

## Local Law Filing

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(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 2015.

A local law to amend Chapter 180 (Zoning Code) and the Village of Cazenovia Zoning Map previously  
(Insert Title)  
enacted and adopted pursuant to Section 180-11 of the Code of the Village of Cazenovia  
\_\_\_\_\_

Be it enacted by the \_\_\_\_\_ Board of Trustees \_\_\_\_\_ of the

~~County~~

~~City~~

of Cazenovia \_\_\_\_\_ as follows:

~~Town~~

~~Village~~

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

I. Legislative Purpose. The purpose of this local law is to amend the Village of Cazenovia Zoning Code and the Village of Cazenovia Zoning Map previously enacted and adopted pursuant to Section 180-11 of the Code of the Village of Cazenovia. The effect of this amendment is to change the zoning district classification of the premises located at 3 Riverside Drive, being Tax Parcel Number 94.60-1-6.1, from its existing R-10 Residential District to R-6 Residential District and the following described tax map parcels from their existing R-10 and R-20 Residential Districts to a new zoning district to be known as the CD Creekside Development District: 94.60-1-5; 94.60-1-6.2; 94.60-1-7; 94.60-1-8; 94.60-1-9; 94.60-1-10; and 94.60-1-11 (collectively the "Premises").

II. Legislative Findings.

A. The Premises affected by this legislation consist of approximately eight (8) acres (per tax map) of lands lying along Riverside Drive and the southerly and northerly banks of Chittenango Creek east of Chenango Street and the dam controlled by the N.Y.S. Canal Authority.

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

- B. The Premises consist of an area of the Village that was historically devoted to primarily mill and commercial uses taking advantage of the water power provided by Chittenango Creek in years past. More recently, the Premises have been devoted to a mix of residential, commercial and office uses. Tax parcel number 94.60-1-11 is presently improved by an office building and parking area constructed in approximately 1970 for use as a medical office building, and has been continuously devoted to office use since. Tax parcel number 94.60-1-10 has long been devoted to commercial use as garage and staging area for a local telecommunications company. Tax parcel number 94.60-1-5, now owned by the Village, was, until recently, the long-time site of the Town of Cazenovia Highway Garage. Other portions of the Premises are devoted to single family use (tax parcel 94.60-1-6.1), an apartment house (tax parcel 94.60-1-8), a Boy Scout Troop headquarters (94.60-1-7) and a small personal storage and studio building (tax parcel 94.60-1-9).
- C. The portion of the Premises lying to the east and north of the existing office building along the southerly side of Chittenango Creek on tax parcel number 94.60-1-11 is presently undeveloped, although there are existing, but unmaintained, walking trails dating back to the 1970's.
- D. This legislation does not contemplate the immediate new construction of any new buildings or facilities upon or within the Premises. Rather, it is the intent of this legislation to anticipate and provide for the orderly future development of the Premises in a manner envisioned by the Village Comprehensive Plan that is not adequately provided for under the existing zoning district classifications.
- E. The Village Comprehensive Plan contains the following provisions relevant to the amendment of the zoning code and zoning map contemplated by this legislation:

*Page 9 (Executive Summary, Historical Setting)*

*Historically, Cazenovia has evolved from its initial industry of mills and manufacturing companies along its waterways...*

*Community Vision Statement*

*Preserve and enhance the unique characteristics of the Cazenovia community, which reflect a composition of distinctive natural, cultural, historic, and scenic resources. Encourage sustainable economic growth while maintaining an inviting atmosphere for all to experience Cazenovia's historic village, magnificent lake, quaint hamlet, and productive agrarian landscape.*

***Part I: Planning Process***

*Page 16-17: Community Goals*

***HOUSING & RESIDENTIAL NEIGHBORHOODS (HR)***

3. *Encourage and expand pedestrian and vehicular interconnectedness.*
4. *Encourage preservation of historic character of Village residential houses and neighborhoods.*

#### *LAND USE AND ZONING (LU)*

1. *Establish a healthy and sustainable balance of land uses throughout the Town, Village and the hamlet of New Woodstock.*
4. *Enhance and maintain the Village, Town, and Hamlet of New Woodstock character.*

#### *NATURAL, SCENIC, CULTURAL, AND HISTORIC RESOURCES (CR)*

2. *Adopt effective strategies for protecting and enhancing the natural, scenic, cultural and historic resources of significance to the Cazenovia community.*

#### *INFRASTRUCTURE (IN)*

4. *Maintain and upgrade the local transportation system and parking.*

#### *COMMUNITY SERVICES (CS)*

1. *Continue to maintain and enhance all parks and recreational trails.*

#### *COMMUNITY ECONOMY (CE)*

1. *Promote and support a sustainable economy with a healthy mixture of commercial retail, professional business, agribusiness, agricultural practices, and hospitality or educational services.*
2. *Promote recreational, heritage, and agricultural tourism.*
3. *Maintain and enhance historic character of the Village Business District.*
4. *Proactively encourage and strengthen the economic vitality of the Village Business District.*
5. *Encourage efficient and safe vehicular and pedestrian circulation through the Village Business District.*
6. *Facilitate maximum use of all parking options and promote innovative solutions to parking throughout the Village Business District.*
8. *Facilitate and support the growth of small businesses and agribusiness.*
9. *Proactively work to attract desirable businesses and create jobs within the Town.*
10. *Identify means to maintain and enhance level of services while controlling property taxes.*

