

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

of Cazenovia

Town

Village

Local Law No. _____ **of the year 2014.**

A local law to amend Chapter 180 of the Code of the Village of Cazenovia
(Insert Title)

Be it enacted by the Board of Trustees of the **Village of Cazenovia as follows:**

I. Chapter 180 of the Code of the Village of Cazenovia is hereby amended to add a new section 180-68A to read as follows:

§ 180-68A. WG Western Gateway District - Purpose and Intent.

The provisions of the WG Western Gateway Zone are intended to promote desirable economic development emphasizing uses that will create jobs, attract visitors and have a synergistic effect on the community as a whole while minimizing negative effects on the aesthetic appearance of the area and the residential properties in the zone. The district regulations are intended to encourage the maintenance and historic preservation of the “grand homes” that are prevalent in the Western Gateway Zone by allowing compatible non-residential uses that will make the upkeep of these historically and architecturally significant buildings economically feasible. These regulations are specifically intended to preserve existing structures, and therefore to apply strict scrutiny to any application for certificates of compatibility and/or hardship relief for any proposed demolition. The regulations are intended to effectively blend potential new nonresidential uses with the existing residences and the natural, cultural and historic resources in or near the area, such as Lorenzo State Historic Site, Gypsy Bay Town Park, the Fairchild Hill nature and recreation area maintained by the Cazenovia Preservation Foundation, and the New York State Department of Transportation Rest Area on the south shore of Cazenovia Lake, in order to enhance their public use and positive role in the Cazenovia community by fostering and promoting an aesthetically pleasing gateway to the community as viewed by people entering from the west via Route 92 and Route 20 and from other public places.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

II. Chapter 180 of the Code of the Village of Cazenovia is hereby amended to add a new section 180-68B to read as follows:

§ 180-68B. WG District Design Guidelines and Standards.

In addition to all other applicable sections of this Code, all plans for development and re-development of lots and property for other than single family use in the WG District shall comply with the following requirements:

- A. Landscape Design. Any proposed development or re-development subject to a building permit or review under this Chapter shall retain existing vegetation to the maximum extent practicable. All applications shall include a landscape and planting plan that includes:
- (1) A map or sketch of existing vegetation, a narrative report as to what, if any, vegetation is to be removed, and in such the reason(s) compelling such removal.
 - (2) A detailed landscape plan that includes a list of the number, type and location of all proposed vegetation to be altered or added to the site. The plan must demonstrate that any existing vegetation removal that would affect the residential character of the District shall be replaced by plantings which will maintain that character.
 - (3) A narrative or drawing demonstrating how the development or re-development will preserve existing natural features, including mature trees, tree canopies, land forms, existing topography and vegetation, and avoid conflicts with existing residential, public and quasi-public uses.
- B. Building Scale and Streetscape. The size, location and shape of any modification to an existing structure shall be consistent and compatible with the existing streetscape formed by the structures within this District. All modifications to existing buildings, as well as reconstruction of buildings lost to fire or other casualty, shall maintain the residential character of the building and the District.
- C. Exterior Materials. All exterior building materials shall be in accordance with the Historic Preservation Overlay District provisions of this Code (section 180-74, et. seq) and the standards referenced therein.
- D. Driveways, Walkways, and Landscaping. Use and design of both man-made and natural materials for walks, outdoor activity areas and decorative areas shall be compatible with the treatment of nearby residential properties. Front lawn areas shall be maintained and side and rear yard landscaping shall effectively screen parking areas from view from abutting residential properties and from Ledyard Avenue (Route 20) and Cazenovia Lake. Use of pervious and semi-pervious surfaces for driveways, walkways and parking areas is encouraged, but not necessarily required.
- E. Lighting. All outdoor artificial lighting shall be installed, utilized and maintained in accordance with the provisions of Section 180-112 of this Chapter. Residential styles and intensities of lighting shall be utilized for light emanating from windows with exposures to public streets and other public areas, including Cazenovia Lake.

F. Lake View. The design and location of all structures and landscaping shall preserve or enhance an aesthetic view of lakeshore properties from Cazenovia Lake and other public places that maximizes natural elements and green space.

III. Chapter 180 of the Code of the Village of Cazenovia is hereby amended to add a new section 180-68C to read as follows:

§ 180-68C. WG District Permitted Uses.

