspector. The Building Inspector shall promptly notify applicants if the application is deemed incomplete.
- N. Stays. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Building Inspector or person charged with the enforcement of such ordinance or local law, from whom the appeal is taken, certifies to the Board of Appeals, or the Planning Board as the case may be, after the notice of appeal shall have been filed with the administrative official, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be

- § 360-56 stayed otherwise than by a restraining order which may be granted by the Board of Appeals, or Planning Board as the case may be, or by a court of record on application, on notice to the Building Inspector or person from whom the appeal is taken and on due cause shown. § 360-57
- O. Public notice. Public notice shall be given of applications for variances and special use permits by the publication in the official paper of the City of Plattsburgh of a notice of such hearing, beginning not less than five nor more than 10 calendar days before such hearing. The cost of sending or publishing any notices relating to such appeal or application, or a reasonable fee relating thereto, shall be borne by the appealing party and shall be paid to the Board prior to the hearing of such appeal.
- P. Notice to affected property owners. Notice of an application for a variance or special use permit shall be given by first class mail at least five calendar days prior to the date of hearing to all persons, firms or corporations listed as owner of record on the City tax record within the affected area of the location of the property upon which the use is proposed to be established. For purposes of this chapter, the "affected area" of an application for a variance shall be as follows:
- (1) Use variance. A use variance shall include all applications for variances, except those defined in area variances below. In such cases, notice shall be given to all persons, firms or corporations listed as owner of record on the City tax records within 500 feet of the applicant for variance property.
  - (2) Area variance. An area variance shall include all applications for variance from yard and setback requirements and dimensional calculations for signage. In such cases, notice shall be given to all persons, firms or corporations listed on the City tax records as owners of adjoining property.
  - (3) Special use permit. Notice of an application for a special permit shall be given to all persons, firms or corporations listed as owner of record on the City tax record within 500 feet of the location of the property upon which the use is proposed to be established.
  - (4) Site plan in industrial zone. Notice of an application for a permit requiring site plan review in an industrial zone shall be given to all persons, firms or corporations listed as owners in the City tax records and who own property located within 500 feet of the site reviewed.
- Q. Representation at hearing. Upon the hearing, any party may appear in person, or by agent or attorney.
- R. Time of hearing. The Boards shall conduct a public hearing within 62 days from the day an application is received on any matter referred to them under this section.
- S. Time of decision. The Boards shall decide upon the application within 62 days after the hearing. The time within which the Boards must render its decision may be extended by mutual consent of the applicant and the Board.
- T. Filing and serving decisions. The decision of the Board(s) on the application after the holding of the public hearing shall be filed in the office of the City Clerk within five business days after such decision is rendered, and a copy thereof mailed by first class mail to the applicant. (See § 27-b of the General City Law.) The Board of Appeals shall notify the Common Council and the Planning Board of each special use permit and each variance granted under the provisions of this chapter. The Planning Board shall notify the Zoning Appeals Board of all site plan approvals.
- U. Permit time provisions. If the special use permit, variance, site plan, planned unit development or historic site approval is granted, a building and zoning permit may be issued by the Building Inspector; however, such zoning approval shall become void six months from the date of building permit issuance unless substantial actual construction has commenced.

#### § 360-57. Grievance procedure.

- A. Any person or persons jointly or severally aggrieved by any decision of the Board of Appeals or any officer,

§ 360-57 department, board or bureau of the City may apply to the Supreme Court for relief by a proceeding under Article 78 of the Civil Practice Law and Rules of the State of New York, and, provided such proceeding is commenced within 30 calendar days of filing the decision in the office of the Building Inspector. § 360-60

- B. Costs shall not be allowed against the Boards unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

#### **§ 360-58. Remedies.**

In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained or any building, structure or land is used in violation of this chapter, the proper local authorities of the City, in addition to other remedies, may institute any appropriate actions or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

