

AGENDA

SPECIAL COUNCIL MEETING

CITY OF GENEVA, NEW YORK

September 12, 2023

**City Hall – 2<sup>nd</sup> Floor Conference Room  
47 Castle Street  
Geneva, New York 14456**

COUNCIL MEETING STARTS AT 6:00PM

- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. ZONING WORK SESSION
- V. ADJOURNMENT

§ 350-7.13 KEEPING OF ANIMALS

- A. **Purpose.** The purpose of this chapter is to protect the safety and health of the inhabitants of the city; to establish safeguards for the keeping of bees, animals and poultry within the city; and to provide for penalties for the violations thereof.
- B. **Keeping of Bees.** No person shall keep or harbor any bees in the city. Any beehive used or occupied by bees is hereby declared to be a nuisance; and it shall be unlawful to keep or maintain any such hive in the city.
- C. **Keeping of Chickens, Ducks, Geese, Fowl, Cattle, Horses, Sheep, and Goats.** No person shall keep or harbor any such animals ~~chickens in the City of Geneva~~ except as follows:
1. ~~Such animals~~Chickens shall be kept not closer than ~~100~~20 feet ~~to from any dwelling unit, except the owner's, church, school, hospital or any other building on an adjacent lot that is customarily used or occupied by human beings; such as but not limited to dwellings, stores, hotels, restaurants, offices, churches, schools, hospitals, and factories.~~
  2. ~~Every person maintaining animals as permitted in this section shall keep clean and sanitary every shed, barn or structure housing said animals. Every such shed, barn or structure shall be thoroughly cleaned at least once every 24 hours and refuse from the same shall, when collected, be kept in airtight containers until disposed of in accordance with any other provisions of this Code.~~
  2. Number of Chickens- A maximum of one chicken may be kept on a lot for each 1,000 square feet of lot area. Roosters and Guinea Fowl are expressly prohibited, regardless of the age or maturity of the bird. If the sex of a chick cannot be determined at hatching, a chick of either sex may be kept on the property for no more than six months, .
  3. Chicken Coop - Required
    - a) Chicken coops are only allowed in rear yards; must be at least ten feet from any building used for dwelling purposes, and five feet from interior or corner side lot lines.
    - b) A minimum of two square feet of coop area must be provided for each chicken within the coop.
    - c) The coop must be adequately constructed to protect the birds from predators and weather extremes. The coop must be well ventilated, allowing for fresh air and natural light.
  4. Open Space - Required
    - a) Each chicken must have continuous access to at least four square-feet of range and foraging area.
    - b) The range and foraging area must be well drained and clean at all times, offer access to living vegetation whenever conditions allow, be resistant to erosion, and provide access to water, shelter, and feeding areas.
    - c) The range and foraging area must be adequately fenced such that chickens are contained at all times on the owner's property and within all required setbacks.
  5. Maintenance –
    - a) Chickens must be kept in coops from dusk to dawn.
    - b) Coops and open space must be managed to ensure the regular removal

**REVISED DRAFT – Sept. 11, 2023**

of manure and the elimination of ammonia, dampness, and mold. Property and chickens must be maintained such that the keeping of chickens does not result in any nuisance, including dust, or odor, beyond the property line.  
c) Chicken feed must be stored in rodent-resistant and weatherproof containers.

**D. Keeping of Pigs or Swine.** No person shall keep or harbor any pigs or swine in the City; and it shall be unlawful to keep or maintain any pen, pig sty or other building for the housing of pigs or swine.

**E. Keeping of Dogs, Cats, Birds and other Domesticated Pets.**

1. No person, except as a legal veterinarian or kennel use permitted under this Chapter, shall maintain any establishment for hire or profit within the City for the raising, training, boarding or selling of dogs or cats, or where more than three dogs or cats are harbored or kept.
2. Notwithstanding the foregoing, the owner of a female dog or cat may keep upon his premises the litter of such dog or cat for a period not to exceed six months.
3. Small Bbirds and other domesticated pets may be maintained as pets if kept in a clean and sanitary manner and are not offensive or dangerous.

