

VILLAGE OF SKANEATELES  
LOCAL LAW #3 OF 2011

A LOCAL LAW TO AMEND CHAPTER 225, ARTICLE XII (“OFF-STREET PARKING”)  
AND  
CHAPTER 212 (“VEHICLES AND TRAFFIC”), ARTICLE V (“MUNICIPAL PARKING FACILITIES”),  
SECTION 212-37 (“ALL-DAY PARKING AREA RESTRICTIONS”),  
OF THE VILLAGE OF SKANEATELES

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF SKANEATELES:

**Statement of Intent and Findings.**

The Board of Trustees has determined that it is necessary to modify several provisions of the Village Code relating to zoning regulations pertaining to the requirements for off-street parking and the Parking Trust Fund.

**Authority.**

This Local Law is enacted pursuant to the authority of the Municipal Home Rule Law, Section 10.

**Text of Proposed Local Law.**

I. Chapter 225 (“Zoning”), Article XII (“Off-Street Parking”) is hereby rescinded in its entirety and replaced as follows:

“ARTICLE XII, Off-Street Parking For Residential Structures and Structures Providing Overnight Accommodations, and the Commercial Mixed-Use C District

§ 225-57. Intent.

The legislative intent of this article and the following regulations is to ensure the provision of appropriate off-street parking for structures and uses providing overnight accommodations or dwellings, and all uses in the Commercial Mixed-Use C District ~~in order~~ to facilitate the movement of traffic and avoid congestion in the streets while maintaining the pedestrian-oriented character of the Village. The 2011 amendments to this article are intended to accomplish the following goals:

(1) To eliminate the use of a “rebuttable presumption” as a means of determining the appropriate parking space requirement for a given property, and substitute requirements which are fair, but firm and objective, and to be applied uniformly.

(2) To impose on each owner seeking permission to construct a new structure containing residential or overnight accommodations, (including demolition and replacement construction), or seeking to add ~~occupiable or~~ habitable space to any

such structure, or seeking to convert a structure or portion of a structure to such use, the requirement to provide such number of actual off-street parking spaces as is required for said purpose.

- (3) To eliminate the off-street parking space fee.

§ 225-58. Requirements for off-street parking spaces.

A. General.

(1) In all districts, the off-street automobile parking spaces required by this article for residential structures or structures providing overnight accommodations in such district, and for all uses in the Commercial Mixed-Use C district shall be required at the time:

- (a) Such buildings or structures shall be constructed; or
- (b) Existing buildings or structures shall be converted to such use, or added to by alteration.

B. Required off-street automobile parking spaces. The minimum cumulative number of off-street automobile parking spaces required to be provided pursuant to the provisions of this article shall be determined by the amount of dwelling units, bedrooms, gross floor area, equipment, employees or seats contained in all new buildings or structures, or existing buildings or structures converted to a new use or added to by alteration, as follows:

(1) Residential and overnight accommodation uses in all districts.

- (a) One- and two-family dwellings, townhouse dwellings and cluster housing: two spaces for each dwelling unit. Such spaces may be provided in garages, carports and driveways.
- (b) Multifamily dwellings: one space per each dwelling unit of less than 1,000 square feet of gross floor area, 1 1/2 spaces for each dwelling unit of less than 1,500 square feet, and two spaces for each dwelling unit greater than 1,500 square feet of gross floor area,
- (c) Rooming house and bed and breakfast establishments: 1 1/4 spaces for each bedroom available for rent,
- (d) Hotel and motel and ~~tourist home~~: 1 1/4 spaces for each bedroom available for rent.

(2) General uses in all districts.

- (a) Places of public assembly, including but not limited to churches,

theaters, concert halls, auditoriums and similar uses: one space for each five persons to be accommodated.