### ***Part II – Inventory and Analysis of Community Resources***

*Although the Village Business District appears to be fully built out, there are opportunities for infill development, redevelopment, and reuse of existing properties on Albany Street and behind Albany Street along Riverside Drive*

*Chapter II.3 – Natural Resources*

*Page 47*

*The Village has select open space through its parks, cemeteries, residential lawns, Chittenango Creek corridor...*

*Chapter 11.6 – Community Economy*

*Page 77*

*The business district is busy but is not functioning at its full potential. There are opportunities for growth and development to better complement the historic character of Cazenovia and the needs of residents for goods and services.*

***Part III – Community Recommendations***

*Chapter III.1 – Housing and Residential Neighborhoods*

*Page 108 (Introduction)*

***A. Introduction***

*The Cazenovia community is deeply committed to maintaining the character of its residential housing and neighborhoods.*

*The goals and recommended action steps for housing and residential neighborhoods aim to incorporate the following criteria into future renovations and development:*

- *Neighborhood connectivity with environmental and recreational resources*

*Chapter 111.2 – Land Use and Zoning*

*Page 113:*

*There is potential for new development along Chittenango Creek, south of Albany Street near Riverside Drive. This area is currently zoned R-10, however, uses other than single-family residential would be a better fit for this area. Mixed use with professional, retail commercial, and some residential would complement the business district to the north and the residential uses to the south. A zone change to allow such uses is recommended. Protection of Chittenango Creek is crucial, however, so any future development in the area should be managed to adequately protect this natural resource.*

*Chapter III.5 – Community Services*

*Page 138 (Recreational Resources)*

***2. Recreational Trail Improvements***

*Currently, the Village and Town enjoy many recreational trails. However, many of these trails are not connected or existing connections have not been clearly identified and directional signage is needed. Below is a discussion of the potential opportunities to improve existing trail connections and to develop new connections.*

*i. Link Trail*

*It is recommended that the Town and Village help facilitate completion of the sections of the Link Trail that traverse through the community. Currently there are several gaps in the trail, where hikers must walk along public roads. Directional signage informing users of off trail connections would serve the community until future trail connections can be developed.*

*Page 140 – Goals*

*Goal 1 – Continue to maintain and enhance all parks and recreational trails.*

*Action Step 12: Work with CPF to improve access to CPF trails.*

*Action Step 15: Help facilitate completion of the Link Trail.*

*Action Step 17: Study potential for connections between portions of the Link Trail and other recreational trails in Cazenovia.*

*Action Step 18: Identify nodes for recreational use along the Chittenango Creek Corridor.*

*Chapter III.6 – Community Economy (Goals and Recommended Action Steps)*

*Page 143 (Introduction)*

*Sustainable economic growth is necessary to sustain a viable community. The recommended action steps aimed at promoting and supporting a stable community and fiscal economy are discussed herein. Although national and regional market forces play a significant role in local economies, proactively managing the community's local land uses directly correlates with promoting a dynamic and sustainable economy. There are many opportunities for economic development that should be captured and harnessed for their long-term stability.*

*Page 144 (Recommendations – Commercial Economic Growth)*

*Within the Village there are great opportunities for economic growth, which, if realized, would bring a new vibrancy to the Village's Business District. There is potential for infill and new development along Albany Street between Lincklaen Street and Chittenango Creek. There is also strong potential for mixed-use commercial/professional/residential development, along Chittenango Creek at Albany Street south to Riverside Drive.*

*Page 145 (Fiscal Economic Growth)*

*Currently, the Cazenovia tax base is heavily dependent on tax revenue from residential property owners. Future fiscal stability will rely upon maintaining or reducing the property taxes for residential property owners. This can be achieved by encouraging a better mix or distribution of land uses to offset the real property tax obligation of residential owners.*

*Page 145*

*Goal 1: Promote and support a sustainable economy...*

*Action Step 3: Identify desired locations of new businesses, open space, and recreational facilities to enable long-range planning and evaluation of development proposals.*

*Chapter III.6 – Community Economy (Goals and Recommended Action Steps)*

*Page 146:*

*Goal 4: Proactively encourage and strengthen the economic vitality of the Village Business District.*

*Action Step 2: Consider rezoning property along Chittenango Creek and Riverside Drive for mixed-use development.*

*Goal 5: Encourage efficient and safe vehicular and pedestrian circulation through the Village Business District.*

*Action Step 1: Review potential for additional off street trails through the Village.*