A. The following structures and uses are permitted in this District upon the issuance of a building permit and/or zoning permit by the Code Enforcement Officer:

- (1) One-Family Dwellings.
- (2) Residential accessory structures, including garages, storage sheds, gazebos and pools.

B. The following uses are allowed upon issuance of a Special Use Permit issued by the village planning board:

- (1) Bed-and-Breakfast in a residence existing as of June 1, 2014.
- (2) Inns and similar facilities with not more than fifteen (15) guest rooms providing temporary overnight lodging for transient guests, including related guest services including spas, dining rooms, restaurant, banquet and conference facilities, and retail sales that are clearly accessory to, and identified with the business of the facility, in a building existing as of June 1, 2014.
- (3) Office Uses (but excluding space for the garaging and/or dispatching of motor vehicles) in a building existing as of June 1, 2014.
- (4) Conservation Areas.
- (5) Recreation, Public Outdoor.
- (6) Clubs.
- (7) Museum in a building existing as of June 1, 2014.
- (8) School, public and private, and post-secondary educational institution in a building existing as of June 1, 2014.
- (9) Home Occupation.
- (10) Mixed Use of otherwise permitted residential and nonresidential uses.

C. WG District Design and Dimension Requirements:

- (1) Except as otherwise set forth in this section, Lot and Structure Requirements in the WG District shall be the same as those for the R-20 District as set forth in sections 180-24 and 180-25 of this Chapter.
- (2) On lots with existing structures as of the effective date of this section, the front yard depth to the existing structure closest to the public street or highway which it faces shall be maintained. In the event of destruction or demolition of any such existing structure, any reconstruction, redevelopment or new construction shall adhere to the same front yard setback line.

D. WG District Supplemental Regulations.

- (1) Expansion of an existing building for a use other than a one-family dwelling shall be permitted only to the extent that it is limited in scope and the Planning Board finds that the expansion is necessary to practically accommodate the use and will not adversely alter the architectural character of the building or the residential character or quality of the neighborhood.
- (2) Tents and other temporary structures shall not be permitted to be utilized in conjunction with a banquet or similar event associated with uses established by issuance of a special permit after the effective date of the creation of the District. Docks leading into Cazenovia Lake shall be limited to one per premises. For uses other than one-family dwellings, each dock shall be limited to space for temporary daily or overnight mooring of not more than four (4) boats. Commercial marinas are specifically prohibited in the WG District.
- (3) All events occurring within the District must be conducted in compliance with the provisions of Chapter 115 (Noise) of this Code.,
- (4) Except as otherwise provided herein, on-site parking shall be provided in accordance with the provisions of Section 180-113 of this Chapter. Parking spaces shall be integrated into the topography and vegetation of the lot in order to maximize screening effects and minimize adverse stormwater runoff impacts. Use of pervious and semi-pervious materials for parking areas is encouraged, but not required. Banquets and similar uses conducted in association with an otherwise permitted use shall be limited to a maximum number of guests calculated as two guests per parking space provided and available for the event.
- (5) For all uses established by issuance of a special permit after the effective date of the creation of the District, a stormwater management plan shall be prepared by the owner or operator of the facility and approved by the Village Engineer and the Planning Board. All such plans shall specifically address the prevention of potential stormwater impacts on the waters of Cazenovia Lake and neighboring properties. Post-development quantity and quality of off-site stormwater discharges shall not exceed pre-development conditions. Application of fertilizers and other lawn treatments shall be in accordance with the provisions of Chapter 67 of this Code.
- (6) All violations of the regulations governing this District shall be subject to the provisions of Section 180-146 of this Chapter (Violations; penalties for offenses).

IV. Subsection A of Section 180-10 of the Code of the Village of Cazenovia is hereby amended to read as follows:

§ 180-10. Enumeration of districts.

In order to achieve the purposes of these regulations and in accordance with Comprehensive Plan determinations as to the suitability of all areas of the community for particular uses which will protect and preserve the character and value of existing buildings and uses and encourage the corporate use and development of land throughout the community, the Village of Cazenovia is hereby divided into zoning districts and overlay districts as herein described.