- (b) Other cultural facilities or philanthropic use: one space for each 800 square feet of gross floor area.
  - (c) Elementary school or day nursery: two spaces for each classroom.
  - (d) High school or college: five spaces for each classroom.
  - (e) Care home: one space for each two beds.
  - (f) Hospital, sanitarium or other such building or institution: one space for each bed.
  - (g) Nonprofit club or recreation use: one space for each 100 square feet of gross floor area or every four seats, whichever is greater.
  - (h) Commercial recreation use: one space for each 200 square feet of space enclosed for indoor facilities plus one space for each 5,000 square feet, or major fraction thereof, of outdoor facilities, up to 10 spaces, and thereafter one space for every 20,000 square feet, or major fraction thereof, of outdoor facilities.
- (3) Accessory uses in all districts.
- (a) One supplemental apartment in compliance with § 225-23 of Article V: one space for such apartment plus the required space for the primary dwelling unit. Such space may be provided in garages, carports and driveways.
  - (b) Home occupation: for a customary home occupation, one space for each 200 square feet devoted to such customary home occupation, plus the required spaces for the primary dwelling.
- (4) Commercial uses in the Commercial Mixed-Use C District.
- (a) Retail business, bank or post office use: one space for each 300 square feet of gross floor area.
  - (b) Office, professional office, personal service, and public utility use: one space for each 300 square feet of gross office floor area.
  - (c) Restaurant, bar or nightclub: one space for each 100 square feet of gross floor area or for every four seats, whichever is greater.
  - (d) Funeral home: one space for each five seats in the chapel or for each five persons of the chapel's capacity.

- (e) Wholesale, warehouse or storage uses, or commercial assembly and other similar uses: one space for each two employees.
  - (f) Lumber, building materials and similar yards; and printing, plumbing, heating, electrical, and similar service establishments: two spaces for each three employees.
  - (g) Additional required spaces. In addition to the foregoing, all commercial uses shall provide one additional parking space for each company vehicle if such vehicle is parked on site when not in use.
- (5) Requirements for other uses not listed in this subsection. For uses not listed in this subsection, the required number of off-street automobile parking spaces shall be that number determined by the Code Enforcement Officer upon interpretation of the proposed use's similarity to a specified use under residential, general, accessory and commercial.
- (6) Calculation of required off-street parking spaces.
- (a) Combination of uses. In case of a combination of uses on a single lot, the total requirements for off-street automobile parking spaces shall be the sum of the requirements for the various uses.
  - (b) Fractions. Whenever a fraction of a space greater than 0.75 is required, a full space shall be provided, with a minimum of one space.
  - (c) Spaces in other parking lots.
    - [1] Spaces in private parking lots owned by or leased to the applicant for required parking may be credited toward the parking requirements for uses in the Commercial Mixed-Use C and Downtown D Districts, provided that:
      - [a] The spaces are within 500 feet of the uses to be served.
      - [b] If the spaces are leased, the applicant demonstrates the existence of a valid, renewable lease for at least three years.
      - [c] The number of any spaces to be provided by lease shall be excess spaces of the lessor, over and above those needed to satisfy the lessor's parking requirement under this article (i.e., surplus spaces) and such surplus spaces shall not be credited to the lessor to satisfy its parking space requirement and

shall not be leased to others during the term of the lease to the lessee/zoning applicant.

[d] Any such lease arrangement shall be reflected in a written lease agreement, with an attached map reflecting the exact location of the leased parking spaces and a narrative legal description of the lessor's property. Said lease agreement shall be presented to the Code Enforcement Officer for review and, as a condition of the granting of a parking space variance, shall be filed with the Village Clerk.

[2] Upon the expiration or other termination of said lease, such expiration shall be promptly reported to the Code Enforcement Officer by the lessee/zoning applicant. The Code Enforcement Officer shall require the applicant to present satisfactory proof of replacement parking spaces to replace his/her parking space shortfall. A failure of a lease holder to report the expiration of a parking lease or to otherwise comply with this section, shall constitute a violation, and at the discretion of the Code Enforcement Officer, may result in the termination of the use.

(7) Dimensions of required off-street parking spaces.

(a) General. Unless specified elsewhere in this article, off-street parking areas shall be calculated on the basis of a minimum of 400 300 square feet per space, including circulation and access drives.