#### **§ 360-59. Penalties for offenses.**

- A. For a violation of any section of this chapter, except those sections for which a separate fine is herein provided, the owner of a building or lot, or the lessee or tenant of the entire building or lot, or the lessee or tenant of a part of the building or lot where a violation exists or has been committed, shall be guilty of a violation punishable by a fine not exceeding \$250 for conviction of a first offense or violation; for a conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$250 nor more than \$500; and, upon conviction of a third or subsequent offense, all committed within a period of five years, punishable by a fine not less than \$500 nor more than \$750. Each week's continued violation shall constitute a separate additional violation or offense.
- B. For a violation of § 360-26J of this chapter, the registered owner or the operator of a vehicle parked in violation of this section shall be guilty of a violation punishable by a fine not exceeding \$15 for conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of one year, punishable by a fine not less than \$35 nor more than \$75; and upon conviction of a third or subsequent offense, all committed with a period of one year, punishable by a fine not less than \$75 nor more than \$150. Each violation that continues for more than 72 hours shall constitute a separate additional violation.
- C. For a violation of § 360-53A(1) of this chapter, the person making the improvements shall be guilty of a violation punishable by a fine equal to twice the amount of the permit application fee.
- D. The enforcing officer may serve a written notice of violation specifying a date by which the violation shall cease, and, if the violation does not cease with the time specified, the enforcing officer may institute such action as may be necessary to terminate the violation. Such notice shall be served personally, or by affixing such notice in a conspicuous place on the premises and mailing a copy by first class mail to the owner, lessee or tenant, or by mailing a copy of such notice by certified mail, return receipt requested, to the owner, lessee or tenant.
- E. The enforcing officer may prosecute a violation of this chapter by issuing an appearance ticket pursuant to the provisions of Article 150 of the Criminal Procedure Law.
- F. For a violation of § 360-26J, the enforcing officer may serve an appearance ticket in the manner authorized for issuing an appearance ticket for a traffic infraction relating to parking.
- G. The provisions of this chapter may be enforced by any other court action or proceeding deemed appropriate by the Corporation Counsel.

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**§ 360-60. Amendments. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

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The Common Council may refer any request for amendment, supplement, change or repeal of the regulations, restrictions and boundaries established by this chapter to the Planning Board for report. The Common Council may amend, supplement, change or repeal regulations, restrictions and boundaries established by this chapter, as provided by General City Law § 83.

**§ 360-61. Professional review fees. [Added 12-14-2017 by L.L. No. 8-2017]**

**A. Reimbursement of professional review fees.**

- (1) In addition to the provisions provided under the terms of Chapter 300, Subdivision of Land ("Subdivision Regulations"), and this chapter of the City of Plattsburgh Code ("Zoning Code"), the Common Council, the Planning Board and the Zoning Board of Appeals, in the review of any application presented to it, may refer such application, or part of an application, to such planner, engineer, environmental expert, attorney or other professional as such Council or Board shall deem reasonably necessary to enable it to review such application as required by law.
- (2) Fees charged by such professionals shall be in accord with fees usually charged for such services in the Clinton County region or pursuant to an existing contractual agreement between the City and such professional. The Board or Council shall limit such fees as are reasonable in amount and necessarily incurred by the City in connection with a review of an application. For purposes of this section, a fee is reasonable in amount if it bears a reasonable relationship to the expense of the development or the average charge by such an expert to the City or others for services performed in connection with the review of a project similar to that involved in the land use application. All proper charges shall be paid by the City upon submission of a City voucher and in compliance with the City's procurement policy. The applicant shall reimburse the City for the costs of such professional review services upon receipt of a copy of the voucher or, at the discretion of the reviewing Council or Board, in accordance with this chapter. The payment of such fees shall be required in addition to any and all other fees or performance bonds required by this or any other section of this chapter or any other City law or regulation.

**B. Escrow accounts.**

- (1) In addition to other mechanisms provided under any other City law or regulation, at the time of submission of any application, or during the review process, the reviewing Council or Board may require the establishment of an escrow account from which withdrawals shall be made to reimburse the City for the cost of professional review services. The applicant shall then provide funds to the City for deposit into such account in an amount to be determined by the reviewing board based on its evaluation of the nature and complexity of the application. The applicant shall be provided with copies of any City voucher for such services as they are submitted to the City. If the applicant objects to the amount to be placed into escrow, the applicant may request that the Council or Board review the projected amount to be placed in escrow.
- (2) Where the City Council, Planning Board or Zoning Board of Appeals establishes an escrow account for an application, such reviewing board shall not be required to consider that application until the deposit required under this chapter has been made.
- (3) A building permit or certificate of occupancy shall not be issued unless all professional review fees charged in connection with the applicant's project have been reimbursed to the City.
- (4) After all pertinent charges have been paid, the City shall refund to the applicant any funds remaining on deposit.