**F. Ducks, Geese, Fowl, Cattle, Horses, Sheep, and Goats.**

1. No person shall keep or harbor any such animals in the City of Geneva.

**§ 350-7.14 MULTI-FAMILY DWELLINGS**

**A. By Conversion.** The conversion of an existing single- or two-family dwelling to three or more units shall be required to comply with the following:

1. All dwelling units and structures resulting from conversion shall comply with the standards set forth in the NYS Uniform Code. Said standards shall take precedence to this Chapter should there be a conflict.

## ARTICLE 10. BUILDING & SITE DESIGN STANDARDS

Common Council to consider the scope of these design regulations and determine the appropriate use of "should" (encouraged) vs "shall" (required).

### § 350-10.1 PURPOSE & INTENT

#### A. Purpose.

1. The purpose of this Article is to protect and maintain the character and architectural integrity of the City of Geneva while directing the building style of new or infill nonresidential, mixed-use, and multi-family development. These standards are intended to achieve building treatments and modifications that are consistent with the traditional character and walkable development pattern of the City.
2. While these standards do not mandate or prohibit any particular architectural style, the community has expressed a preference for architectural styles that relate to the original architecture found in the City.
3. New construction within the City shall strive to reinforce the coherence of the neighborhood area while harmonizing with existing historic and traditional character. This can best be achieved by varying the details from building to building while emulating the range of building types exemplified by the original structures and reinforced by these standards.

#### B. Intent. The intent of this Article is to improve resident quality of life, foster high-quality investment, and promote the City as a civic space where people are attracted to work, shop, and socialize.

#### C. Objectives. All nonresidential, mixed-use, and multi-family buildings and structures within in the City shall be designed to achieve the following objectives:

1. Improve the ambiance and visual quality of the City's commercial and mixed-use areas by maintaining and increasing density, encouraging compatible building forms, and promoting consistent streetscape design;
2. Promote a sense of design continuity that appropriately relates development and redevelopment to the historic context, integrity of architecture, and traditional settlement pattern of the community;
3. Utilize elements, details, styles and architectural features for buildings, sites, and public spaces that complement the surrounding area and maintain a sense of place;
4. Utilize predominant traditional building materials and architectural features found in the community as a guide in determining appropriate materials for structural or site modifications and new construction; and

5. Encourage the development of buildings consistent with the goals of the Leadership in Energy and Environmental Design (LEED) program.

## § 350-10.2 APPLICABILITY

- A. **Structures Subject to Regulation.** These design standards ~~shall~~should apply to all existing nonresidential, mixed-use, and multi-family structures and shall apply to significantly altered, and/or newly constructed nonresidential, mixed-use, and multi-family structures within the City of Geneva as follows:
  1. New construction and infill development **shall** be in conformance with all building, façade, roof, material, color, lighting, open space, and stormwater regulations of this Article. Development Plan Approval will be denied for proposals that are not in compliance with these standards and the spirit of the applicable guidelines.
  2. Improvements to existing buildings and sites, ~~shall~~should follow the regulations of this Article to the greatest extent practicable. In the case of nonconformities, Subsection C below ~~shall~~may apply. Development Plan Approval will be denied for proposals that are not in substantial compliance with the spirit of these standards and guidelines.
  3. Industrial buildings and structures located within the AT District ~~shall be~~are exempt from the requirements of this Article.
- B. **New Construction.** These guidelines are not intended to promote any specific historic architectural style. However, new construction is **required** to follow these standards and should be compatible with existing contributing architectural features and historic structures, where applicable.
- C. **Nonconformity.** A building or site not in conformance with this Article may not be required to bring the entirety of such structure into conformance, if, in the opinion of the reviewing body, the proposed improvements to the property do not increase the level of nonconformity and are otherwise consistent with the intent of this Article. Where the total cost of proposed improvements to a building and/or site are  $\geq 150\%$  or more of the building and/or property value, the property **shall be required** to come into conformance with this Article unless a standard is specifically waived by the reviewing body in Development Plan Review.
- D. **Property Owner Assistance.** Owners of existing buildings should consult with City Staff and/or all applicable review boards for assistance in following these design guidelines prior to making exterior repairs, renovations, restorations, and alterations to their buildings or obtaining a building permit.