(b) Dimensions for off-street automobile parking spaces intended for use by the general public. Every space required by this article shall be at least nine feet wide and 20 feet long, and every such 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 end to end with a twelve-foot aisle width for one-directional flow and twenty-four-foot aisle width for two-directional flow.

[2] Thirty-degree parking: thirteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.

[3] Forty-five-degree parking: sixteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.

[4] Sixty-degree parking: twenty-one-foot aisle width for one-

directional flow and twenty-six-foot aisle width for two-directional flow.

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

(8) Location of required spaces.

- (a) Front yards in residential districts. In a Residential A or Residential B District, no open or enclosed parking area shall encroach on any required front yard. However, parking is allowed on driveways in front of garages. Driveways and open parking areas may encroach on a required side or rear yard within three feet of a property line.
- (b) General requirements. Except as provided in Subsection B(6)(c), all such off-street automobile parking spaces shall be provided on the same lot as the use which requires said spaces and shall not thereafter be encroached upon in any manner. Such parking spaces shall be provided, to the extent feasible, behind the principal structure(s). Parking to the side shall be permitted, provided that it is screened by trees or a hedge. No parking shall be permitted in front of the principal structure, except for on-street parallel parking.
- (c) Location of access drives. No entrance and exit drives connecting a parking area and the street shall be permitted within 25 feet of the intersection of two public rights-of-way.

C. Design requirements for required off-street automobile parking. Areas containing required off-street parking spaces for more than five automobiles shall conform to the following regulations:

- (1) Construction. All such areas shall be paved with all-weather surface of asphalt, concrete or shale or gravel penetrated with oil. All such areas shall be properly drained.
- (2) Marking. The individual spaces shall be visibly marked with paint or other durable material.
- (3) Lighting. All such areas to be used at night shall be lighted. All lights shall be shaded or so directed as not to cause glare on adjoining residential properties and shall be so directed as not to cause a traffic hazard due to glare or color.
- (4) Landscaping. At least 8% of the area of the lot usable for such areas shall be devoted to landscaping, and parking areas of five or more spaces that abut a residential lot line, and any parking lot for more than 20 cars, shall be screened by a six-foot-high solid fence/wall or compact evergreen hedge or a landscaped strip of trees and shrubs so designed as to form a visual screen

from the adjoining property.

- (5) Pedestrians. An adequate, safe and convenient vehicular and pedestrian circulation system shall be provided. Walkways shall be located so as to minimize contacts with normal automotive traffic.
- (6) Size of access drives. No more than two driveway access points shall be provided from the street or highway from which the development derives its principal access, and such driveway access points shall not be more than 26 feet wide and shall be designed in a manner which will minimize their interference with any traffic movements on the street or highway.
- (7) Open space strip adjacent to streets. A strip of open space not less than five feet in width shall be provided adjacent to all public street rights-of-way and such open space shall extend the entire width of the lot except at permitted driveway access points. Such strip of open space shall be designed to prevent the unchannelled movement of motor vehicles and shall include appropriate planting of grass, shrubs and trees as determined by the Planning Board.
- (8) Maintenance. All parking areas, open space strips and landscaping shall be properly maintained at all times in a slightly and well-kept condition and shall be kept clean and free from rubbish and litter.
- (9) Adjacent premises. Where a nonresidential use is being developed on premises adjacent to another nonresidential use, consideration shall be given to the following:
  - (a) The location and planning of driveway access points to permit their joint use by the adjoining premises so as to minimize the number of intersections with the street or highway from which they derive their access.
  - (b) The development of parking and loading areas which permit convenient traffic circulation between adjoining premises.
  - (c) The development of pedestrian walkways between adjoining parking areas and buildings.
  - (d) The provision of landscaping and other features which will enhance the usability, character and attractiveness of the area.

D. Prohibition.

- (1) Except as otherwise provided in this chapter, no off-street automobile parking space provided for a specific premises or use of premises, to comply with the requirements of this chapter, shall be so reduced in area that it does not meet the requirements of this chapter, nor shall

such space be considered as meeting, in whole or in part, the off-street automobile parking spaces similarly required for any other building or use. All off-street automobile parking spaces required to be provided by this chapter shall be considered to be required space on the lot on which they are located and shall not thereafter be encroached upon in any manner.