**C. Effective date; applicability.**

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- (1) This chapter shall take effect immediately upon filing in the office of the New York State Secretary of State.
- (2) This chapter shall apply to all applications pending at the time it becomes effective, unless the reviewing Council or Board shall determine that its application would be impracticable or unjust in the particular circumstances.

**§ 360-62. City exemption. [Added 12-10-2020 by L.L. No. 5-2020]**

- A. Purpose and intent; authority. It is the intent of this section to specifically provide for the exemption of City projects and activities from the City's Zoning Code. It is adopted pursuant to New York Municipal Home Rule Law.
- B. City exemption. Notwithstanding any other provision of this chapter, any action, including but not limited to site plan review, subdivision approval, planned unit development review, special use permit application, use variance or area variance application, which is proposed or undertaken by the City of Plattsburgh, or on behalf of the City with the City's written authorization, shall be exempt from the provisions of this chapter. Notwithstanding this exemption, the Common Council may seek nonbinding advisory review from the City Planning Board and/or Zoning Board of Appeals for any such proposed City action. This exemption specifically does not apply to the provisions of the State Environmental Review Act (SEQRA) or other state or federal requirements, but is limited only to requirements of the City of Plattsburgh.

## Appendix I City of Plattsburgh Harbor Management Law

Draft January 10, 2023

City of Plattsburgh, NY

Local Law \_\_\_ 23\_\_ Harbor Management—

Code of the City of Plattsburgh, Chapter 177. Harbor Management

### § 177-1. Title.

This chapter shall be entitled "Harbor Management." It shall be entered in the City of Plattsburgh Code of Ordinances as Chapter 177.

### § 177-2. Authority, intent and purpose.

A. This chapter is enacted under the authority of the Municipal Home Rule Law of New York State, the Waterfront Revitalization of Coastal Areas and Inland Waterways Act,[1] and applicable sections of the New York State Navigation Law.

[1] Editor's Note: See Art. 42 of the Executive Law.

B. The intent of this chapter is to regulate the speed, use, operation, anchoring, and mooring of vessels, and the use of waters within the jurisdiction of the City of Plattsburgh in a manner to protect and promote the public health, safety and general welfare.

### § 177-3. Applicability.

A. This chapter shall apply to all waters within the jurisdiction of the City of Plattsburgh as follows: the waters of Lake Champlain that are within a distance of 1,500 feet from the City's shoreline along the lake, including the Saranac River from the confluence with the Lake Champlain upstream to the municipal boundary. These waters shall be known as the "City of Plattsburgh Harbor Management Area."

### § 177-4 Definitions and word usage.

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

**ABANDONED VESSEL** - Any vessel not moored, anchored or made fast to the shore and left unattended for a period greater than 24 hours, or left upon private property adjacent to the Harbor Management Area without consent of the property owner, for a period greater than 24 hours.

**AIDS TO NAVIGATION** -All markers on land or in the water placed for the purpose of enabling navigators in the Harbor Management Area to avoid navigation hazards, regulatory markers and/or fix their position.

**ANCHORAGE** -Any water area designated for anchoring or mooring.

**BEACH** - All public beaches (of all jurisdictions), private membership club beaches, and private homeowners' association beaches, as depicted on the Harbor Management Chart.

**BOATHOUSE** - Any building or similar superstructure that has direct access to a body of navigable water and is used only for the storage and sheltering of watercraft and associated equipment and does not have plumbing or sanitary facilities.

**BOAT STORAGE, COMMERCIAL** - A place, site or structure used to park, house or store on any one lot, more than three vessels, excepting canoes, rowboats, kayaks or other boats less than 18 feet in length for private gain within a marina. This use shall not include "storage, commercial" as defined in this chapter.

**BOAT STORAGE, PRIVATE** - A place, site or structure used to park, house or store on any one lot, three or fewer vessels, excepting canoes, rowboats and kayaks.

