

SYNOPSIS
PROPOSED AMENDMENTS TO CITY OF CORTLAND ZONING CODE
(Including Additional, Related City Code Provisions)

QUICK REFERENCE GUIDE

Miscellaneous Corrections (Page 2)

- 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 for some definitions
- Replace Certificate of Appropriateness from the Historic Commission, which does not exist, with Historic Commission approval.
- Sign height measurement clarification.

Downtown (Page 7)

- Allow 1st floor apartments
- Allow outdoor entertainment
- Sidewalk Café chairs and tables allowed to stay overnight

Design Standards (New 2019) (Page 8)

- 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 (Page 9)

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

Number of Signs (Page 11)

- Correct discrepancy in how many signs one as allowed on residential property.

Signs, Non-Content (Page 12)

- Addresses a Local Law #3 from last year, which was passed, but never implemented.

Animals (Related to Zoning Code Enforcement) (Page 15)

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

MISCELLANEOUS CORRECTIONS

Eliminate all categories in these 3 tables.

Table 300-13: Residential Permitted and Specially Permitted Use

Table 300-22: Business Permitted and Specially Permitted Uses

Table 300-30: Industrial Permitted and Specially Permitted Uses

§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

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

§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.

**(Food trucks are no longer prohibited)*

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.

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

§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.

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

§300-23 D. Single-family/~~Two-Family~~

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

**(link to related section of code)*

§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.**

§300-53 ~~Certificate of Appropriateness~~ **Approval of Historic Commission** Required

**(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.*

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~~ **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:

§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.

§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.

**(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.

§300-4 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.

Chapter 234
SIDEWALK
CAFES

§ 234-2. Regulations.

All sidewalk cafes must comply with the following general regulations:

E. The tables and chairs must be "outdoor style" furniture **and may only be placed in the outdoor area during the hours of operation of the business.**

DOWNTOWN

Table 300-22: Business Permitted and Specialty Uses

3. Commercial	C B	N B	PO	GB-2, GB- 1
Mixed-use Buildings	(2)	p	p	p

Notes: (2) residential units must be located above ground floor commercial uses, or at the rear of a commercial building that fronts the street. Residential units may have no entrance or window that fronts a street.

Table 300-22

*Allow outdoor entertainment in Central Business District

Chapter 234

SIDEWALK CAFES

§ 234-2. Regulations.

All sidewalk cafes must comply with the following general regulations:

E. The tables and chairs must be "outdoor style" furniture **and may only be placed in the outdoor area during the hours of operation of the business.**

DESIGN STANDARDS

§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.

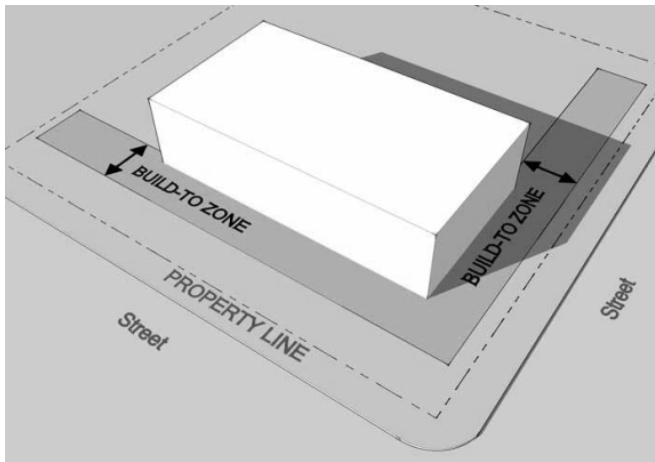
C. Frontage Width (this provision does not apply to the GB-1 District)

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.

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

§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:*

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

**City Planning recommended 300% and pointed out lot maximum coverage limits still apply*

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

C. Design Standards

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

(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.

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

NUMBER OF 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.

(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:

SIGNS, NON-CONTENT

§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.

B. Signs that Do Not Require a Permit. Except as expressly provided in this article, the following signs may be erected and maintained per zoning lot without obtaining a sign permit. Each such sign must adhere to the requirements of the sign type and zoning district in which it is located.

1. Banners. Up to two banners may be permitted per lot or use provided the following conditions are met:
 - i. It shall be displayed for no more than 30 days, annually;
 - ii. It shall not extend above the first floor facade of the building or project beyond property lines;
 - iii. It shall not be illuminated; and
 - iv. It must not be placed in such a manner as to impede pedestrian traffic.
2. Construction Signs. Provided it is removed 30 days following the conclusion of the construction project.
3. Community Signs. Local religious organizations, governmental agencies, or other not-for-profit organizations may erect up to two signs advertising and upcoming event, sale, contest, or promotion provided the following conditions are met.
 - i. Such sign shall be removed within 30 days of the conclusion of the activity it advertises.
 - ii. Such sign is placed on the property owned or rented by the organization for which it is intended, or with the written permission of the property owner of the site in which it is proposed to be erected.
4. Directional Signs. Signs that provide direction and are located entirely on the property to which they pertain and contain no commercial message. Directional signs may include, but are not limited to, signs identifying rest rooms, telephones, and parking lot entrance and exits. Such directional signs shall be allowed within the required district setback areas in so far as they do not obstruct free and clear vision to traffic.
5. Flags. Flags, emblems or insignia of any nation, government, political subdivision, organization, or religion, including those of commercial and noncommercial interest.

Flagpoles shall be subject to the height restrictions imposed by the zoning district in which it is located.

6. Governmental Signs. Any sign, public notice, or warning sign supported by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. (Example: NYS inspection station or authorized repair shop identification). There are no size requirements for governmental signs.
7. Home Occupation Signs. A home occupation may be permitted one sign.
7. Home Occupation Signs. A home occupation may be permitted one sign.
8. Noncommercial Signs. Any lot may have up to two signs containing a noncommercial message.
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.
12. Residential Rental Signs. Must be building mounted and no greater than 6 feet high, 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.

C. Prohibited Signs.

1. Signs for which no permit was issued or for which a permit has been revoked;
2. Obsolete signs or signs that are not properly maintained, considered structurally unsound, hazardous or otherwise unsafe;
3. Signs that contain words or pictures of an obscene or pornographic nature;
4. Signs that emit audible sounds, odor, or visible matter;
5. Signs that may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle; or bear one of more of the words "stop" "go slow," "caution," "danger," "warning" or other similar words; or hide from view any traffic or street sign, signal or device;
6. Signs that interfere with official traffic lights or traffic control devices;
7. Flashing, rotating, revolving signs/lights, except barber poles or holiday decorations; which do not violate 4, 5, and 6 above;
8. Signs with unshielded lighting devices or reflectors placed to outline or provide the background of a sign;

9. Digital signs; unless a Special Use Permit is obtained.
10. Signs with mirrors;
11. Permanent banner, pennant, windblown or inflated signs. These may be permitted as a temporary sign for a total of 30 days;
12. Portable signs, except sandwich board signs;
13. Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any street or within the public right-of-way unless otherwise permitted;
14. Signs, banners, or pennants mounted on or extending above the roof of any building or structure; and
15. Signs painted directly upon any unpainted stone or brick wall.

§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.

ANIMALS (Related to Zoning Code Enforcement)

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.

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.

**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.*

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.