

# Planned Upland Estates Planned Development Zone Law

## Article \_\_\_ Upland Estates Planned Development Zone

### § 305.135.2 - Purpose.

- A. The purpose of the Upland Estates Planned Development Zone (PDZ) is to permit the implementation of a residential development located in the Village of Cayuga Heights Residence Zone which promotes the objectives and recommendations of the Village's Comprehensive Plan, but which does not otherwise conform to the zoning requirements of the Residence Zone.
- B. Mecenaz Holdings LLC and its assigns and/or successors ('developer') proposes to develop two contiguous tax parcels (10.-4-1.4, 10.-4-9) which together comprise 6.13 acres, located adjacent to the Corners Community Shopping Center in the Community Corners area of the Village of Cayuga Heights.
- C. Said development will consist of not more than 10 (ten) townhouses occupying 0.51 acres within the 6.13 acres at a density greater than that allowed as-of-right within the Village's Residence Zone.
- D. The remainder of the PDZ's 6.13 acres, which includes a New York State Department of Environmental Conservation (NYSDEC) wetland 'of unusual importance' as well as steep slopes identified in the Village of Cayuga Heights Natural Resources Overlay Zone (Article IX), will not be developed. Any future development beyond the 0.51-acre area described above shall require an update/revision to this PDZ, subject to the approval of the Village's Board of Trustees.
- E. Requirements of Article VIII - Planned Development Zone shall also apply to this section. In the event that requirements of this section conflict with Article VIII, the requirements in this section shall apply.

### § 305.135.3 - Definitions.

The definitions in § 305-5 of the Village of Cayuga Heights Code shall apply to all the terms in this section except as otherwise specifically stated.

### § 305.135.4 - Permitted principal uses.

- A. No building shall be erected or extended, and no land or building shall be used in the Upland Road Estates PDZ for other than any of the following purposes:
  - (1) A one-family residence to be occupied by:
    - a. One family plus no more than two other unrelated occupants; or
    - b. Where there is no family, no more than three unrelated occupants.
  - (2) Group home, as regulated by New York State;
  - (3) Family type home for adults, as defined in the New York State Social Services Law, subject to the approval of a special use permit by the Village's Planning Board, in accordance with the procedures set forth in Article XIX of the Village's Zoning Law;
  - (4) Short-term rental, as regulated by §305-17 of the Village of Cayuga Heights Code

§ 305.135.5 - **Permitted accessory buildings and uses.**

A. The following accessory buildings or uses are permitted in the Upland Estates PDZ:

- (1) Off-street garage or parking spaces for the occupants and users in connection with uses permitted in this article and meeting requirements as set forth in § 305.135.10 below.
- (2) Signs, as regulated by Article X of the Village's Zoning Law.

§ 305.135.6 - **Height of buildings.**

- A. No building or structure in the Upland Estates PDZ shall exceed 25 feet in height.
- B. The height of a building shall be measured from the lowest point of the existing grade at the building foundation to the average height between eaves and ridge for pitched roofs and to the highest part of the parapet for flat roofs.
- C. In cases where the proposed finished grade is higher than the existing grade, the change must be approved by the Code Enforcement Officer at the time of issuance of the building permit.
- D. The height limitations do not apply to chimneys, ventilators, skylights, or other necessary features ordinarily extending above roofs nor to spires of churches or other buildings if such features are in no way used or usable for living purposes.

§ 305.135.7 - **Yard regulations.**

- A. Buildings in the Upland Estates PDZ shall be set back from property lines the following minimum dimensions, said dimensions to be measured at right angles to the property lines:
  - (1) Front Yard (*west side of lot, facing Upland Road*): 30 feet;
  - (2) One Side Yard (*north side of lot, facing Island Fitness*): 10 feet;
  - (3) Other Side Yard(s): 15 feet;
  - (4) Rear Yard (*east side of lot, facing CMC parking lot/Carriage House Apts.*): 10 feet.
- B. The front yard in each case shall be measured from the front lot line.
- C. For any yard that abuts a public street, the front yard requirement shall apply.
- D. No automobile parking area shall be permitted in any required front yard.