**BULKHEAD** - Any structure, except a building, positioned parallel to the shoreline, the primary function of which is to retain soil or any other material from eroding into a waterway or to protect the land from wave damage

**CHANNEL** - Federal, state or locally designated water areas specifically reserved for unobstructed movement of vessels.

**COMMON COUNCIL** - The Common Council of the City of Plattsburgh.

**CORPORATION COUNSEL** - The Corporation Counsel of the City of Plattsburgh

**DOCK AND PIER** - Any dock, wharf, pier, structure or fixed platform extending out over the water built on floats, columns, open timber, piles or similar open-work structures.

**DOCK AND MOORING AREA** - Sections of the Harbor Management Area where groups of docks and moorings may be permitted.

**EMERGENCY** - A state of imminent or proximate danger to life or property.

**FAIRWAY** - Any designated and/or maintained water area reserved for unobstructed movement of vessels, including an area at least 25 feet in width adjacent to both sides of the Federal Navigation Channel.

**FEDERAL NAVIGATION CHANNEL** - A designated navigation channel authorized by an act of congress, specifically reserved for the unobstructed movement of vessels and which is marked in water by aids to navigation maintained by the United States Coast Guard.

**FLOATING HOME** - Any structure constructed on a raft, barge, hull or other platform and moored or docked in the Harbor Management Area and used primarily for single or multiple-family habitation or as the domicile of any individual(s).

**HARBOR MANAGEMENT AREA** - The area encompassing all waters along the Lake Champlain shoreline as shown in the map outlining the Waterfront Revitalization Area within the jurisdiction of the City of Plattsburgh including the Saranac River at its confluence with Lake Champlain upstream 1,500 feet, and the waters of Lake Champlain that are within a distance of 1,500 feet from the City's shoreline.

**HARBOR MANAGEMENT CHART** - A map of surface waters that may be prepared and adopted by the Common Council to facilitate administration of the Harbor Management Law.

**HARBOR MANAGEMENT LAW** - This chapter of the City of Plattsburgh establishing rules and regulations for the use and enjoyment of the waters of the City of Plattsburgh Harbor Management Area and the lands immediately adjacent to the Harbor Management Area.

**HARBOR MANAGER** - That person appointed annually by the Mayor with the consent of the Common Council who has full and primary responsibility and authority for implementing and enforcing all provisions of this chapter.

**LITTER** - Any bottles, glass, cans, scrap metal, junk, paper, garbage, rubbish, trash or similar refuse or human-generated or human-deposited debris.



**MARINA** - Any waterfront facility which provides accommodation services for vessels by engaging in any of the following: (1) the sale of marine products or services; (2) the sale, lease, rental, or charter of vessels of any type; (3) the sale, lease, rental or any other provision of storage, wharf space, or mooring for vessels not registered to the riparian property owner's immediate family, the owner or lessee of the property, members of the lessee's immediate families, or an overnight guest on said property.

**MAYOR** - The Mayor of the City of Plattsburgh.

**MOORING** - The attachment of or to attach a vessel to a pier or dock or other structure or the attachment of or to attach a vessel to the ground by means of tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator. The term "mooring" shall also include the placing of a boat at anchor for more than 12 hours consecutively.

**PERSONS** - Individuals, corporations, societies, associations, and partnerships using the facilities and areas within the Harbor Management Area.

**PUMP-OUT FACILITY** - A facility for pumping sewage from vessel holding tanks and other devices and containing those wastes before proper disposal into the City of Plattsburgh sewage system.

**STATE** - The State of New York.

**SUPERSTRUCTURE** - A structure built as a vertical extension on top of a lower structure such as boathouse which is a storage building for boats built on top of cribs or piles.

**STORAGE, COMMERCIAL** - A business for hire in which a warehouseman, as defined in Section 7-102 of the Uniform Commercial Code of New York State, takes possession of goods and is responsible for the care and control of the stored goods. Goods stored for hire shall be completely enclosed within a building and may include boats, motorcycles, jet skis, or similar recreational vehicles. "Storage, commercial" shall be differentiated from "self-service storage facility" in that commercial storage involves the conscious creation of a bailment between the bailor and bailee, as defined in the Uniform Commercial Code of New York State.

