

Overview of the proposed changes of the Zoning Codebook.

Corrections

- Remove misleading categories in Land Use Tables. Bed and Breakfast is commercial, not residential
- Updates the fact that taxi services and food trucks are now an allowed use
- Clarifications of some definitions
- Replace Certificate of Appropriateness from the Historic Commission, which does not exist, with Historic Commission approval.
- Sign height measurement clarification.

Design Standards (new 2019)

- Parking layout and building location. Build to zone of 30-40 ft, from street or sidewalk.
- Another section prohibits parking in front yard in residential districts.

Parking

- Maximum number of spaces and equal treatment of rental and owner-occupied properties.

Signs

- Correct discrepancy in how many signs one is allowed on residential property.
- Addresses a Local Law #3 from last year, which was passed, but never implemented.

Animals

- Allow for more than 3 dogs or more than 4 cats (animal harboring) w/ SPCA approval and permit through Common Council.

For questions, please contact

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**The present Code has no mention of an Exotic Pet Permit and there is no option for the keeping of more than three dogs or four cats in appropriate home environments. Also, §74-9 B. is proposed to prevent fowl from running at large.*

ARTICLE I

Keeping of Certain Animals

§ 74-1. Permit required for keeping or raising of animals.

It shall be unlawful for any person, firm or corporation to own, harbor, keep, raise or maintain any pigeons, fowl, horses, cattle, sheep, goats, swine, chickens or other domestic or wild animals except cats and dogs, within the limits of the City of Cortland without first obtaining a permit therefor from the Common Council of the City of Cortland. [The harboring of dogs or cats shall be allowed with such a permit.](#)

§ 74-2. Application for permit.

**(we need to establish a name for the permit. At this time, we have no Exotic Animal Permit)*

Any person, firm or corporation desiring to own, harbor, keep, raise or maintain any pigeons, fowl, horses, cattle, sheep, goats, swine or other domestic or wild animals, ~~except cats and dogs~~ shall make an application in writing to the Common Council of the City of Cortland for a permit. Such application shall state the name and address of the applicant or applicants a description in metes and bounds of the premises to be used and shall illustrate by diagram the land and buildings or corral to be used for the keeping and harboring of the animal or animals, with respect to the boundary lines of the applicant's property and other buildings within said plot or lot and the relative positions of all other buildings on lands immediately adjacent on all sides of the land of the applicant.

Conditions for permit

1. [Must pass an inspection by the SPCA which includes:](#)

A. [There is sufficient outdoor and indoor area, appropriate and adequate for the use, and](#)

B. [The conditions, including shelter, cleanliness and availability of food and water at the site are acceptable for the use.](#)

2. [The animals will not disturb the orderly and reasonable use of adjacent properties;](#)

3. [The site is particularly suitable for the location of the proposed use in the community;](#)

4. [An adult will regularly be present on the premises and at any time more than three dogs are outside.](#)

5. [The proposed use will comply with all other regulations related to waste management.](#)

6. [This permit may be revoked by Common Council for failure to comply with any of these conditions.](#)

§74-9 Lofts and coops

A. No permit shall be issued to any applicant to own, harbor, keep, raise or maintain pigeons, chickens or fowl or similar domestic or wild animals unless such applicant has a completely enclosed building which is suitable to be used as a coop or loft to keep or harbor such animals. Any such coop or loft shall be at least 50 feet from the doors and windows of any neighboring residential or business dwelling and at least three feet from any adjacent property line.

B. All lofts and coops shall be constructed in such a manner and of such material to prevent fowl from running at large. At no time shall fowl be allowed to run at large.

***my comments in italics**

Add text in blue

Eliminate text in red

Replace underlined text

Page 57

§300-83 Off-street Parking Requirements

F. Maximum Parking

1. The maximum number of parking spaces allowable is not to exceed 110% of the requirement as outlined in Table 300-83: Required Parking, unless approved by the Planning Commission.