- F. The amendment of the Zoning Code and Zoning Map contemplated herein is in accordance with the Comprehensive Plan of the Village of Cazenovia and will promote and protect the health, safety and general welfare of the Village of Cazenovia. As evidenced by the excerpts of the Comprehensive Plan cited herein, major goals of the Comprehensive Plan include promoting local businesses and encouraging local employment, promoting mixed use development along Chittenango Creek, while preserving the character and quality of residential neighborhoods and further developing and promoting pedestrian trails and public access to natural areas. The zone change enacted by this legislation serves all of these objectives. The Premises have long been devoted to a mixed uses operated harmoniously with the adjoining residential neighborhoods. Office uses have historically been very compatible with adjoining and nearby residential uses due to their typically limited hours of operation and lack of noise, odors and other obtrusive impacts. This legislation creates an ideal location in the Village for new senior multifamily housing units close to the Village center, and also creates the opportunity for businesses needing office space to establish and grow within the Village, thereby maintaining local employment. The potential for reactivation of public walking trails on the Premises will be a significant step toward a public trail system that is unbroken through the Village, making Village more pedestrian friendly and enticing to residents and visitors alike. The Comprehensive Plan specifically recognized this potential for this area of the Village, stating, *“There is also strong potential for mixed-use commercial/professional/residential development, along Chittenango Creek at Albany Street south to [sic] Riverside Drive,”* and further stating that the Village should *“Consider rezoning property along Chittenango Creek and Riverside Drive for mixed-use development.”*
- G. The Village Board of Trustees recently retained land use planning consultant Dan Kwasnowski, AICP, of Applied Planning LLC, who prepared and presented a report on the area of the Village directly affected by this legislation dated November 3, 2014. After analyzing the existing land uses in the area, the current Village zoning regulations and

comprehensive plan, Mr. Kwasnowski, recommended the creation of a new zoning district encompassing the Premises as contemplated by this legislation.

III. Amendment of Zoning Map. Upon the effective date as stated herein, the Zoning Map of the Village of Cazenovia shall be, and hereby is amended to change the zoning classification of the premises known as Tax Map Parcel number 94.60-1-6.1 from its existing R-10 Residential District designation to R-6 Residential District.

IV. Further Amendment of Zoning Map. Upon the effective date as stated herein, the Zoning Map of the Village of Cazenovia shall be, and hereby is amended to change the zoning classification of the premises known as Tax Map Parcel numbers 94.60-1-5, 94.60-1-6.2, 94.60-1-7, 94.60-1-8, 94.60-1-9, 94.60-1-10, and 94.60-1-11 from their existing R-10 and R-20 Residential District designations to CD Creekside Development District.

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

**§ 180-68D. CD Creekside Development District Permitted Uses.**

Uses permitted in the CD Creekside Development District shall be as follows:

A. Home occupation limited.

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

**§ 180-68E. CD Creekside Development District Special Uses.**

Uses permitted in the CD Creekside Development District upon issuance of a special permit shall be as follows:

A. Office use as defined in Section 180-9 of the Village Code, but excluding space for the garaging and/or dispatching of motor vehicles.

B. Multifamily dwelling.

C. Medical Center or Clinic.

D. Senior Care Facility.

E. Museum.

F. Community Center.

G. Recreation, Public Outdoor.

H. Conservation Area, which may include public and / or privately owned walking trails and associated facilities.

- I. Mixed Uses of otherwise permitted and special permit uses in the CD District.

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

**§ 180-68F. Lot and structure requirements (CD).**

Within the CD Creekside Development District, there are no specific lot and structure requirements. Except as otherwise specifically provided in this section, all provisions of Article IV (Supplemental Use and Site Regulations) of this Chapter, including, but not limited to, lighting, transition and buffering requirements, shall be applicable within the District. In evaluating proposed uses, the Planning Board shall apply the standards enumerated in sections 180-141 (Architectural Approval), 180-142 (Site plan review and approval) and 180-143 (Special permit review and approval). Inasmuch as all principal uses in the District are special permit uses, for purposes of the special use review criterion set forth in section 180-143(D)(1)(b), the nature and intensity of operations of special uses in the District shall not be more objectionable to surrounding properties than those of permitted uses in adjoining districts. Signs permitted in the District, and on-site parking shall be as approved by the Planning Board as appropriate for the proposed use, but signs for any particular lot and / or use may not exceed those permitted in the B-1 District. Development upon properties lying within the Historic Preservation Overlay District shall be subject to review by the Historic Preservation Committee as provided in this Chapter.

VIII. 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
CD	Creekside Development District

IX. Section 180-9 of Article II of Chapter 180 of the Code of the Village of Cazenovia is hereby amended to add the following new term and definition.

**SENIOR CARE FACILITY** – A residential facility occupied principally by persons 50 years of age and older that provides on-site living assistance and / or care to its residents.

X. **Construction with Regard to Other Laws.** Except as specifically stated herein, this local law shall not be construed as superseding, limiting, changing or suspending any other law, or regulation in land use or construction within the Village of Cazenovia.

XI. This local law shall be effective 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 2015 of the  
(County)(City)(Town)(Village) of \_\_\_\_\_ Cazenovia \_\_\_\_\_ was duly passed by the  
Board of Trustees \_\_\_\_\_ on \_\_\_\_\_ 2015, in accordance with the applicable  
(Name of Legislative Body)  
provisions of law.

**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  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
(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  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_\_.  
(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  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_\_.  
(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: \_\_\_\_\_