**TRANSIENT BOATERS** - Persons traveling into the Harbor Management Area by boat and staying for a temporary period of time.

**UNDERWAY** – The condition of a vessel not at anchor and not made fast to the shore or ground.

**VESSEL** - Every floating device used or capable of being used as a means of transportation on water.

B. Word usage. "Shall" is mandatory; "May" is permissive.

#### **§ 177-5 Severability; conflicts.**

A. Invalidity of provisions. Should any provision of this chapter be held invalid or inoperative, the remainder shall continue in full force and effect.

B. Conflict with other laws. In any case where a provision of this chapter is found to be in conflict with any other local provision, the article setting the higher standard in promoting the general public welfare shall be used.

#### **§ 177-6 Building permit required; exemptions; non-transferability.**

Except as otherwise provided in this chapter, no person shall place, locate, construct, maintain, expand or use any dock, pier, boathouse, structure or mooring buoy in any waters within the Harbor Management Area without a building permit issued in

accordance with this chapter, the City of Plattsburgh Zoning Ordinance, and any other applicable local laws. Failure to comply with this section is a violation of this chapter. These permits are not transferable.

**§ 177-7 Office of Harbor Manager.**

A. Establishment. The office of the Harbor Manager may be established by the Mayor with the consent of the Common Council. If established, the Mayor, with the consent of the Common Council shall appoint a Harbor Manager on an annual basis. If no Harbor Manager has been appointed at the time of the adoption of this law, the Building Inspector shall serve as the public officer authorized to administer and enforce the provisions of this chapter.

B. Powers and duties. It shall be the duty of the Harbor Manager, or other public officer of the City duly appointed, to enforce the provisions of this chapter. The Harbor Manager or the Harbor Manager's designee, or other public officer of the City so appointed, shall:

- (1) Examine all applications for all permits and issue permits only for construction and uses therein in accordance with the requirements of this chapter and all other laws, rules and regulations of the City applicable at the time of application.
- (2) Create a dock and mooring permit system to control the placement of docks and moorings in the harbor.
- (3) Establish a permanent management system for harbor activities, operations and implementation actions consistent with the provisions of the City's Local Waterfront Revitalization Program and Harbor Management Plan.

**§ 177-8 Permit applications and procedures.**

A. Form and content of application. In any instance in which a permit is required by this chapter, an applicant shall submit an application on a form prescribed by the Harbor Manager, Building Inspector or other public officer of the so appointed. The application is hereby submitted with a fee as set forth in the City of Plattsburgh fee schedule,[1] accompanied by a plot plan drawn to scale, adequately dimensioned, showing the location of all existing docks, piers, boathouses, structures, mooring buoys, aids to navigation, abandoned vessels, anchorage areas, navigation channels or fairways. The applicant shall provide such other information as the Harbor Manager may require, including but not limited to filings with or permits from federal, state, City or county authorities, description of the manner of construction and installation, the materials to be used, evidence of ownership or possessory right, by easement, license, right-of-way or other, regarding the abutting shoreline and grant or leases pursuant to Article 6 of the Public Lands Law of the State of New York, regarding lands under water.

*[1] Editor's Note: The fee schedule is on file in the City offices.*

B. Issuance of permit. If the proposed activity conforms to all requirements of this chapter and does not impair navigational safety or unreasonably restrict public or private access to, on and within navigable waters within the Harbor Management Area, the Harbor Manager, Building Inspector or other public officer of the City so appointed, shall issue a permit for a one-year period commencing upon approval of the permit.

C. City Docks and Piers.

(1) Scheduling. The scheduling of all tour boat berthing and departure times, dock usage and tourism-related events shall be through the Office of the Mayor or the Harbor Manager if so appointed. Such scheduling will be on first-come, first-served basis.

(2) No person shall cause any barge, boat, ship or other vessel to be made fast to any public dock or to be made fast to any ship or vessel lying at such dock without first obtaining a permit pursuant to this section.

(3) The Common Council may establish fees, insurance and other requirements to permit docking of commercial vessels and temporary docking of transient vessels at city-owned/operated docks and piers and use of any related docking, mooring and kayak/canoe storage facility and shall include such fee and insurance requirements, if any, in the fee schedule.