## § 350-10.3 REQUIREMENTS FOR REVIEW

- A. **Reviewing Body(s).** For the purposes of this Article, the terms "reviewing body" or "review body" **shall** mean the board, committee, commission, or other agent with

the authority of review of a development application as duly designated by this Chapter and the City of Geneva Code.

- B. **Development Plan Review.** All exterior changes proposed for nonresidential, mixed-use, or multi-family structures **shall** be subject to **development plan** review and approval as required by **Article 13**.
- C. **Certificate- of –Appropriateness.** Where- a –development –application- included structures within a historic district identified in §350-6.3, a Certificate of Appropriateness **shall** also be **required**. **Development plan** review approval **shall** be contingent upon the issuance of such certificate.
- D. **Modification of Requirements.** In reviewing development plan applications, the reviewing body may waive or modify the requirements of this Article if deemed necessary and appropriate to achieve the purpose and intent of this Chapter and maintain the character and integrity of historic structures within the City of Geneva.

#### § 350-10.4 GENERAL DESIGN CONTEXT

- A. **Placement and Orientation.** Placement refers to how a building is situated on the lot. Orientation refers to the location of a building's main axis, or primary façade. Building placement and orientation is a crucial part of the interface of private building facades with public thoroughfares, which shape a compact, walkable public realm.
- B. **Massing and Form.** Massing and form refer to the volume and shape of a building. Buildings should provide visual interest that engages pedestrians and others to promote activity and business vitality. Wherever possible, new development should enhance the visual quality of the site on which it is located, as well as the character of the surrounding area.
- C. **Façade Composition.** A building façade serves as the interface between the public realm and the interior space of the building and should be compatible with the character and context of the surrounding area. Proper façade composition creates visual interest and adds character to a façade, providing visibility into the building interior, particularly for retail uses, contributing to the pedestrian, bicyclist, and motorist experience throughout the City. The arrangement of facade elements should be so designed to create a recognizable and consistent composition.
- D. **Fenestration.** Fenestration refers to the area of the façade or building exterior covered with openings, in particular windows and doors, how transparent the enclosing glass in the openings is, and how the openings are arranged and/or relate to each other with respect to size, depth, location, etc.
- E. **Rooflines.** A roofline is an architectural element, such as a cornice, parapet or change in material, plane, or design, which creates a distinction between the top of the building and the lower floors.

§ 350-10.5 BUILDING PLACEMENT, ORIENTATION, MASSING & FORM

A. Applicability. General Design Requirements.

1. The placement of buildings **shall** follow the minimum and maximum front yard requirements in Articles 3, 4, 5 and 6 of this Chapter. Relief from this provision may be provided for historically appropriate architectural elements and pedestrian amenities, such as recessed entries or chamfered corners, as deemed appropriate by the reviewing body.
2. The primary façade **shall** be oriented to the street or at the same orientation as adjacent historic structures.
3. Buildings situated at street corners **shall** "wrap" the corner by continuing certain facade elements (such as the cornice or horizontal accent bands) on all street elevations (see Figure 9.1).
4. Buildings should be taller than they are wide. Within the CB and CB-5 Districts, newly constructed buildings ~~shall~~ **should** be no less than 80% and no more than 120% the width of adjacent historic structures. Where it is necessary to exceed these limits, new buildings shall include architectural bays and other features that are vertically oriented and reflect the predominant rhythm of historic buildings in downtown Geneva.
5. ~~A single, large, dominant building mass shall be avoided.~~ No facade **shall** have a blank, uninterrupted length exceeding 40 feet without including architectural features such as columns, pilasters, piers, or changes in plane, in texture or masonry pattern, storefronts and entry treatments, windows or equivalent design element that subdivides the wall into pedestrian-scaled proportions. No street facing façade shall include an uninterrupted blank wall on any story with a length of more than 10ft without a window or door, most of a street facing façade should include windows or doors separated by less than 3ft of wall space. (see Figure 9.1).
6. A building frontage **shall** have a transition line. A transition line is a horizontal architectural element, such as a cornice, balcony or change in material,

