

Proposed Local Law #3 of 2005

Proposed Revisions to  
Chapter 212  
of the Village Code, entitled  
“Vehicles and Traffic”

1. §212-1 Definitions.

B. (Add the following new definitions)

**RESIDENT** - A person occupying a residence (to include a single family residence, condominium, townhouse or apartment unit) in the Village or Town of Skaneateles.

**PRIMARY RESIDENCE** - The dwelling where a resident is domiciled, as evidenced by the address given for his/her voter registration, income tax filings, or motor vehicle registration.

**PARKING FINE DELINQUENT** - A vehicle owner having one or more outstanding parking violation citations, issued by the Village, for which payment in full (including all late fees and/or surcharges) has been outstanding for 60 days or more.

**HABITUAL PARKING VIOLATOR** - A vehicle owner who has incurred three or more Village parking violation citations within the most recent six month period without regard to whether such citations have been paid. A person previously found to be a Habitual Parking Violator shall no longer be considered as such upon having less than three Village parking citations over the immediately preceding six month period.

2. §212-24 Two-hour parking meter zones.

**A.** The parking of vehicles is hereby prohibited in any of the following parking meter zones between 8:00 a.m. and 6:00 p.m., ~~except on Sundays and holidays~~, Monday through Saturday, and between 12:00 noon and 6:00 p.m. on Sundays and holidays, for a period of longer than two hours:

Name of Street	Side	Location
East Genesee Street	North	Beginning in front of 89 East Genesee Street westerly to the intersection of Jordan Street.
East Genesee Street	South	Beginning at the southside intersection of Jordan Street easterly to the westerly boundary line of the St. James Church

property

Name of Street	Side	Location
Fennell Street	North	Beginning at the intersection of Jordan Street westerly in front of 2-4 Fennell Street
Jordan Street	East	Beginning at the intersection of East Genesee Street northerly to the front of 24 Jordan Street
Jordan Street	West	Beginning at the intersection of West Genesee Street northerly to the front of 23 Jordan Street
<del>West Genesee Street</del>	<del>North</del>	<del>Beginning at the westside curb of the intersection of Jordan Street westerly to the eastside curb of Hannum Street</del>
<del>West Genesee Street</del>	<del>South</del>	<del>Beginning at the eastside curb of the intersection of West Lake Street easterly to the southside intersection of Jordan Street</del>

- B. The parking of vehicles is hereby prohibited in any of the following parking meter zones between 8:00 a.m. and 6:00 p.m., Monday through Saturday, and between 12:00 noon and 6:00 p.m. on Sundays and holidays, for a period of longer than three hours:

Name of Street	Side	Location
West Genesee Street	North	Beginning at the westside curb of the intersection of Jordan Street westerly to the eastside curb of Hannum Street
West Genesee Street	South	Beginning at the eastside curb of the intersection of West Lake Street easterly to the southside intersection of Jordan Street

3. §212-25 Traffic Violation Fines

- A. The following fines shall be charged for the violations listed below:

Violation	Fine
Over time	\$5 \$10
No parking zone	\$10

Improper parking	\$10
Crosswalk	\$10
Blocking driveway	\$10
Fire hydrant	\$10
Double parking	\$10
Against traffic	\$10
Overnight parking	
May 1 to October 21	\$10
November 1 to April 30	\$25
Feeding meter	\$10
Handicapped	\$50

B. Fines doubled. The schedule of fines set forth above shall be doubled for persons determined to be a Parking Fine Delinquent or Habitual Parking Violator, as defined in this chapter.

C. Late Payment Fee. A vehicle owner shall have 15 days from the date of a citation within which to remit payment in full to the Village of Skaneateles, exclusive of the date of the citation. If such payment is not received by the Village within 15 days, a late payment fee of \$10 shall be surcharged, in addition to the amount of the fine. Such surcharge shall not be doubled pursuant to Subsection B above.

#### 4. §212-30. Fees for parking in meter zones.

A fee of ~~\$0.05~~ \$0.25 per each ~~fifteen-minute~~ thirty-minute period is hereby established for parking in parking meter zones, as specified in §§212-23 through 212-25.

### Article VII Local Resident Exemption

#### §212-40. Local Resident Exemption.

A. Residents of the Village or Town of Skaneateles shall be exempt from the payment of parking meter fees, as prescribed by this Chapter, from 8:00 a.m. to 11:00 a.m., Mondays through Saturdays. Acceptable evidence of residency shall include the address of the registered owner of the vehicle, as determined by a police check of the vehicle registration, or a resident sticker to be issued by the Village Police Department and mounted on the vehicle, or a current Transfer Station Permit issued by the Town of Skaneateles and mounted on the vehicle.