**§ 177-9 Vessel operation.**

A. Dangerous operation prohibited. No person shall operate any vessel in any manner that unreasonably interferes with the free and proper use of the Harbor Management Area or any property on, in or contiguous to the Harbor Management Area, or which endangers the users of the Harbor Management Area.

B. Identification.

(1) No person shall operate or permit the operation of a vessel within the Harbor Management Area unless such vessel is required by law to be registered and numbered and bears a current validation sticker in accordance with the provisions of the New York State Vehicle and Traffic Law, if so required.

(2) Every person operating a registered vessel shall, upon demand of any peace officer, federal officer or other person having authority to enforce the provisions of this chapter, produce the certificate of registration for inspection. Failure to produce the certificate of registration shall not be an offense, but shall be presumptive evidence of operating a vessel which is not registered as required by the New York State Vehicle and Traffic Law.

C. Vessel speed and restricted speed areas.

(1) Every operator of a vessel shall at all times navigate the same in a careful and prudent manner in such a way as not to unreasonably interfere with the free and proper use of the navigable waters of the Harbor Management Area or unreasonably endanger any vessel or person. Reckless operation is prohibited as is operation under the influence of alcohol or any controlled substances.

(2) No person shall operate a vessel within the Harbor Management Area at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

(3) No person shall operate a vessel within the Harbor Management Area at such a speed as to cause a dangerous wake. The operator of a vessel shall be held responsible for any damage caused by such wake.

(4) No person shall operate a vessel within a Dock and Mooring Area at a speed in excess of five miles per hour or at a speed that will cause a dangerous wake, whichever is the lesser speed.

D. Mufflers. No person shall operate a power vessel without having the exhaust from the engine run through a muffling device, so constructed and used as to muffle the noise from the exhaust in a reasonable manner.

E. Vessel enforcement authority.

(1) The City of Plattsburgh Police Department, the State Police, the Clinton County Sheriff's Department, and any other police or peace officer, as defined in the New York State Criminal Procedure Law, shall have the authority to enforce waterborne traffic in any part of the Harbor Management Area by use of authorized regulatory markers, signals, orders or directions at any time when deemed necessary in the interest of the safety of persons and vessels or other property.

(2) No person shall moor or anchor any vessel so as to interfere with the free and unobstructed use of any channel, fairway, or berthing space in the Harbor Management Area.

F. Anchoring in Federal Navigation Channel prohibited. No person shall anchor any vessel in the Federal Navigation Channel, except in cases of emergencies.

G. Fishing. No person shall fish in the Harbor Management Area in such a manner so as to impede navigation. Vessel-based fishing in a manner that provides a hazard or inconvenience to navigation is prohibited.

**§ 177-10 Sanitation.**

A. Littering and discharge of pollutants prohibited. No person shall place, throw, deposit or discharge or cause to be placed, thrown, deposited or discharged into the Harbor Management Area any litter or other materials, including but not limited to any refuse or waste matter, sewage, petroleum products or by-products, paint, varnish, dead animals, fish parts or debris of any kind which renders the waters unsightly, noxious, unwholesome, or otherwise detrimental to the public health or welfare or to the enjoyment of the water for recreational purposes.

B. Marine toilets. No person shall operate a marine toilet at any time so as to cause or permit to pass or be discharged into the Harbor Management Area any untreated sewage or other waste matter or contaminant of any kind pursuant to § 33-c of the New York State Navigation Law.

C. Responsibility for sanitation of facilities. The owner, lessee, agent, manager or person in charge of a marine facility or water area shall at all times maintain the premises under his/her charge in a clean, sanitary condition, free from malodorous materials and accumulations of garbage, refuse, debris and other waste materials.

D. Marine facility sanitation requirements.

(1) The owner or other person vested with the possession, management and control of a marine facility shall provide and maintain a sufficient number of trash receptacles for the deposit of litter at locations convenient to vessel users of such marine facilities. A maximum spacing of 100 feet between receptacles shall be maintained on all piers and docks. Failure to comply with this provision is a violation of this chapter.