which spans the full width of the facade, and creates a distinction between the first and second stories. Transition lines ~~shall~~should be designed in proportion to the overall height and width of the building and ~~shall~~should relate to adjacent historic structures (see Figure 9.1).

FIGURE 9.1 BUILDING MASSING & ARTICULATION



**Commented [DW3]:** Graphic should be updated - undulating façade requirement is not consistent with historic Geneva character.

7. The design of new structures should avoid mimicking the architectural style and appearance of historic structures, but rather compliment the design by utilizing similar massing, form, placement, orientation, and architectural design elements.
8. Buildings designed to advertise or promote a uniform corporate image in a manner that may render the building undesirable or unable to reasonably accommodate future uses **shall be prohibited**.
9. All buildings **shall** exhibit a clearly defined base, mid-section, and crown. This can be accomplished using a combination of architectural details, materials, textures, and colors (see Figure 9.2). Buildings which are "squat" in proportion

or which have very strong horizontal elements that dominate the facade are discouraged.

FIGURE 9.2 TRIPARTITE (3-PART) FAÇADE DESIGN



## § 350-10.6 FAÇADE COMPOSITION & FENESTRATION

### A. General Façade Design.

1. Buildings that are located on a street corner are considered to have two primary facades.
2. The rhythm of openings of a primary facade **shall** observe the size, location, and proportion of fenestration elements of adjacent historic structures, where applicable.
3. Facade elements such as windows and bays **shall-should** be of a consistent proportion to each other. Elements which share a common area (e.g., all of the windows at the base level) **shall-should** be of a consistent proportion and size as well.
4. The use of depth is encouraged to highlight facade openings such as windows to create a three-dimensional relief which produces shadows. Windows **shall-should** not be mounted flush to the exterior of the facade.

### B. First Floor. Includes the area of façade below the transition line.

1. The first floor of any building should be between 12 and 15 feet in height.
2. The first floor of a structure **shall** include vertical elements dividing the building into "bays." Each bay should contain a window or entrance door.
3. Bays should start at ground level with bulkheads or kickplates, then the storefront windows above, including transoms.
4. The first-floor levels of a facade **shall** provide the highest amount of façade openings and articulation.

5. Within the CB and CB-5 Districts, structures fronting a public street **shall** provide at least 65% transparent glass openings in the area between two and eight feet above the ground. (see Figure 9.3).

FIGURE 9.3 CB & CB-5 DISTRICT FAÇADE TRANSPARENCY



6. Within the Gateway Business District, structures fronting a public street **shall** provide at least 50% transparent glass openings in the area between two and eight feet above the ground.
  7. In all other districts, structures fronting a public street **shall** provide at least 30% transparent glass openings in the areas between two and eight feet above the ground.
- C. **Upper Floors.** Includes all façade area above the transition line.
1. Within the CB and CB-5 Districts, upper floor portions of the building façade **shall** incorporate a minimum of 30% transparent glass openings (see Figure 9.3), or match that of nearby historic structures, whichever is greater.
  2. The spacing and rhythm of upper-floor openings **shall-should** match that of the major entrance and design elements on the first floor.
  3. Upper-floor openings **shall-should** be residential in size, proportion, and character.
  4. Upper-floor windows **shall-should** be double-hung ~~with-and shall include~~ ornamental elements such as a flat stone lintel or hoodmolds. Other traditional window styles that match that of adjacent historic structures are permitted with review body approval.
- D. **Windows and Doors.**
1. Awning or transom windows are **required** of new construction within the CB and CB-5 Districts.
  2. The use of opaque, mirrored, or tinted glass with less than 50% light transmittance is **prohibited**. If screening is necessary, interior blinds or curtains are encouraged.