- B. A resident who has been determined to be a Habitual Parking Violator shall lose the exemption set forth herein for a period of one year from the date of his/her receipt of a fourth parking citation within a six month period.

(Notwithstanding the date of adoption of the foregoing amendments to Chapter 212 of the Code, the new meter rates, time limitations, fines and exemptions shall take effect upon the posting of appropriate signage and the conversion of parking meters to reflect the new rates and limitations.)

Proposed Revisions to Chapter 225 (Zoning),  
Establishing a Parking Trust Fund of the Village of Skaneateles and amending section 225-58B(6)

**1. An amendment to Article XII of the Village Code (“Off-Street Parking and Loading”), creating new section 225-58 (F), entitled Parking Trust Fund, and amending section 225-58 (B)(6).**

**225-58(F) (New)**

A. Statement of Intent and Findings. After lengthy and careful study it has been determined that the public parking facilities available to users of the Skaneateles Village downtown area are, at times, over burdened and inadequate to meet demand. It has also been determined that a number of existing structures and uses in the Commercial C and Downtown D Districts do not conform to current zoning requirements with regard to the number of parking spaces required for such structures or uses, with many such structures or uses having previously been granted approvals varying the required number of parking spaces. Current Village Zoning Code (Sections 225-58, A and B) allows the Zoning Board of Appeals to reduce the required number of spaces for a proposed project or change of use, for a variety of reasons. Under current Village Code provisions, applicants may be given credit for nearby spaces in municipal parking lots to satisfy the number of parking spaces required for their project, without regard to actual conditions and the availability of parking spaces in such municipal lots. The long standing practice of providing parking space credits to applicants seeking approval for projects in the Commercial C or Downtown D Districts has contributed to a shortage of parking in municipal parking lots. An increase in commercial development and redevelopment in recent years, in the downtown area, and the continued application of credits to satisfy the parking requirements of the Village Code have exacerbated the shortage of parking in municipal parking areas. Village taxpayers will bear the cost of any action undertaken by the Village to acquire, develop or otherwise provide, manage, and maintain public parking facilities in the downtown area. Therefore, in light of the foregoing considerations, and 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.

B. 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 and truck loading 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.

C.     Parking Space Variance. Every decision of the Zoning Board of Appeals which grants a parking space variance waiving, varying or modifying the requirements of this article, to the extent that the number of spaces required by this article for off-street parking and/or truck loading is reduced, shall clearly set forth the extent of such variance(s) by stating the number of spaces required pursuant to this article, the reduced number of spaces required by reason of the decision of the Board of Appeals and the number of spaces thus avoided or waived by the decision of the Board of Appeals. The number of spaces so waived by the Board of Appeals shall constitute the number of spaces for which a variance is granted. A parking space variance shall terminate upon the cessation of the use for which the variance was granted. A parking space variance shall be transferrable to a new owner or occupant only to the extent that the transferees use requires no greater parking space variance.

D.     Off-Street Parking Space Fee. Every such variance granted by the Board of Appeals waiving, varying or modifying the requirements of this article for off-street parking and/or truck loading spaces, in whole or in part, in the Downtown D District, shall be made subject to a condition requiring the payment of a sum of money to be known as the “off-street parking space fee” to the Village of Skaneateles. The amount of the fee shall be as set forth below and shall be subject to change, from time to time, by the Board of Trustees. Said fee shall be paid for each and every space as to which a variance or waiver is granted. Said fees to be paid to the Village shall be deposited into the Off-street Parking Trust Fund, to be used solely for the purposes set forth herein. The payment of the off-street parking space fee shall be made a condition for each variance granted.

E.     Amount of Off-Street Parking Space Fee. The amount of the off-street parking space fee to be paid to the Village for each parking space for which a variance or waiver is granted, shall be \$7,500.

F.     Exemptions. State-chartered churches, libraries, and municipal buildings within the Downtown D District shall be exempt from any obligation under this section to contribute monies to the Parking Trust Fund upon the granting of variances or waivers related to off-street parking requirements.

G.     Additional Funding Sources. In addition to off-street parking space fees, paid to the Village by applicants obtaining a variance or waiver, the Village shall apply the gross receipts of parking meter revenue and/or parking pay stations, derived in the central municipal 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.

2.     Section 225-58 B (6) shall be amended as follows (new language highlighted):

“(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; provided, however, that where it can be proved to the Zoning Board of Appeals that staggered hours of use of such parking spaces would permit modification of this requirement, the Zoning Board of Appeals may modify this requirement.