§ 305.135.8 – **Lot coverage.**

- A. No building or buildings shall be erected or extended to exceed coverage of 12% of the Upland Estates PDZ.
- B. In computing the lot coverage, the following shall be included:
  - (1) The area of any accessory buildings;
  - (2) Carports, open at the sides and roofed;
  - (3) Unroofed porches or decks, the surface of which is over two feet above the surface of the underlying ground as finally graded;
  - (4) Areas covered by building eaves extending in excess of three feet.
- C. In computing the lot coverage, the following shall not be included:
  - (1) Areas covered by overhanging building eaves of three feet or less;
  - (2) Unroofed swimming pools;
  - (3) Unroofed parking areas.

§ 305.135.11 – **Off-Street Parking.** Requirements of Article XII – Off-Street Parking shall also apply to this section. In the event that requirements of this section conflict with Article XII, the requirements in this section shall apply.

- A. Two garage or off-street parking spaces shall be provided for each dwelling unit.
- B. The Planning Board may, at its discretion, allow the number of spaces to be reduced from the above standards by up to 20% in those cases in which site plan review is required.
- C. Each off-street parking space in the Upland Estates PDZ shall have a minimum width of nine feet and a minimum length of 18 feet.
- D. There shall be no parking spaces within the front yard setback.
- E. Parking for persons with disabilities. The combined width of the parking space and the access aisle shall be in compliance with the Americans with Disabilities Act (1990) and the New York State Uniform Fire Prevention and Building Code. Signage as required by the New York State Uniform Fire Prevention and Building Code shall be provided for all parking spaces designated for use by accessibility-impaired persons and associated access aisles.

§ 305.135.12 – **Driveways.**

- A. Driveways in the Upland Estates PDZ shall comply with the requirements as described by the Village of Cayuga Heights Off Street Parking (Art. XII, § 305–90)
- B. Access requirements. All parking spaces shall have access to a public street by way of a driveway.
  - (1) Driveways in the Upland Estates PDZ must be at least 10 feet wide and must have clear visibility to the street. Any vegetative screening must be designed so that it shall not interfere with sight lines necessary for pedestrian and driver safety. Maximum driveway width shall be 24 feet.
  - (2) Driveway aisles. One-way driveway aisles in the Upland Estates PDZ shall have a minimum width of 10 feet and a maximum width of 12 feet. Two-way driveway aisles shall have a minimum width of 20 feet and a maximum width of 24 feet.

§ 305.135.13 – **Stormwater Management.**

- A. Stormwater Management Practices in the Upland Estates PDZ shall comply with the requirements as described by the Village of Cayuga Heights Chapter 235 Stormwater Management.
- B. The rate of stormwater runoff from the Upland Estates Planned Development Zone after development is complete shall not exceed the rate that would occur under a natural undeveloped condition as calculated for a one-hundred-year storm and is in compliance with the Village's stormwater local law and applicable state law and regulations.

§ 305.135.14 – **Exterior Lighting.**

Adequate site lighting shall be provided for the Upland Estates PDZ and shall be designed and located so that it does not produce glare on adjacent properties, does not impede the vision of traffic on adjacent roads, is ‘dark sky’ compliant, according to the specifications of the International Dark Sky Association (IDA). and shall be otherwise in compliance with Article XI, Exterior Lighting Standards, of the Village of Cayuga Heights code..

§ 305.135.15 – **Landscape.**

The number of trees to be planted in the Upland Estates PDZ shall be at least equal to the number of trees removed for development purposes and shall comply with the standards set by the Village’s Shade Tree Advisory Committee. (Art. XIII, § 305–52)

§ 305.135.16 – **Ownership.**

Manner of land and infrastructure ownership. The property and infrastructure in the Upland Estates Planned Development Zone may be owned as follows:

- A. Each dwelling unit may be owned individually or by more than one person or entity;
- B. Common land, roadways, sidewalks, stormwater facilities and all other commonly owned infrastructure shall be owned by a corporation controlled by the residents of the Upland Estates Planned Development Zone, provided the NYS Attorney General finds the corporation will be adequately organized and capitalized to properly construct, maintain, operate and reconstruct such assets;

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