3. Acceptable materials for window frames include aluminum-clad, finished grade wood, and vinyl. All glazing ~~shall-should~~ be clear or lightly tinted.
4. Pairs of window shutters may be used if determined to be historically appropriate to the style of building. Shutters **shall** appear to actually cover the entire window opening when closed. Shutters **shall** not be mounted flush to the exterior of the façade but hung as if they were functioning on a hinge.
5. Doors that are comprised of an area of at least 30% transparent glass **shall** be used for building entrances on the primary façade. Opaque doors may be used for doorways providing access to upper floors.

**E. Storefronts and Entrances.**

1. Primary entrances **shall** face the street and be so located to afford direct access from the sidewalk, where applicable. Entrances for upper floors **shall** be distinguished from entrances for first floor uses.
2. Corner buildings may have two separate entry points or a single-entry point at the corner.
3. Storefront construction should be recessed enough at the point of entry to allow the door to swing out without obstructing the sidewalk, where applicable.
4. The sill of storefront windows should be no higher than two feet above grade.

**F. Awnings and Canopies.**

1. Awnings or canopies may be permitted over entrances, storefronts, large first-floor windows, and upper-floor windows.
2. Awnings and canopies **shall** be designed to fit the window, door, or storefront openings that they are intended to cover. Placement should be in a traditional position and should not conceal architectural features.
3. Awnings should be made of low-sheen fabrics with a traditional appearance such as canvas or acrylic. The use of rigid, reflective, neon, and translucent materials or colors is **prohibited**.
4. Wood, metal, plastic, fiberglass, aluminum, stock metal, rounded or dome-like awnings are **prohibited**.
5. Awnings and canopies **shall** not be backlit or internally illuminated.
6. Awnings may be retractable or fixed, and capable of withstanding both high winds and winter snow loads.
7. Street-level awnings **shall** be mounted so that its valance is no less than seven feet above grade.
8. Awnings and canopies **shall** not project more than seven feet from the building façade.

## § 350-10.7 ROOF STYLES & TREATMENTS

### A. Roof Design.

1. All structures **shall** have a visible roofline.
2. Rooflines **shall-should** be designed in proportion to the overall height and width of the building and, where practicable, **shall** relate to nearby historic structures.
3. Flat roofs **shall** slope to the back of the building to provide proper drainage and **shall** include an ornamental cornice.
4. Peaked or gable roofs **shall** have overhangs consistent with that of nearby historic structures. The use of ornamental brackets is encouraged.
5. Eaves **shall** include design detail to add visual interest.
6. Mechanical equipment that is located on the rooftop **shall** be effectively screened with parapet walls, decorative fencing and/or gables to eliminate views.

### B. Roof Treatments.

1. Roofing materials that reflect sunlight (e.g. lighter colors) or incorporate vegetated roofing are encouraged. Lighter colors decrease heating and cooling needs, while green roofs reduce stormwater run-off. Where green roofs are proposed, the reviewing body may deduct a portion of the green roof building from the calculation for maximum lot coverage up to 50% of the building footprint.
2. The use of alternative energy materials and systems, such as solar panels or shingles, is encouraged. Their installation **shall-should** be incorporated into the design of the building so as not to detract from the architectural style and detailing. Where feasible, alternative energy equipment **shall-should** be located so as not to be visible from the public right-of-way.

## § 350-10.8 MATERIALS & COLOR

### A. General Requirements.

1. Building facades **shall** be constructed of durable materials such as brick, stone masonry, or fiber cement (panels, siding and trim boards) or finishing wood.
2. No more than three building materials or colors should be used on any one facade of a building. A single material or color should be used as the dominant theme in the facade, with secondary materials and colors used to highlight and accent the design.
3. **When facade treatments include multiple materials or colors, c**Changes in materials **or colors shall** occur at inside corners. Material changes at the outside corners or in a plane **shall be prohibited**, unless otherwise approved by the reviewing body.