(b) Fractions. Whenever a fraction of a space greater than 0.75 is required, a full space shall be provided, with a minimum of 1 space.

(c) Spaces in other parking lots. Spaces in private ~~or municipal parking lots open to the general public or in private~~ parking lots owned by or leased to the applicant for employee **required** parking may be credited toward the parking requirements for non-residential and multi-family residential uses in the Commercial C and Downtown D Districts, provided that:

(1) The spaces are within ~~1,000~~ **500** feet of the uses to be served.

~~(2) The probable parking demand generated by the new use does not exceed the demand generated by the previous use by more than 25%.~~

**(2)** If the spaces are leased, the applicant demonstrates the existence of a valid, renewable lease for at least three years. ~~Any permit granted shall be conditional upon the continued availability of leased or other off site parking, unless the applicant demonstrates that such parking is not needed, based upon actual parking demand generated by the applicant's establishment.~~ **The number of any spaces to be provided by lease shall be:**

a) 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

b) 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.

c) 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 Zoning Board of Appeals for review and, as a condition of the granting of a parking space variance, shall be recorded in the County Clerk's Office.

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 parking space shortfall or, in the alternative, to pay into the Parking Trust Fund, at the then applicable rate, the parking space fee for the number of spaces established by the prior variance. A failure of a variance holder to report the expiration of a parking space lease, or to otherwise comply with this section, shall constitute a violation of the variance and may, at the discretion of the Zoning Board of Appeals, result in the termination of the variance.

~~(4) — If the new use will generate 25% or more parking demand than the previous use, the off site parking for the general public must be located in a parking lot that was not previously available for public use.”~~

3. An amendment to Chapter 225, Section 225-4 (“Definitions”), to create a parking space variance (new language highlighted).

“VARIANCE - Written authority granted by the Zoning Board of Appeals in accordance with Article XVI hereof to deviate from the strict application of the regulations, requirements and provisions of this chapter.

- A. VARIANCE, AREA - The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or topographical requirements of this Chapter.
- B. VARIANCE, USE - The authorization by the Zoning Board of Appeals for the use of this land in a manner or for a purpose which is otherwise not allowed or is prohibited by this chapter.
- C. VARIANCE, PARKING SPACES - the authority of the Zoning Board of Appeals to vary, amend or modify the number of off-street parking spaces and loading docks required by Article XII.”



4. Proposed Revisions to Section 225-58(A), “Requirements for Off-Street Parking Spaces and Loading Berths”,

As Part of Proposed Local Law #3 of 2005

“A. General. In all districts, the following off-street automobile parking spaces and truck loading berths for the various uses deemed permitted in such district shall be required at the time any of the buildings or structures of such uses shall be constructed or existing buildings or structures converted to a new use, or added to by alteration. The minimum cumulative number of off-street automobile parking spaces required to be provided pursuant to the provisions of this article shall be established as a rebuttable presumption as provided in Subsection B. An applicant may rebut such presumption by presenting evidence to the ~~Zoning Board of Appeals or Planning Board~~ indicating that the actual parking demand generated by a proposed use will be, **and is likely to continue to be,** less than required in Subsection B. The ~~Zoning Board of Appeals or Planning Board~~ **upon receipt of a favorable recommendation from the Planning Board** may approve a lesser parking requirement in such cases, by the granting of; (i) a partial waiver of the required number of parking spaces, up to a maximum of 20% of the required spaces, upon receipt of compelling evidence that such waiver is warranted, and/or (ii) a Variance, granted in accordance with Section 225-58(F) below. If the Planning Board and Zoning Board believe that it is in the overall public interest to grant a waiver for more than 20% of the required spaces, they may refer such a recommendation to the Board of Trustees for a decision. In making such determinations, the Planning and Zoning Boards shall consider the following factors:

- (1) The maximum number of persons who would actually be driving to the use at times of peak usage. Parking spaces shall be sufficient to satisfy 85% of the anticipated annual peak demand. The likelihood of people walking or bicycling to the proposed use shall also be taken into consideration.
- (2) The size of the structure(s) and the site. The Board may require a reduction in the size of a proposed new structure so that the available parking on site and in the surrounding area will be sufficient.
- (3) The environmental, scenic, or historic sensitivity of the site.
- ~~(4) —The availability of safely usable on-street parking.~~
- (4) The overall public interest in the availability of adequate public parking.**
- (5) If the application involves less than all of the entire building or structure on a property, consideration of the extent to which the aggregate number of parking spaces provided for the entire property, including the applicant’s spaces, is adequate to meet the code requirement for the entire**

property.”