**This section restricts available parking unrealistically, when you consider visitors and children living at home who have vehicles. For example:*

A single family house is required to have two spaces and this section limits maximum to two spaces. (110% of 2 is 2.1 which is two spaces. You may not more or less than two spaces for a single-family residence.)

County Planning recommended changing the percentage. Some examples:

	<u>Minimum</u>	<u>150% Maximum</u>	<u>200% Maximum</u>	<u>300% Maximum</u>
Single-family	2	3	4	6
2 units	4	6	8	12
3 units	6	9	12	18
5 units	10	15	20	30
10 units	20	30	40	60

**(this treats renters differently from owners and cannot be defended in court)*

Page 58 Parking Table 300-83

Table 300-83: Required Parking

Single-family dwellings (rental non owner occupied)	Two per dwelling unit
Two-family dwellings	Two per dwelling unit
Multifamily dwellings	One and one half spaces per dwelling unit
Townhouses	Two per dwelling unit
Upper-story residential	One per dwelling unit

**(add blue text to restore exemption for single-family residences to “stack” parking.)*

C. Design Standards

(7) **Except for single-family dwellings**, parking spaces shall be designed to permit entry and exit without moving any other vehicle.

Changes to Correct or Clarify the Codebook

**(my comments in italics)*

Add text in blue

Eliminate text in red

**(Categories are confusing and have no regulatory relevance)*

Eliminate all categories in these 3 tables.

Page 21 **Table 300-13: Residential Permitted and Specially Permitted Uses**

Page 25 **Table 300-22: Business Permitted and Specially Permitted Uses**

Page 30 **Table 300-30: Industrial Permitted and Specially Permitted Uses**

**(The districts in red have never existed)*

Page 17

§300-6 Designation of Districts

A. The zoning districts will be referred to hereinafter in this chapter and on the Zoning Map as follows:

Type of District Designation

Low Density Residential R-1

Medium Density Residential R-2

Mixed Density Residential R-3

Multifamily Residential R-4

Professional Office PO

Neighborhood Business NB

General Business Regional GB-1

General Business Local GB-2

Central Business CB

General Industrial GI

Historic Overlay HO

Flood Hazard FH

Floodway Zone FW

Student Housing Impact Overlay District SH-I

Student Housing Density Overlay District SH-D

**(Food trucks are no longer prohibited)*

Page 18

§300-10 Prohibited Uses

B. The following uses are specifically prohibited as a principal use; however, they may be permitted as an accessory use:

1. The storage of crude oil or any of its volatile products or other highly inflammable liquids in aboveground tanks.

2. The sale of used motor vehicles or equipment, which are regulated herein as an outdoor sales use.

3. Food Trucks – dispensing of food from motorized or towed vehicles.

**(Taxicabs are no longer prohibited as a principle use)*

Page 19

C. The following uses are specifically prohibited as a principal or accessory use under this chapter; however, they may be permitted pursuant to another chapter of the Code of the City of Cortland:

1. Adult entertainment businesses: see Chapter 60.

2. Animal harboring: see Chapter 74.

3. Junkyards and scrapyards: see Chapter 164.

4. Sidewalk cafes: see Chapter 234.

5. Taxicabs: see Chapter 258.

Changes to Correct or Clarify the Codebook

**(Remove reference to districts in definition. That is addressed in another section.)*

Page 1

§300-4 Definitions

ANCILLARY PARKING AREA — A parking area which is **located in a residential or professional office district and is** either across the street from or contiguous to the lot to be served by the parking area.

(correction)

§300-23 D. Single-family/[Two-Family](#)

**(link to related section of code)*

Page 22

Table should link to §300-74 on page 54

Table 300-14: Residential Lot, Area, and Yard Requirements

Note: C. *(1) (see [§300-74](#)) [Front Yard Depth](#)

**(updated)*

Page 31

§300-42 Industrial Permitted and Specially Permitted Uses

[Solar, ground mounted units permitted in GI district with a special use permit](#)

**(correction)*

§300-113 Signs Permitted and Prohibited.