(2) The owner or other person vested with the possession, management and control of a marine facility shall maintain suitable toilet facilities on shore for the accommodation of vessel users who are patrons of their marine facility. Failure to comply with this provision is a violation of this chapter.

(3) The owner or other person vested with the possession, management and control of a marine facility shall post a sign, clearly visible to vessel owners and operators, that states: "The Navigation Law of the State of New York provides strict penalties for the discharge of sewage in the waters of New York State. The local laws of the City of Plattsburgh prohibit the discharge of litter, sewage, and refuse within the Plattsburgh Harbor Management Area." Failure to comply with this provision is a violation of this chapter.

(4) Any sewage pump-out facility required as a condition of City, state or federal approval of a marine facility in the Harbor Management Area shall be maintained in proper working order and available for use as specified in City, state or federal permits. Failure to comply with this provision is a violation of this chapter.

#### **§ 177-11 Removal of abandoned or derelict vessels and structures.**

A. Abandoned vessels and structures prohibited. No person shall abandon, sink or place a vessel, mooring or other structure within the Harbor Management Area where it may constitute a danger to navigation or to the safety of persons or property, or where it may prevent optimum use of the area.

B. Removal of abandoned vessels and structures.

(1) Any vessel or other structure abandoned or sunk or so placed may be removed or relocated at the direction of the Harbor Manager if corrective action is not taken by the owner, if known, within seven days after notification, or, if not known, after notice has been posted for that period on the vessel or object.

(2) Nothing herein contained shall prevent the Harbor Manager from taking measures with or without notice, if, in its judgment, such measures are necessary in order to provide for the safety of persons or property. The expense of such removal or relocation and any liability from injury to person or property incurred thereby shall be the responsibility of the owner.

#### **§ 177-12 Living aboard vessels.**

A. Regulation of floating homes. In order to provide for adequate access for vessels, for the safety of persons and property, for the protection of environmental quality, and for the optimum use of the Harbor Management Area, the Common Council or its designated agent(s) may regulate the use of floating homes in the Harbor Management Area.

B. Living aboard vessels permitted on temporary basis.

(1) Sleeping aboard vessels on a temporary basis is allowed as a secondary use to the vessel's principal commercial or recreational uses, provided that the vessel is berthed at a marine facility and where consistent with all City, state and federal requirements concerning anchoring, lighting, taxation and other pertinent concerns, and provided that land-based support facilities and utilities, including sewage disposal facilities, are available.

(2) Sleeping aboard vessels moored or anchored within the Plattsburgh Harbor Management Area on a temporary basis, not to exceed two weeks, is allowed as a secondary use to the vessel's principal commercial or recreational uses where consistent with all City, state, and federal requirements concerning anchoring, lighting, taxation and other pertinent concerns. For purposes here, the term "moored" shall only refer to vessels that are attached to the ground by means of tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator.

(3) During the period April 15 to November 30, a vessel may be occupied as temporary living quarters as described above, provided that the vessel is of a type typically used for recreational boating and is suitable for general navigation on Lake Champlain under its own propulsion at any time during the period April 15 to November 30 and that the vessel shall be moored or docked in a marina that has access to the lake for that boat, excluding periods of hazardous boating conditions and that the vessel is equipped with a Type III Marina Sanitation Device, and the vessel is in good operational condition, and has that the vessel has access to a vessel waste pump facility.

**§ 177-13 Berthing, mooring and anchoring of vessels.**

A. Owner responsibility for secure berthing, mooring and anchoring. The owner of any vessel berthed, moored or anchored within the Harbor Management Area shall be responsible for causing such vessel to be tied and secured or anchored with proper care and equipment and in such manner as may be required to prevent the vessel from breaking away.

B. Owner responsibility for damage. Each person anchoring or mooring a vessel in the Harbor Management Area shall be responsible for any damage to that vessel, or to any other vessel or any other property, caused by that vessel. The City of Plattsburgh assumes no liability for personal injury or property damage that may result from the use of unsafe or otherwise inadequate anchoring or mooring tackle and assumes no risk on account of accident, fire, theft, vandalism or acts of God related to the anchoring or mooring of vessels in the Harbor Management Area.