- (2) Tandem parking is prohibited except for automobiles owned by the occupants of a single dwelling unit, or employees of a commercial use; or members of a church, club, or organization where ingress and egress is at a common time period.

E. Administration.

- (1) The provisions of this section shall be administered by the Code Enforcement Officer.
- (2) Where an activity is subject to the requirements of this section and also subject to the review or approval of the Board of Trustees, Planning Board, Zoning Board of Appeals or other board or official of the Village of Skaneateles (the “reviewing board or official”), the reviewing board or official shall consider the requirements of this section in making its decision. Where an activity regulated by this section is granted an approval by a reviewing board or official, the approval shall include such conditions as may be necessary to insure compliance with the requirements of this section.

- F. Variances. Applications for a variance from the requirements of this section shall be treated as requesting an area variance pursuant to Code § 225-75.”

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II. Chapter 212 (“Vehicles and Traffic”), Section 212-37 (“All-Day Parking Area Restrictions”) is hereby amended to add new section “G” (formerly, Section 225-58E), as follows:

“G. Parking Trust Fund (formerly Section 225-58F, Adopted 10/10/2005, by LL#3-2005)

- (1) Statement of Intent. In order to more equitably distribute the costs associated with providing public parking to meet existing uses as well as new development or redevelopment of downtown properties, the Village of Skaneateles hereby establishes a Parking Trust Fund. The Parking Trust Fund shall be dedicated to the uses established herein.

- (2) Establishment of Off-Street Parking Trust Fund. There is hereby established the Village of Skaneateles Off-Street Parking Trust Fund, (hereafter the "Parking Trust Fund" or "Fund") to be administered by the Board of Trustees exclusively for off-street parking purposes, including the acquisition of land for such purposes, by purchase or lease, and the construction of improvements incidental to such purposes. The Fund may also be used, in the discretion of the Trustees, for such additional purposes as are reasonably intended to ease the shortage of public parking in the downtown area, to include the purchase or lease of remote lots and supporting improvements and the purchase, lease and/or operation of shuttle buses or other equipment reasonably related to that purpose. Expenditures from the Fund need not be confined to the immediate downtown area so long as such expenditures are likely to have a beneficial effect on public parking in the downtown area. The Fund may not be used for purposes that are not reasonably related to the establishment of public parking in the downtown area and may not be used for ordinary maintenance of parking facilities, enforcement activity or other municipal operations.
- (3) The Village shall apply the gross receipts of parking pay stations and parking passes, derived in the Central Municipal Lot, and Fennell Street Lot to the Parking Trust Fund. The Village shall also be authorized to receive contributions from other parties, either of funds or in-kind contributions of land. Additionally, the Village may, from time to time, in the discretion of the Board of Trustees, allocate funds to the Off-Street Parking Trust Fund, which Fund shall be administered in accordance with the provisions of this article.”

**Effective Date:** This local law shall take effect immediately upon its adoption.

Adopted: \_\_\_\_\_

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Voting in Favor: \_\_\_\_\_

Voting in Opposition: \_\_\_\_\_

## Village of Skaneateles

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**From:** Michael J. Byrne [mjbyrne@bcplegal.com]  
**Sent:** Monday, October 31, 2011 2:56 PM  
**To:** John Crompt; marcange57@hotmail.com; martyhubbard@verizon.net; marysennett@gmail.com; spfjones58@roadrunner.com  
**Cc:** clerk@villageofskaneateles.com; abdolmatch@verizon.net; Bob Eggleston; sdove@skaneateles.com; arubenstein@unitedradio.com; cwright@generalcode.com  
**Subject:** Revisions to draft Local Law #3 / parking trust fund  
**Attachments:** Local Law # 3 Off Street Parking.docx

Mary and John,

Attached is a revised version of draft Local Law #3, reflecting the revisions which you requested following the discussion last week. The changes are shaded for ease of review.

Patty; I suggest that you post a copy on the Village's website and make copies of the document for distribution at the public hearing next week.

Mike

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10/31/2011