A. Zoning districts. All lots within the Village shall be subject to the regulations of one of the following hereby established zoning districts as designated on the Zoning Map:

AC	Conservation Area District
R-30	Residential District
R-20	Residential District
R-10	Residential District
R-6	Residential District
RM	Residential Multifamily District
C-1	College District 1
C-2	College District 2
B-1	General Business District 1
B-2	General Business District 2
VEN	Village Edge North District
VES-R	Village Edge South Residential District
VES-MU	Village Edge South Mixed Use District
WG	Western Gateway
LM	Light Manufacturing District
PD	Planned Development District

V. The Zoning Map of the Village of Cazenovia is hereby amended to change the zoning classification of the hereafter identified tax map parcels presently classified as R-20 and R-30 to Western Gateway District in accordance with the boundaries indicated on the map attached hereto and made a part hereof as Attachment A:

094.59-1-1; 094.59-1-2; 094.59-1-3; 094.59-1-4; 094.59-1-5; 094.59-1-6; 094.59-1-7; 094.59-1-8; 094.59-1-9; 094.4-1-2; 094.4-1-3; 094.4-1-5(part of); and 094.4-1-29.

VI. Paragraph (2)(e)[1] of Subsection C of Section 180-113 of the Code of the Village of Cazenovia is hereby amended to read as follows:

Parking spaces shall not be located between the street curb, or the edge of pavement on streets without curbs, and the front building line or in required buffer areas. In the VES-MU, B-1 and WG districts, parking spaces shall not be located between the street curb, or the edge of pavement on streets without curbs, and the principal building on the lot. Parking areas adjoining a residential district shall not be closer than 50 feet to the residential lot lines. This required distance may be reduced by up to 50% by the Planning Board where warranted by site conditions, provided that proposed screening of the parking area from residential uses is in accordance with the provisions of sections 180-109 and 180-110 of this chapter.

VII. Paragraph (2)(e)[3] of Subsection C of Section 180-113 of the Code of the Village of Cazenovia is hereby amended to add a new subparagraph [d] to read as follows:

The off-site parking spaces shall be designated parking spaces laid out in accordance with the provisions of this chapter and approved by the Planning Board.

VIII. Section 180-117 of the Code of the Village of Cazenovia is hereby amended to add a new Subsection L to read as follows:

L. Signs permitted in WG District, subject to Site Plan Approval by the Planning Board, approval of a certificate of compatibility by the Historic Preservation Commission, and issuance of a sign permit by the Code Enforcement Officer shall be as follows:

- (1) One business identification ground sign not exceeding five feet in height nor more than 12 square feet in sign area, shall be permitted for each business establishment., No sign shall be permitted on any lot having less than fifty (50) feet of street frontage. All signs shall be designed to be consistent with the existing residential character of the District. Monument type signs shall not be permitted.
- (2) On-premises directional signs for the safety of the general public, identifying direction of traffic flow, parking areas, fire zones, entrances and exits, not exceeding two square feet per face and mounted not more than four feet above grade. No business names, logos or other advertising messages shall be permitted on directional signs.
- (3) For each building containing more than one business, office or other commercial enterprise, one directory sign attached to the building identifying all businesses, professions, industries or other nonresidential uses conducted within that single building. Individual business names on directory signs shall not exceed four inches in height and 36 inches in length. The total area of a directory sign shall, not exceed 10 square feet in sign area.

IX. If any section or provision of this Local Law shall be adjudicated invalid for any reason, such invalidity shall not affect the validity of the remainder of this Local Law.

X. This local law shall take effect immediately upon its filing with the Secretary of State.

Complete the certification in the paragraph that applies to the filing of this local law and Strike out that which is not applicable.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2014 of the ~~(County)(City)(Town)~~(Village) of Cazenovia was duly passed by the Board of Trustees on _____, 2014 in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved (repassed after disapproval) by the _____ and was deemed duly adopted
(Name of Legislative Body)
(Elective Chief Executive Officer*)
on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved) (not approved (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified elector voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved) (not approved (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

- Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____, State of New York, having been submitted to electors of the General Election of November _____ 20 ____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in Paragraph 1, above.

Clerk of the county legislative body, ~~City, Town or~~ Village Clerk or officer designated by local legislative body

(Seal)

Date: _____

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF MADISON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Attorney for the Village
Title

~~County~~
~~City~~ of _____ Cazenovia
~~Town~~
Village

Date: _____