4. Building materials, textures, and colors ~~shall~~should be compatible with adjacent historic structures, where applicable, so as not to detract from existing historic character.

**B. Prohibited Materials.**

1. The use of stucco, vinyl, fiberglass, plastic panels, sheet metal, clear-coated aluminum, stainless steel, mirrored glass, concrete block, or smooth concrete is **prohibited** in the CB and CB-5 Districts.
2. Finishes that are intended or designed to reflect light and glare are not permitted in any district.

**C. Modern Materials.** The use of other modern and non-traditional materials or textures within the CB and CB-5 Districts may be permitted with approval by the reviewing body.

**D. Color.**

1. Florescent, neon, day-glow, primary, pastel, or metallic colors are **prohibited**.
2. Within the CB and CB-5 Districts, colors should be harmonious with the downtown environment and use paint palettes from the period in which the building was constructed or that of adjacent historic structures in the case of new development.
3. Colors that are equivalent to the 20 colors provided on Geneva's 1880 Wilson and Co.'s paint palette, or historic color collections of major paint manufacturers are preferable.

## § 350-10.9 EXTERIOR LIGHTING

**A. Design of Fixtures.**

Council to consider  
requiring IDSA  
lighting compliance.

1. Fixtures **shall** be fully shielded, pointing downward, to minimize skyglow, glare, and light trespass. The use of lighting fixtures compliant with International Dark Sky Association standards is highly encouraged.
2. The use of "wall packs" or other building-mounted high intensity fixtures is not permitted.
3. Pole-mounted fixtures **shall** not be higher than 18 feet above grade.
4. Spotlights or other types of artificial lighting used to illuminate signs or building faces **shall** be top mounted fixtures which project downward only onto the surface itself.
5. Canopy lights **shall** be recessed within their housing so as to focus their illumination directly downward.

**B. Intensity of Illumination.**

1. All lighting fixtures **shall** be shielded and directed so as not to cast an illumination of more than two (2) foot-candles on adjacent nonresidential properties or more than one-tenth (0.1) foot-candle on adjacent residential properties.
2. Exterior lighting should be illuminated only when needed, such as during business hours or in areas requiring illumination for security purposes. The use of motion activated sensors or reduced lighting after hours is encouraged.
3. Fixtures **shall** be no brighter than necessary to illuminate the site and/or area intended. Bulb types should be selected to reduce blue light emissions, which may be hazardous to human health and wildlife.
4. Lighting **shall** be white or amber in color. No lighting **shall** have a color temperature exceeding 3000 Kelvins.

#### § 350-10.10 OPEN SPACE & STORMWATER MANAGEMENT

##### A. Open Spaces and Green Spaces.

1. Open spaces, green spaces, public preserves, parklands and other such natural areas **shall** be retained and established as required by this Chapter.
2. The reviewing body, as part of **development plan** review, may require the reservation or creation of open space provided such designation is determined to be:
  - a) Consistent with the City's adopted plans and studies with respect to environmental conservation and improving public use of and access to green spaces, recreational areas, trails, and the Seneca Lake waterfront;
  - b) Necessary for the protection and preservation of natural resources, local habitats, wildlife, and native species, woodlots, and/or wetlands;
  - c) A significant benefit to the health, safety, and general welfare of the public, relative to the burden placed upon the property owner and/or developer in preserving, maintaining, and/or programming such areas.

- B. Stormwater Management Facilities and Green Infrastructure.** Stormwater management facilities and green infrastructure, such as detention ponds or bioswales, **shall** not be considered open space for the purposes of this Chapter unless they are designed to be a multi-functional, productive, working landscape that integrates local environmental, aesthetic, and recreational benefits.