C. Temporary anchoring permitted. Temporary anchoring of vessels for less than 8 hours is permitted provided such anchoring does not interfere with any established navigation channel, mooring or docking area or other vessel moored or docked.

D. Locations for moorings and permit required. No person shall place or utilize a mooring without first securing a permit as set forth herein. No person shall moor any vessel except in designated areas as shown in the harbor management plan as dock and mooring areas unless the vessel is secured to a dock or at a mooring accessory to a waterfront residential use. (One such mooring is allowed per property that directly abuts the waterfront or abuts the railroad that runs along the waterfront.) No person shall place a mooring or anchor outside of the designated mooring location and no vessel moored or anchored, at full swing of its mooring or anchor line shall be within 75 feet of any Federal Navigation Channel, or within 25 feet of any City- or state-designated channel, fairway, or within 75 feet from any dock or other marine facility within the Harbor Management Area.

E. Locations for docks and permit required. No person shall install any berth or dock without first securing a permit as set forth herein. No person shall berth or dock any vessel, whether to mooring tackle or a pier or dock, in such a manner that it lies within the lines of any channel, swimming area, buffer area, turning basin or within 50 feet of a channel marker or in a manner that interferes with the full use of a channel, except in cases of emergency.

F. Regulation of docks and moorings. In order to provide for adequate access for vessels, for the safety of persons and property, for the protection of environmental quality, and for the optimum use of the Harbor Management Area, the Common Council or its designated agent(s) may regulate the placement of all docks and moorings in the Harbor Management Area in accordance with rules and procedures adopted by the Board and as set forth herein.

G. Non-Publicly Owned/Operated Docks and Other In-Water Structures:

(1) No person shall construct or expand any structure including but not limited to docks, piers, wharves, boat lifts, breakwaters, or jetties, without obtaining a permit in compliance with the City Code.

(2) Permits shall only be issued to a person with a riparian property interest.

(3) Issuance of permits shall take into account safety, day and night navigation, effects on natural resources, cultural resources and water quality, public use of the water, and compliance with the City's Local Waterfront Revitalization Program.

(4) Docks accessory to a riparian residential use are limited to 100 feet in length or 8 feet of water depth, whichever is less, and 8 feet in width.

(5) No dock or other structure may be constructed within 15 feet of a line that defines the area of riparian rights of a neighboring property, which line shall be determined in accord with commonly established conventions and practices for such determinations.

(6) No structures shall be placed upon a dock that are not necessary for vessel access and safety.

(7) No dock or other structure shall extend into a fairway, channel, anchorage area, mooring area, as determined by the Harbor Manager.

(8) A permit is not required for repairs to an existing dock, if such repairs do not include repair or replacement of underwater structures and do not alter the dock's size or shape.

#### **§ 177-14 Penalties for offenses.**

A. A person who violates any of the provisions of or who fails to comply with any conditions imposed by this chapter shall have committed a violation, punishable by a fine not exceeding \$350 for a conviction of a first offense and punishable by a fine of \$700 for a conviction of a second or subsequent offense occurring within a period of five years. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional offense.

B. The Common Council, Harbormaster or any peace officer, are empowered to enforce the provisions of this Local Law. Every person in charge of a vessel shall at all times obey the lawful orders of the Harbor Master or peace officer.

C. All appeals of decisions made by the Harbormaster shall be reviewed by the Common Council which shall be responsible for issuing a final determination.

D. The Harbormaster shall be recused from the review of any application which represents a conflict of interest and shall turn over any application as necessary and appropriate for ruling by the Common Council

E. The Common Council shall have the final authority to enforce all provisions of the Harbor Management Law. The Corporation Counsel may be authorized and directed to institute any and all actions and proceedings necessary to enforce this chapter.

F. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

G. Liability. Persons using the waters within the limits of the Harbor Management Area shall assume all risk of personal injury and loss or damage to their property. The City of Plattsburgh assumes no risk on account of accident, fire, theft, vandalism or acts of God.

**§ 177-15 Effect.**

This chapter shall take effect immediately upon its adoption by the Common Council, approval by the New York State Secretary of State pursuant to Article 42 of the New York State Executive Law and its filing with the New York State Department of State in accordance with the provisions of the Municipal Home Rule Law.

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