A. Permitted Signs.

1. Signs in the City of Cortland are permitted based on sign type and the district in which they are located. Any sign in conformance with the applicable regulations of this Chapter and the district in which it is located shall be allowed.
2. No lot, structure, or use shall have more than one type of sign per facade or lot line with street frontage, unless otherwise approved by the ~~Planning Commission by Special Permit.~~
[Zoning Board of Appeals by area variance.](#)

**(This was a mistake. The City has never had a Certificate of Appropriateness. Replace the 16 instances of Certificate of Appropriateness with Historic Commission approval or just approval according to the sentence structure in which it appears.)*

§300-53 ~~Certificate of Appropriateness~~ [Approval of Historic Commission](#) Required

Changes to Correct or Clarify the Codebook

A. Applicability. No person shall carry out any exterior modification, alteration, restoration, reconstruction, new construction, or moving of a landmark or property within a historic district; nor shall any person make any material change in the appearance of such property, its landscaping, signage, lighting, sidewalks, fences, paving or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining a ~~certificate of appropriateness approval~~ from the Historic Commission. However, this shall not be construed to prevent normal maintenance as provided for in Section 300-55 of this Article.

B. Application Requirement. Prior to the commencement of any work requiring ~~Historic Commission approval a certificate of appropriateness~~, the owner and/or their designee shall file an application for Historic District Modification ~~such a certificate~~ with the Historic Commission. Each applicant shall submit to the City Clerk an application in such form as the Commission shall determine, including the following:

*(grammar correction)

§300-152 Access Ramp Variances

C. The variance granted pursuant to this section shall not run with the land and shall terminate ~~of~~ with the need for it.

*(update Code to reflect Common Council's decision to allow ground mounted solar in industrial districts)

Page 106

§300-163 M Solar Photovoltaic Systems. 3. Ground mounted solar photovoltaic systems are prohibited except ~~in GI districts and with a special use permit~~.

*(We need to distinguish between distance from ground and height of sign.)

Example: E. Projecting Signs and Suspended Signs. Up to one sign per use may be erected provided the following conditions are met:

1. *Maximum Height: 4 feet.*

§300-112 General Sign Standards

B. Sign Height.

1. Sign ~~ground~~ height shall be measured between grade and the highest point of the highest element of the sign.

2. ~~Sign height shall be measured between the lowest and highest points of the sign.~~

§300-113

12. Residential Rental Signs. Must be building mounted ~~and no greater than 6 feet high with a ground height of no greater than 6 feet~~, no greater than 2 inches in depth, unlit and no greater than 3 square feet in total surface area. A uniform shape and size template will be provided by the City of Cortland. Compliance is required within one year of enactment of this chapter.

§300-114 Sign Type Standards in Residential (R-1, R-2, R-3, R-4) Districts

B. Ground Signs. Up to one ground sign may be permitted per lot provided the following conditions are met:

1. Maximum ~~Ground~~ Height: 4 feet.

Changes to Correct or Clarify the Codebook

§300-4 Definitions:

POLE SIGN- A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is 7 feet or more above grade and the top edge no greater than 20 feet.

HIGH-RISE SIGN- A pole sign with a ground height greater than 20 feet.

§300-117 Sign Type Regulations in General Business Local (GB-2) and General Business Regional (GB-1) Districts

C. Pole Signs.

7. On lots located within 800 feet of the exit of a limited-access highway may be permitted a ~~pole~~ high-rise sign per the extended area and height requirements listed below, provided that the supports and foundations are designed by a licensed professional engineer, and that the drawings bear such seal and signature.

- i. Maximum surface area permitted per sign face: 400 square feet.
- ii. Maximum height of signs permitted: 70 feet above grade or 20 feet above the grade of the nearest lane of the limited-access highway, provided said lane is no more than 250 feet away.

my comments in *italics

Add text in blue

Eliminate text in red

**(This eliminates the prohibition of parking between the building and the street in business districts, while keeping it for residential districts)*

§300-84 Parking Area Location, Layout and Design

A. Location, **in Residential (R-1, R-2, R-3, R-4) Districts**

1. No parking shall be permitted in the front yard.
2. Off-street parking may be located in the rear yard, side yard or underground. **Side yard parking shall be located a minimum of 10 ft. behind the front facade.**
3. Parking, or access to parking, in the side yard shall not exceed 40 percent of lot frontage.

**(This allows buildings flexibility in how far from the street to locate outside of the 30-40 ft. build-to-zone.)*

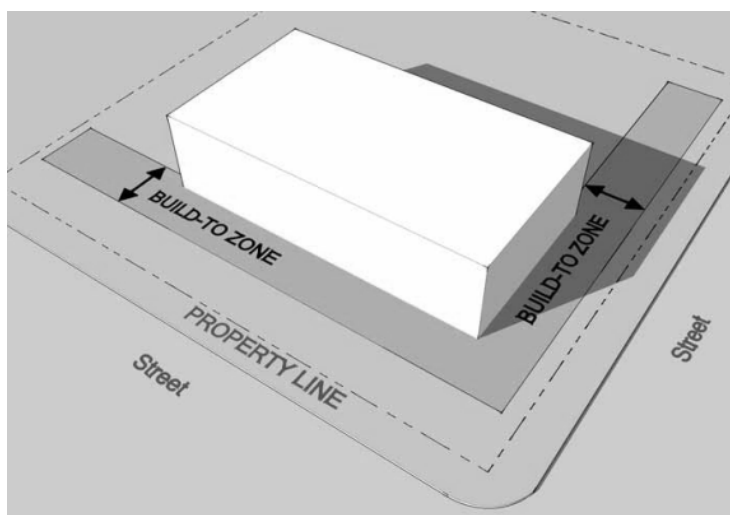
§300-103 Building Placement, Orientation, and Frontage

A. To the maximum extent practicable, buildings shall be arranged to orient to the streets and to frame the corner at the intersection of two streets.

B. Common wall buildings are encouraged.

C. Frontage Width (this provision does not apply to the GB-1 District)

1. **A minimum of 50 percent of the building shall be located within the build-to-zone.**
2. **Prohibited design elements between building and front property line:**
 - i. **Motor vehicle parking;**
 - ii. **Motor vehicle access drives, drive lanes or aisles, except those necessary to provide direct access to a public street.**



The Build-To Zone is a flexible area where the facade of a building must be located, measured as both a minimum and maximum setback distance from the property line / public right-of-way. The amount of façade that must be placed inside this zone is the Frontage Width percentage.

Signs

Zoning Code says you may only have 1 ground sign, but you may have 2 election signs, 2 real estate signs, 2 construction signs, 2 community signs, 2 noncommercial signs or 2 temporary signs. Since most of these signs are ground signs, I am proposing we allow 2 ground signs.

One of the conditions from County Planning addresses a Local Law #3 from last year, which was supposed to eliminate regulation by content. I have to consult with Corporation Council, but I think we can do this by eliminating any reference to a sign except by its physical description. That would leave us with types of signs like ground sign, wall sign, banner, digital sign, sandwich board sign, projecting signs, window signs, etc. As a result, election, construction, real estate signs, would all be temporary ground signs.

(Below shows the discrepancy we want to correct.)

§300-113 Signs Permitted and Prohibited.

9. Political and Campaign Signs. Any lot may have up to **two** signs provided they are removed within 30 days of the conclusion of the ballot for which they are intended to advertise.

10. Real Estate Signs. Any lot may have up to **two** real estate signs provided they are located on the lot in which they are intended to advertise, and they are removed within 30 days of a completed sale.

11. Temporary Signs. Any lot may have up to **two** temporary signs provided they are located on the lot in which they are intended for, are removed within 30 days, and remain removed for at least 30 days.

§300-114 Sign Type Standards in Residential (R-1, R-2, R-3, R-4) Districts

A. In an effort to preserve the residential character of the City's residential districts, the following standards shall apply to all residential district signs.

B. Ground Signs. Up to **one** ground sign may be permitted per lot provided the following conditions are met: