

RESOLUTION ADOPTING LOCAL LAW 2 of 2015

The **TOWN BOARD OF THE TOWN OF SKANEATELES** (the "**Town Board**") met in a regular session of the Town Board at the Skaneateles Town Hall, located at 24 Jordan Street in the Town of Skaneateles, County of Onondaga, and State of New York, on the 5th day of February, 2015, at 7:00 PM. Supervisor Mary Sennett called said meeting to order and during the meeting, Councilor Brace moved **for the adoption of the following Resolution enacting Local Law 2014-B-1** and Councilor Howard seconded said motion:

WHEREAS, on the 18th day of December, 2014, the Town Board resolved to introduced Local Law 2014-B-1, known as "A Local Law Amending the Town of Skaneateles Town Code " ("**Local Law 2014-B-1**")"; and

WHEREAS, generally, Local Law 2014-B-1 amends the Town of Skaneateles (the "**Town**") Code (the "**Town Code**") to: (a) renumber Chapter 123, dealing generally with signage in the Town, to Chapter 148-33, and to otherwise provide for further definitions within said Chapter; and (b) provide for new and modified definition of terms within Chapter 148-56; and

WHEREAS, in accordance with NY General Municipal Law § 239-m, the Town Board referred proposed Local Law 2014-B-1 to the Syracuse Onondaga County Planning Agency ("**SOCPA**") for its review under said statute (the "**SOCPA Referral**") and SOCPA responded to the SOCPA Referral by written resolution dated the 21st day of January, 2015, and recommended in said resolution that proposed Local Law 2014-D be approved; and

WHEREAS, the Town Board duly held a public hearing regarding Local Law 2014-B-1 on the 5th day of February, 2015 for the purpose of eliciting public comment regarding Local Law 2014-B-1; and

WHEREAS, on the 18th day of December, 2014, the Town Board resolved to declared itself Lead Agency for NY State Environmental Quality Review ("**SEQR**") purposes and on the 5th day of February, 2015, pursuant to a duly adopted resolution, issued a Negative Declaration under SEQR.

NOW, THEREFORE, upon due consideration following public notice and public hearing, it is hereby:

RESOLVED, that Local Law 2014-B-1, which shall be known as Local Law 2 of 2015, and further known as "A Local Law Amending the Town of Skaneateles Town Code," a true copy of which is attached to this Resolution, is hereby **adopted and enacted** by the Town Board of the Town of Skaneateles, to take effect immediately upon filing with the Secretary of State.

CERTIFICATION

I hereby certify that at a meeting of the Town Board of the Town of Skaneateles held at the Skaneateles Town Hall, located at 24 Jordan Street in the Town of Skaneateles, County of Onondaga, and State of New York on the 5th day of February, 2015, the foregoing Resolution was duly moved by Councilor Brace and seconded by Councilor Howard, a quorum of five members of the five-member Town Board being present, and each voted on the Resolution as follows:

Supervisor Mary Sennett	Yes
Councilor Constance Brace	Yes
Councilor Claire Howard	Yes
Councilor James Greenfield	Yes
Councilor Nancy Murray	Yes

The Resolution was, therefore, duly adopted.

Dated: February 5, 2015

Janet L. Aaron, Town Clerk
Town of Skaneateles

Town of Skaneateles
Local Law 2 of the Year 2015
A Local Law Amending the Town of Skaneateles Town Code

Be it enacted by the Town Board of the Town of Skaneateles as follows:

Section 1. Title

This local law shall be referred to as "Local Law Amending the Town of Skaneateles Town Code".

Section 2. Purpose and Intent

This local law is intended to amend the Town Code of the Town of Skaneateles to provide for a Section in Chapter 148 (Zoning) relative to signs in the Town of Skaneateles and to define new terms and to redefine certain existing terms used in Chapter 148 (Zoning).

Section 3. Legislative Findings

The Board finds that the Town Code of the Town of Skaneateles would be made more clear and facilitate residents' use and understanding of the regulations regarding signs by providing for a separate Section within Chapter 148 (Zoning) regarding signs, and for the re-numbering and re-ordering of the contents of said Section. The Board also finds that the Town Code of the Town of Skaneateles should be amended to include a definition of terms not presently defined and to re-define certain other terms for the purpose of clarity and precision within Chapter 148 (Zoning).

Section 4. Establishment of Section 148-33.

The Board hereby adopts Chapter 148-33 of the Town Code, to be titled "Signs", all as is set forth on Schedule "A" attached hereto, made a part hereof, and incorporated herein.

Section 5. Repeal of Chapter 123.

The Board hereby repeals Chapter 123 and reserves said Chapter for future use.

Section 6. Amendment of Section 148-56.

The Board hereby amends Section 148-56 "Definitions", all as is set forth on Schedule "B" attached hereto, made a part hereof, and incorporated herein.

Section 7. Invalidity.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 8. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

§148-33 SIGNS

[HISTORY: Adopted by the Town Board of the Town of Skaneateles as indicated in article histories. Amendments noted where applicable.]

§ 148-33A. Title and legislative intent.

1. This article shall be known as the "General Sign Regulations of the Town of Skaneateles, 1991."
- 2.. The intent of this chapter is to promote public health, welfare and safety of the inhabitants of the Town of Skaneateles, protect property values, create a more attractive economic climate and enhance the scenic and natural beauty of the Town by regulating and restricting the size, location and physical characteristics of all existing and proposed signs and advertising devices of all kinds in all zoning districts. It is recognized that signs, placed upon the premises and/or structures to which they relate, serve a vital communicative function by allowing residents and visitors alike to readily ascertain the availability and location of facilities that serve their needs. This chapter is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space and curb the deterioration of natural beauty and community environment. This chapter is also intended to permit businesses and professions to make use of signage that is important to individual and collective success.

§ 148-33 B. General sign regulations.

1. No sign except those defined as "temporary political signs, portable, residential or convenience signs" may be erected without a sign permit issued by the Codes Enforcement Officer.
2. All signs other than those defined as portable signs shall be securely attached to a building or a structurally sound support, and their display surface shall be kept neatly painted or finished and in good repair at all times.
3. Illuminated signs.

- (a) Illuminated signs may utilize only light of constant color and intensity. No flashing, intermittent, rotating or moving lights or strings of lights may be used, except traffic warning lights for hazards and holiday lights during the holiday season.
 - (b) No illuminated signs or outdoor illumination shall direct light in a way which could create a traffic hazard or a nuisance or an annoyance to passersby or be unreasonably detrimental to adjoining or neighborhood properties. Illuminated signs shall conform to Chapter 61, Electrical Standards, of this Code. The source of illumination shall be suitably shielded to eliminate direct rays or glare on adjoining property.
 - (c) No visible gas-filled tubes (neon) shall be permitted. No sign may utilize bare light sources, including neon or fluorescent.
 - (d) Interior signs may be internally illuminated but may not utilize bare light sources.
4. No projecting sign shall be erected or maintained, the outer face of which is more than 9 inches from the front or face of a building. In no event may a sign overhang or project on to any public land or highway or road surface, except as may be provided in this chapter.
 5. No sign or part thereof shall contain or consist of animated parts, ribbons, streamers, spinners or similar moving or fluttering devices.
 6. No sign shall be attached to a public light standard, utility pole or tree.
 7. No sign, except a directional sign, shall be located within two feet of any road, street or highway property line or road surface.
 8. No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device.
 9. Temporary signs may be displayed not earlier than two weeks before the event, service or project advertised and shall be removed within five days after the conclusion of the event, service, project, sale of property or opening of the business signified.
 10. The following signs are prohibited in the Town of Skaneateles:
 - (a) Revolving, moving, flashing or blinking signs or signs that appear to be in motion, but signs which display public service information, such as time and temperature, are not prohibited.
 - (b) Roof signs and signs protruding above an extension of the upper roofline of the building to which the sign is attached.
 - (c) Outdoor advertising signs.
 - (d) Inflatable signs.

11. A flag, badge or insignia of a governmental organization, a sign identifying a motor vehicle inspection or repair facility as required by the New York Vehicle and Traffic Law or a sign mandated by statute, law or governmental regulation is not subject to this chapter.
12. A vehicle sign shall not be subject to this chapter so long as the vehicle remains principally in use upon public highways, including current registration, inspection and insurance.
13. Signs which advertise a branded product and which leave less than 80% of the sign face for identification of the business are prohibited, except where the majority of the floor or lot area on the premises is devoted to the sale or other activity relating to that specific product.
14. The regulations and restrictions of other chapters of the Code applicable to signs shall remain in effect, except that, in case of inconsistency with provisions of this chapter, the more restrictive provisions shall apply.
15. There shall be no sign identifying the name of a residential development or subdivision, except that signs temporarily identifying the name of a residential development or subdivision shall be permitted on each major entrance to the area for not longer than one year from the date of the sale of the first lot. The sign face shall not exceed 24 square feet.
16. The sign face of signs identifying a permitted home occupation shall not exceed three square feet.
17. The sign face of signs incidental to places of worship, libraries, museums, social clubs and societies shall not exceed 20 square feet.
18. Outdoor "open" or "now open" signs, including fabric flag signs on one or few posts, shall not exceed 16 square feet and will be no higher than 10' above ground level. Such signs shall be displayed only during normal business hours and contain no other message or other matter for visual communication.

§ 148-33 C. Business signs; industrial signs; directional signs and outdoor advertising signs.

1. Business signs.
 - (a) Permitted business signs may be illuminated.
 - (b) Only business signs as described in either Subsection A (3) (a) or (b) may be erected as follows, except as otherwise provided:
 - [1] A wall or fascia sign or signs may be attached or applied to a building or portion thereof, identifying any legally established business or service conducted on the premises where the sign is located, its owner, trade names, trademark, products sold or the activity, which total sign face shall not exceed 1 1/2 square feet per one linear foot of building or business frontage, whichever is less. In no case shall the total cumulative sign face exceed 50 square feet; or

[2] A freestanding sign may be used if the total sign face does not exceed 12 square feet and the sign is not more than 10 feet above ground level, which sign may identify any legally established business or service conducted on the premises where such sign is located, its own trademark, products sold or the business or activity. Any business maintaining a freestanding sign as permitted under this option may, in addition, obtain a permit for a wall or fascia sign, which sign face, shall not exceed 3/4 square foot per linear feet of business or building frontage, whichever is less. The total sign face of a freestanding sign and a wall or fascia sign shall not exceed 50 square feet.

- (c) Shared-common-entry businesses. If two or more business occupants share a common door, the maximum sign face allowed per one building frontage shall be shared between them.
- (d) Single-occupant buildings. In addition to any other sign, a building with one occupant which has an entrance open to the public from an adjacent parking lot is permitted to have a business sign as described in § 148-38C(1)(a)[1] on the building face with the entrance closest to the parking lot.
- (e) Multiple-occupant business complex signs. Three or more businesses or professionals occupying a common building with a common entry or occupying separate buildings with a common driveway shall be considered a multiple-occupant business complex and shall require site plan review for all proposed signage located within the complex prior to issuance of a sign permit. A common entry does not exclude an additional separate entrance to the building(s) for a particular business. [Amended 12-17-1998 by L.L. No. 6-1998]

[1] Signs Identifying Individual Multi-occupant Business Complex. One wall or fascia sign is permitted for each complex. This sign may contain the name and logo of the complex and must include the street number in accordance with state guidelines (filler for size?). The sign face may not exceed 25 square feet for a wall or fascia sign. A freestanding sign may be used instead of a wall or fascia sign, which sign face may not exceed 16 square feet nor be higher than 10 feet beyond ground level.

[2] Signs identifying businesses within the multi-business complex. Businesses are allowed one wall or fascia sign per building in a multi-occupant business complex. The sign face shall not exceed 1 ½ square feet per one linear foot of building or business frontage. In no case shall the cumulative sign face exceed a total of 50 square feet. This sign face may be shared between any businesses occupying the building. If the complex has more than one street facing business front, then the total sign area may be distributed equally amongst each business.

[3] Multi-occupant business complex directory. A single directory sign is permitted which lists all or part of the businesses within the complex. It shall specify no more than the name of the business or professional and

optionally the building number it is located in. Typography should be consistent and of common size and coloring. This sign may not contain logos. The total size of the sign may be no greater than 6 square feet for each business within the complex. This sign shall be situated in an unobtrusive, interior location.

- (f) The top of any free standing sign shall not be higher than 10 feet above the ground level.
- (g) Wall or fascia signs may be placed at any height but not higher than the building facade. [Amended 12-17-1998 by L.L. No. 6-1998]
- (h) An interior sign identifying the on-premises business or profession that can be seen from the exterior will be considered part of the total sign area allowed. [Amended 12-17-1998 by L.L. No. 6-1998]

2. Industrial signs.

- (a) Industrial signs may display the name of the industry, the type of industry, the commodities manufactured on the premises and a symbol or trademark and may be illuminated.
- (b) One freestanding sign identifying an industry on the premises is permitted so long as the sign face does not exceed 50 square feet.
- (c) One wall or fascia sign is permitted so long as the sign face does not exceed 1 1/2 square feet for each linear foot of building or business frontage, whichever is less, up to a maximum of 50 square feet. If a wall or fascia sign is used in addition to a freestanding sign, the face sign face may not exceed 3/4 square foot per linear foot of building or business frontage, whichever is less.
- (d) The top of any industrial sign shall not be higher than 10 feet above the ground level, unless otherwise provided.
- (e) Wall or fascia signs may be placed at any height, but not higher than the building facade.

3. Directional signs and outdoor advertising signs.

- (a) Directional signs, except industrial directional signs, may contain only the name of the business and the location from the sign's geographical position. The sign face for such signs shall not exceed four square feet. Such signs may be illuminated in conformance with the requirements of this chapter.
- (b) Industrial directional signs may contain only the name of the industry, the necessary directional information and the location from such sign's geographical portion. The sign face for such signs shall not exceed six square feet. Such signs may be illuminated in conformance with the requirements of this chapter.
- (c) Parking lot signs. One sign, the sign face of which shall not exceed nine square feet and, if freestanding, shall be not higher than six feet above ground

level, may be placed in a private off-street parking area only, to limit the use of such parking area to customers and/or business invitees of the occupant.

- (d) Public service informational signs. Signs which display public service information, such as time and temperature, if permitted within a district pursuant to Chapter 148, Zoning, of the Code and in accord with the requirements of this chapter, may be permitted so long as the sign face does not exceed 32 square feet and not less than 80% of the sign face is for the public service information.

§ 148-33 D. Application for permit.

1. Application for a permit shall be made, in writing, upon the forms prescribed by the Codes Enforcement Officer, and each such application shall meet the following standards and shall contain, at minimum, the following information:
 - (a) The name, address and telephone number of the applicant or of the owner of the sign, if different from the applicant.
 - (b) The location and the name and address of the owner, if other than the applicant, of the building, structure or land to which or upon which the sign is to be erected.
 - (c) A detailed drawing showing the construction details, lettering and pictorial matter composing the sign, all dimensions, the position of lighting and extraneous devices and a site plan showing the position of the sign with reference to any building or structure, property lines and any private or public street or highway.
 - (d) Written consent of the owner of the building, structure or land at which the sign is to be erected, in the event that the applicant is not the owner thereof.
 - (e) The date of the sale of the first lot for each application for a sign temporarily identifying the name of a residential development or subdivision.
 - (f) Appropriate proofs of compliance with the requirements of this chapter and all other chapters of the Code.
 - (g) Any application for a multiple-occupant business complex sign must also include the written consent of the property owner.
- 2 Applications shall be submitted to the Codes Enforcement Officer, who shall:
 - (a) Review the design, size and location of the proposed sign to determine whether the proposed sign is in compliance with all of the regulations or restrictions set forth in this chapter or any other applicable chapter of the Code.
 - (b) Grant approval, including any reasonable conditions, or reject the application for being incomplete or deny the application and provide reasons for the

denial.

- (c) If the proposed sign does not comply with the regulations or provisions of this chapter, the Codes Enforcement Officer shall deny the application. A decision of the Codes Enforcement Officer may be appealed to the Zoning Board of Appeals. The Town Planning Board may submit an advisory opinion to the Codes Enforcement Officer or, if on appeal, to the Zoning Board of Appeals.
3. Upon an appeal by the applicant, the procedures and standards of § 148-45 of the Zoning Code shall apply, except as modified by this chapter. The Zoning Board of Appeals shall schedule a public hearing on such application within 60 days. The Zoning Board of Appeals shall have the authority to vary or modify the application of any of the regulations or provisions of this chapter relating to the use, construction, alteration, design, size and location of a sign in such a manner as shall not be contrary to the spirit of this chapter and the public safety and welfare of the Town of Skaneateles. Variations or modifications may be authorized upon findings that there are practical difficulties in applying a strict or literal interpretation of this chapter and that any resulting modifications are the minimum necessary to allow the proposed sign. In all such cases, the Zoning Board of Appeals shall render its final decision within 60 days after the public hearing, and it shall be the duty of the Board of Appeals to attach such conditions or restrictions to its decision as may be required to effect compliance with the spirit and intent of this chapter.

§ 148-33 E. Fees.

- 1 Fees for applications and permits under this section shall be established and changed from time to time by resolution of the Town Board of the Town of Skaneateles.
2. Such fees apply to all signs, even if shown on the original building plans, and are in addition to any other fees provided for by the Town.
3. Costs of engineering studies and related expenses required by the Town in connection with review of an application or for ascertaining compliance with this chapter may be charged to the applicant or sign owner.

§ 148-33 F. Issuance of permit.

1. The Codes Enforcement Officer shall issue a permit for a proposed sign upon payment of the proper fees, provided that the application, including drawings and related materials, is complete and complies with all provisions of this chapter as determined by the Codes Enforcement Officer or, following appeal, by the Board of Appeals. If the sign authorized by a permit has not been completed within six months from the date of the permit, the permit shall expire. B. Permits issued are not personal rights but relate solely to the premises for which application is made. Permits may not be assigned to others and may not be transferred to premises other than that identified in the permit.

§ 148-33 G. Removal and Maintenance of signs.

1. The Codes Enforcement Officer shall notify the owner of any abandoned sign or which is unsafe, insecure or is a nuisance to the public or which is erected in violation of this chapter or which is not maintained in accordance with this chapter, in writing, to remove or correct the unsatisfactory condition of said sign within 20 days from the date of such notice.
2. Upon failure to comply with such notice within the prescribed time, the Codes Enforcement Officer is hereby authorized to secure, repair, remove or cause the removal of such sign. All costs of securing, repairing or removing of such sign, including related legal fees and expenses, shall be assessed against the land on which the sign is located and shall be levied and collected in the same manner as provided in the Town Law for the levy and collection of a special ad valorem levy.
3. Emergency provisions. Where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property unless a sign is immediately repaired or secured or demolished and removed, the Town Board may, by resolution, authorize the Codes Enforcement Officer to immediately cause the repair or securing or demolition of such unsafe sign. The expense of such repair or securing or demolition shall be a charge against the land on which the sign is located and shall be assessed, levied and collected as provided in § 148-38G(3) of this chapter.

§ 148-33 H. Revocation of permit.

The Codes Enforcement Officer may revoke any sign permit in the event that there is any false statement or misrepresentation as to a material fact in the application upon which the permit was based or if the sign is not erected in accordance with the permit.

§ 148-33 I. Preexisting nonconforming signs.

1. A preexisting nonconforming sign may not be altered or enlarged so as to increase its nonconformity or add a different nonconformity.
2. If it is claimed that a sign is a preexisting nonconforming sign, the person making such claim shall have the burden of proof thereof.
3. A certificate of nonconformance may be issued by the Codes Enforcement Officer for a preexisting nonconforming sign upon presentation of proofs satisfactory to the ficer Codes Enforcement Officer. A certificate of nonconformance shall provide a rebuttable presumption that the sign existed at the effective date of this chapter.
4. Alteration or replacement; discontinuance; change of use.
 - (a) Preexisting nonconforming signs may be repaired, repainted or refinished without a permit. A change in the name of the business or other message from that existing or as shown on the sign on the effective date of this chapter shall not be considered repair, repainting or refinishing, and compliance with the provisions of this chapter is required.
 - (b) Discontinuance. Any preexisting nonconforming sign to which Subsection

D(1) above applies which is removed from the position it occupied on the effective date of this chapter and not restored to such position within 30 days shall be presumed to be abandoned and discontinued and may not be restored except in compliance with this chapter.

- (c) Change of use. Any change in use for a property will require removal of all nonconforming signing.

§ 148-33 J. Applicability.

This chapter is applicable within the Town of Skaneateles outside of any Village therein, and shall be construed as an exercise of the municipal home rule and police powers of such municipality to regulate, control and restrict the use of buildings, structures and land in order to promote the health, safety, morals and general welfare of this community, including the protection and preservation of the property of the municipality and its habitants.

§ 148-33 K. Notice.

A notice to an applicant or to a sign owner pursuant to this chapter shall be sufficient if mailed postage paid to the applicant at the address stated in the application as may be changed from time to time by the applicant by written notice received by the Codes Enforcement Officer or to the address of the owner of the property at which the sign is located as shown on the records of the Town Assessors.

**§ 148-33 L. Temporary Political Signs
[Adopted 9-8-1977 by L.L. No. 1-1977]**

1. Temporary political signs may be erected and maintained in the Town of Skaneateles, outside of any incorporated Village, without a sign permit or payment of fees.
2. A temporary political sign must be removed no later than five days after the political event to which the sign refers.
3. A temporary political sign shall be no closer than 15 feet to a property line, not be located within two feet of any road, street or highway property line or road surface, and no such sign shall be attached to a tree, fence or utility pole.
4. A temporary political sign shall not be placed on public property and shall not be placed on private property without the permission of the owner or occupant thereof.
5. A temporary political sign shall not be constructed, erected or located in a manner which obstructs visibility with respect to the safety of a motorist or pedestrian proceeding along or entering or leaving the public way or in a manner that is unsafe, insecure or a nuisance to the public safety.

§ 148-33 M. Penalties for offenses. [Amended 12-10-1985 by L.L. No. 11-1985]

If a temporary political sign is in violation of any regulation under § 148-38G herein, it may be summarily removed by the Codes Enforcement Officer. Also, an offense against

the provisions of this chapter shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. In addition, any person, firm or corporation who or which violates any of the provisions of this chapter or the regulations established hereunder or who or which shall omit, neglect or refuse to do any act required thereby shall severally, for each and every such violation, forfeit and pay a civil penalty not to exceed \$100 a day for each day of continued violation in excess of the first week.

§ 148-33 N. Definitions.

As used in this chapter, the following terms shall have the meanings indicated, unless otherwise stated:

ABANDONED SIGN—Any sign that advertises a business, product, service or activity that is no longer located on the premises where the sign is displayed, or at another location.

BUILDING FRONTAGE — The width of any one specific face of a building that fronts on a public street or parking area where customer access to the building is available.

BUSINESS FRONTAGE — The width of the portion of building frontage allocated to an individual occupant having a public entrance within the building frontage.

BUSINESS SIGN — Any sign related to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located, excluding industrial signs.

CIVIC EVENT SIGN—A temporary sign posted to announce a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar not-for-profit organization.

CONSTRUCTION PROJECT SIGN — Any temporary sign erected by a developer, an architect, an engineer, or contractor, with the sign face of each such sign not exceeding 12 square feet, placed on the premises where construction, repair or renovation is in progress.

CONVENIENCE SIGN—Any sign not exceeding 3 square feet that conveys information to the general public including but not limited to restroom identification signs, open/closed signs (see general sign regulations §148-38B), hours of operation signs, parking/no parking signs, handicapped parking and access signs, entrance signs, posted signs (no-trespassing, hunting, fishing, trapping) and vacancy/no vacancy signs designed to be viewed by pedestrians and/or motorists.

DIRECTIONAL SIGN — Any sign not exceeding 4 square feet or smaller if required that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic to the location of a local service.

DIRECTORY SIGN — A sign containing a list of the names of business establishments located within a multiple-occupant business complex. The size, style, lettering and color for all businesses identified on such signs shall be substantially similar.

ERECT/ERECTED — To build, construct, alter, repair, display, relocate, attach, hang,

place, suspend, affix or maintain any sign, including the painting of exterior wall signs and the use of any vehicle or other substitute for a sign.

FREESTANDING SIGN — Any sign principally supported by one or more columns, poles, or braces placed in or on the ground that is not attached to or part of a building, including a planter sign. A sign attached on a fence is considered a freestanding sign.

FRONT OR FACE OF A BUILDING — The outer surface of a building which is visible from any private or public street, highway or driveway, including window display areas.

GROUND SIGN — Any sign with its message lying on or in the ground.

ILLUMINATED SIGN — Any sign lighted by electricity, gas or other artificial light, including reflective or phosphorescent light, paint or tape.

INDUSTRIAL SIGN — Any sign related to a business that manufactures a commodity on the premises but does not offer such commodity for sale to the general public on or from such premises.

INTERIOR SIGN — A sign located within the exterior walls of a building which is readily readable from outside the building through a window, door or other opening.

LIGHTING DEVICE — Any light, string or group of lights located or arranged so as to cast illumination on or from a sign.

OUTDOOR ADVERTISING SIGN — Any sign unrelated to a business or profession conducted, or a commodity or service sold or offered, upon the premises where such sign is located.

PERSON — Any person, corporation, firm, partnership, association, company, institution or organization of any kind.

PLANTER SIGN — A sign which is attached to or directly associated with floral or other decorative plantings.

POLITICAL SIGN — A sign as defined in this chapter as a "temporary political sign."

PORTABLE SIGN — Any sign with a sign face not exceeding 6 square feet displayed only during normal business hours that is designed and intended to be transported from place to place and is not permanently affixed to the ground or to a building.

PREEXISTING NONCONFORMING SIGN — Any sign which exists at the effective date of this chapter or an amendment thereto and which does not conform to the regulations and restrictions imposed thereby.

PROJECTING SIGN — Any sign other than a wall or fascia sign which extends more than 9 inches from the exterior of any building and is attached to that building.

RESIDENTIAL SIGN — A sign which only identifies by name the resident or residents or the address or box number, including mailboxes and directory signs at the entrance to private roads or lanes.

ROOF SIGN — Any sign constructed on or supported by the roof of any building or

structure.

SIGN — Any material, including fabric or plastic, structure or part thereof or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered, pictorial or other matter for visual communication, when used or located out-of-doors or on or near the exterior of any building for the display of any advertisement, notice, directional matter, information or name. The term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation or the flag or insignia of any nation or of any governmental agency or political signs, vehicle signs or residential signs. A “sign” readable from two sides and with parallel faces is considered one “sign”.

SIGN FACE — The square footage of the smallest standard geometric shape which will enclose all elements intended to be part of the sign, including but not limited to the sign area and the background related to the sign. Supporting structures are not part of the "sign face" unless internally lit or lit by their own specific external light source. If a sign is painted or applied without backing to the face of a building, the "sign face" also includes any additional form or design not integral to the building's architecture.

CODES ENFORCEMENT OFFICER — Such person as may be designated by the Town Board by resolution or, if none is so designated, the Zoning or Code Enforcement Officer for the Town of Skaneateles.

TEMPORARY SIGN — Any sign, with a sign face not exceeding 16 square feet , or smaller if otherwise required and no higher than 10’ above the ground level, which is intended to advertise a civic event, real estate for-sale, for-lease or for-rent signs; construction project signs; garage sale signs and signs signifying the opening of a new business.

TEMPORARY POLITICAL SIGN — A sign of a political nature, relating to a special or general election or referendum or other specific political event. This includes signs designed to express political, religious, or other ideological sentiment that does not advertise a product or service. See § of this chapter for general regulations.

VEHICLE SIGN — A sign painted on or attached to a motor vehicle or other vehicle used or intended for use on a public highway.

WALL OR FASCIA SIGN — A sign mounted flush with or projecting not more than nine inches from the face or front of a building.

Terms not defined herein but defined elsewhere in the Code shall have the meanings indicated therein.

§ 148-56. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY APARTMENT — A dwelling unit occupying the lesser of 1,000 square feet or 30% of the floor space of an owner-occupied structure containing a principal use that is single-family residential or nonresidential, or a dwelling unit no larger than 1,000 square feet located in an accessory structure on an owner-occupied property.

ACCESSORY STRUCTURE — A structure subordinate to a principal building and used in conjunction with and for purposes customarily incidental to those of the principal building or use, including accessory apartments.

ACCESSORY USE — A use customarily incidental and subordinate to the principal use or building and used in conjunction with such principal use or building.

ACCESS STRIP — A strip of land abutting a public or platted private road, providing access to a rear lot. (See § 148-11J.)

ADULT ENTERTAINMENT BUSINESS — A bookstore, video store, nightclub, movie theater, retail store or other establishment which prominently features entertainment or materials with sexually explicit content. An establishment which sells such materials as an incidental part of its business or which presents such material or entertainment primarily as a form of legitimate artistic expression shall not be considered an adult entertainment business.

AGRICULTURAL DATA STATEMENT — An identification of farm operations within an agricultural district located within 500 feet of the boundary of property upon which a subdivision is proposed, as provided in § 305-a of the Agriculture and Markets Law. An agricultural data statement shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundary of the property upon which the project is proposed; and a Tax Map or other map showing the site of the proposed project relative to the location of farm operations identified in the agricultural data statement.

AGRICULTURE — The utilization of land and structures for the production, preservation, nonindustrial processing, storage and sale of agricultural commodities such as crops, plants, flowers, vines, trees, sod, shrubs, livestock, honey, Christmas trees, compost, poultry or dairy products, not including agricultural industry or farms primarily for the disposal of offal or garbage. Commercial horse-boarding operations, as defined herein, and the raising or breeding of horses are agricultural uses, distinguished from the business use of teaching or training people to ride a horse. (See "riding academy.")

ALTERATION — As applied to a structure, a change to or rearrangement of the structural parts, or any expansion thereof, including the extension of any side or by any increase in height, or the moving of such structure from one location to another.

ANTENNA — A system of electrical conductors that transmit or receive radio frequency waves. Such waves shall include but not be limited to radio navigation, radio, television and microwave communications. The frequency of these waves generally ranges from 10 hertz to 300,000 megahertz.

APPLICANT — Any person, corporation or other entity applying for a building permit, certificate of occupancy, special permit, site plan or subdivision approval, variance or zoning amendment.

AUTOMOBILE SERVICE STATION — Any area of land, including structures, that is used or designed to service motor vehicles by supplying fuel, oil, or other lubricants, and/or to provide other types of services such as maintenance, repair, body work, polishing, greasing, painting, or washing such motor vehicles. An establishment that satisfies this definition and also sells unrelated retail goods shall be considered to be both an automobile service station and a retail use.

BED-AND-BREAKFAST — A dwelling in which overnight accommodations, not exceeding five bedrooms, and breakfast are provided for transient guests for compensation. A bed-and-breakfast must be the primary residence of the owner/proprietor.

BERM — An earthen construct designed for use as a barrier, enclosure, partition, fence, ledge, shelf or support.

BOARDINGHOUSE — A building other than a hotel containing a shared kitchen and/or dining room, in which no more than six sleeping rooms are offered for rent, with or without meals.

BOATHOUSE — A structure used solely for the protection of boats from the weather.

BUILDABLE LAND — That portion of a lot which is suitable for building structures and locating septic disposal facilities, i.e., all land excluding wetlands and watercourses, preexisting utility easements and rights-of-way, slopes exceeding 12% (slopes measured as 5,000 square feet or more of contiguous sloped area at least 10 feet in width) and the one-hundred-year flood zone.

BUILDING — A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or property.

BUILDING HEIGHT — The vertical distance measured from the average elevation of the proposed finished grade on all sides of the building to the highest point of the roof.

BUILDING, PRINCIPAL — A building or structure in which is conducted the main or principal use of the lot on which it is located.

CEMETERY — Land used or intended to be used for the burial of dead human beings and dedicated for such purpose, including columbariums, mausoleums and mortuaries when operated as part of a cemetery and within its boundaries, but excluding crematoria.

CHARITABLE ORGANIZATION — A not-for-profit corporation or association organized for charitable purposes including but not limited to education, social welfare, environmental conservation, scientific research, cultural enrichment and the arts.

CLEAR-CUTTING — Any activity which significantly disturbs or removes substantially all of the trees, brush, grass or other vegetation on a site without disturbing the soil, excluding agriculture production, in an area exceeding 5,000 square feet in any one year. For slopes 30% or greater, § 148-30B(1) applies.

CLUB, MEMBERSHIP — Premises used by a not-for-profit organization catering exclusively to members and their guests for social, recreational, athletic or similar purposes. A club which falls within the definition of "recreational business" shall be deemed to be a recreational business.

COMMERCIAL HORSE-BOARDING OPERATION — An agricultural enterprise, consisting of at least seven acres and boarding at least 10 horses, regardless of ownership, that receives \$10,000 or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production, not including operations whose primary on site function is horse racing.

COMMON DRIVEWAY — A driveway serving no more than four lots, owned in common or created by reciprocal easements.

COMPLETE APPLICATION — An application for a special permit, site plan or subdivision approval, zoning amendment or variance found by the reviewing board to satisfy all information requirements of this chapter and of the New York State Environmental Quality Review Act, for which either a negative declaration has been issued or a draft environmental impact statement has been accepted as satisfactory pursuant to 6 NYCRR 617.8(b)(1).

COMPREHENSIVE PLAN — The Comprehensive Plan adopted by the Town Board for the future preservation and development of the Town of Skaneateles pursuant to § 272-a of the Town Law, including any part of such plan separately adopted and any amendment to such plan.

CONDOMINIUM — A system of ownership of dwelling units, either attached or detached, established pursuant to the Condominium Act of the State of New York,¹³ in which the apartments or dwelling units are individually owned. ^{13. Editor's Note: See Real Property Law § 339-d et seq.}

CONFORMITY/CONFORMING — Complying with the use, density, dimensional and other standards of this chapter.

CONSERVATION EASEMENT — A perpetual restriction on the use of land, created in accordance with the provisions of § 49, Title 3, of the Environmental Conservation Law or § 247 of the General Municipal Law, for the purposes of conservation of open space, agricultural land and natural, cultural, historic and scenic resources.

CONSTRUCTION TRAILER — A mobile unit used for nonresidential purposes associated with on-site construction.

CONVENIENCE STORE — A retail use, intended to serve motorists and neighbors, limited to the sale of groceries, snack foods, beverages, toilet articles, sundries, magazines, newspapers and foods.

CORNER LOT — See "lot, corner."

CRAFT WORKSHOP — A place where artists, artisans, craftsmen and other skilled tradespeople produce and sell custom-made art or craft products including but not limited to baskets, cabinets, ceramics, clothing, flower arrangements, jewelry, metalwork, musical instruments, paintings, pottery, sculpture, toys and weaving. A craft workshop may involve the sale of accessories, supplies, and incidental items not produced on the premises, provided that no more than 10% of floor space is used for such sales.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to construction or alteration of buildings or other structures, as well as mining, dredging, filling, paving, excavations or drilling operations.

DOCK — A floating or fixed structure projecting from or along the shore into the water of Skaneateles Lake, which may or may not have elements attached to the lake bottom, including floating docks, piers and wharves used as a berthing place for boats, as well as docks used for swimming, sitting, or other recreational purposes. (See "permanent dock.") Any dock which is not considered a permanent dock shall be deemed a temporary dock.

DRIVEWAY — A private way providing vehicular access from a public or private road to a residence or to a commercial or noncommercial establishment.

DWELLING — A building designed or used exclusively as living quarters for one or more families.

DWELLING, MULTIFAMILY — A dwelling containing separate living units for three or more families.

DWELLING, SINGLE-FAMILY — A detached building designed for the use of one household, including one or more persons living as a family, and wherein not more than three boarders are sheltered and/or fed for compensation.

DWELLING, TWO-FAMILY — A detached building containing two dwelling units.

DWELLING UNIT — A building or portion thereof providing complete housekeeping facilities for one family.

EASEMENT — A right of use over the real property of another, including a right, whether recorded or prescriptive, granted by a property owner to others, whether exclusively to an individual, or non-exclusively to several individuals or the public, to make limited use of or all of the property subject to the easement, for a specified purpose. Easements may be either affirmative to permit the easement holder to exercise a use or right, or negative to prohibit the property subject to the easement from exercising a right or use.

EROSION — The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

EXCAVATION — Any activity which removes or significantly disturbs rock, gravel, sand, soil or other natural deposits.

FAMILY — One person, or a group of two or more persons living and cooking together in the same dwelling unit as a single housekeeping entity. A roomer, boarder, lodger or occupant of supervised group quarters shall not be considered a member of a family.

FARM — Any lot or parcel of land at least five acres in area which is used in conjunction with a farm operation as defined in § 148-56.

FARM OPERATION — As defined in New York Agriculture and Markets Law, Article 25AA, § 301(11), land and on-farm buildings, equipment, manure processing and handling facilities, and

practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse-boarding operation. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

FENCE — A structure or partition erected for the purpose of enclosing a piece of land or to divide a piece of land into distinct portions or to separate two contiguous estates.

FILLING — Any activity which deposits natural or artificial material in a manner that modifies the surface or subsurface conditions of land or watercourses.

FLOODPLAIN/ONE-HUNDRED-YEAR FLOODPLAIN — Land subject to a one-percent or greater chance of flooding in any given year.

FLOOR SPACE — The sum of the areas of habitable, potentially habitable, or commercially usable space on all floors of a structure, including the interior floor area of all rooms (including bathrooms and kitchens), closets, pantries, hallways that are part of a dwelling unit or inside a commercial building, walk-out basements, attics with sufficient ceiling height to be used for habitation, excluding cellars or unfinished basements where less than four feet of the interior basement height is above grade level on all sides. Floor space shall be measured from exterior wall to exterior wall. In the case of a mixed use, it shall be measured from exterior wall to the center of the dividing walls.

- A. **HABITABLE FLOOR SPACE** – Includes basements and attics within a building finished pursuant to the NYS Building and Fire Codes.
- B. **POTENTIALLY HABITABLE FLOOR SPACE** – Includes currently unfinished and potentially accessible portions of basements and or attics with ceiling heights and floor areas satisfying the minimum standards of the NYS Building and Fire Codes. Ceiling height shall be measured from the floor to the lowest projection from the ceiling or floor framing above. Beam, girder or duct work intrusions consistent with the NYS Building and Fire Codes will be included in the calculation of potentially habitable floor space.
- C. **COMMERCIALLY USABLE SPACE** – Space designed for the storage or display of products and or access by customers or employees.

FOOTPRINT — Area of the ground covered by a structure, including the foundation and all areas enclosed by exterior walls and footings and covered by roofing.

FRONT — The side of a building or structure parallel to and closest to a road or street. On a corner or a through lot, both sides of a building facing the street shall be considered the front.

GAZEBO — A freestanding unenclosed structure without solid walls and topped by a roof, but which shall not exceed 12 feet in height.

GLARE — Spillover of artificial light beyond the area intended for illumination in a manner which either impairs vision or beams light onto adjoining properties or toward the sky.

GRADING — Any excavation, alteration of land contours, grubbing, filling or stockpiling of earth materials.

HAZARDOUS MATERIAL — Any substance listed in or exhibiting characteristics identified in either 6 NYCRR Part 371 or 6 NYCRR Part 597. Includes material which is a present or potential hazard to human health or the environment when improperly stored, transported, discarded or managed, including hydrocarbon products such as gasoline, oil and diesel fuel.

HEALTH CARE FACILITY — A hospital, nursing home, medical clinic or office building for doctors and other medical personnel, including any residential facility in which the residents receive medical, nursing, or other care meeting the needs of daily living because of the resident's state of health, including but not limited to assisted living, congregate care, and rehabilitation facilities.

HEDGE — A row of closely planted shrubs or low-growing trees forming a fence or visual or physical boundary.

HOME OCCUPATION — An occupation or business activity resulting in a product or service for financial gain, conducted wholly or partly in a dwelling unit or accessory structure. "Home occupation" includes, but is not limited to, the following: art studio, dressmaker, carpenter, electrician, plumber, professional office of a physician, dentist, lawyer, engineer, architect or accountant within a dwelling occupied by the same and teaching, with musical instruction limited to not more than three pupils at a time. "Home occupation" does not include barbershops, beauty parlors, commercial stables, riding academies, kennels or restaurants.

HOTEL — See "lodging facility."

IMPERMEABLE SURFACE — Any roofed or other solid structure or material covering the ground through which water does not readily penetrate, including but not limited to concrete, oil and stone, tar or asphalt pavement, or compacted gravel. Regardless of the construction materials, any area which is used for driveway or parking purposes, including disturbed grass, ground cover, or dirt, shall be considered impermeable. A deck with spaced boards at least 1/8 inch apart, a swimming pool surface, and a patio with a permeable paving system shall not be considered impermeable.

IMPERMEABLE SURFACE COVERAGE — The ratio between impermeable surface and total land area of a lot expressed as the percentage of land covered by impermeable surfaces.

INTERIOR ROAD — A road constructed off of an existing public street that provides access to the interior of a parcel.

INTERIOR VOLUME — The sum of the volumes of all enclosed habitable spaces on all floors of a structure, including the interior volume of all rooms (including bathrooms and kitchens), closets, pantries, and hallways, excluding cellars or unfinished basements. Interior volume of habitable space is computed by multiplying the floor space of habitable areas by the height of the actual enclosed space, and is expressed in cubic feet.

JUNK — Any worn-out, cast-off, discarded or neglected article or material which is ready for destruction or has been collected or stored for salvage or conversion to another use. "Junk" does not include any article or material which unaltered or unchanged and without further reconditioning can be used for its original purposes as readily as when new or any article stored

for restoration or display as part of a bona fide hobby (such as antique automobiles, antique farm machinery, antique engines, special interest automobiles, etc.).

KENNEL — Any establishment including cages, dog runs, and structures wherein more than three dogs which are over six months old are kept for sale, boarding, care or breeding, for which a fee is charged.

LAKE FRONTAGE — The longest distance along two straight lines formed by connecting the lot corners where they intersect the lake line with an intermediate point (selected to maximize the length of the two lines) on the lake line, not including manmade projections into the lake. See diagram below.

LAKE LINE — The shoreline of Skaneateles Lake when the lake level is 865.02 feet (National Geodetic Vertical Datum 1929), the legally established elevation to which the City of Syracuse may raise the level of the lake. (The corresponding level using City of Syracuse datum is 863.27 feet.) [Amended 7-24-2007 by L.L. No. 13-2007]

LAKE YARD — See "yard, lake."

LIGHT INDUSTRY — Manufacture, assembly, treatment or packaging of products that does not emit objectionable levels of smoke, noise, dust, odor, glare or vibration beyond the property boundaries.

LODGING FACILITY — Any hotel, motel, inn or other establishment, other than a bed and-breakfast, providing sleeping accommodations for transient guests, with or without a dining room or restaurant.

LOT, CORNER — A lot at the junction of and abutting on two or more intersecting roads.

LOT LINES — The property lines that bound a lot as defined herein.

LOT OF RECORD — Any lot which has been established as such by plat, survey record or deed prior to the date of this chapter as shown on the records in the office of the Onondaga County Clerk.

LOT/PARCEL — An area of land with definite boundaries, all parts of which are owned by the same person(s) or entities, the boundaries of which were established either by the filing of an approved subdivision plat or by the recording of a deed prior to the adoption of Subdivision Law by the Town of Skaneateles on June 20, 1974.¹⁴ Where a parcel is divided by a public road, such division shall be deemed to create separate lots, even if such lots do not have individual tax parcel numbers or have been transferred in the same deed. [Amended 10-2-2006 by L.L. No. 3-2006]¹⁴. **Editor's Note: See Ch. 131, Subdivision of Land.**

LOT, REAR — A lot on which the buildable area is located generally to the rear of other lots having frontage on the same road as such lot and having access to the road via a strip of land that does not have the minimum road frontage ordinarily required in the zoning district.

LOT, THROUGH — A lot which faces on two streets at opposite ends of the lot, which is not a corner lot.

LOT WIDTH — The shortest distance between the side lot lines, measured at the front of the principal building, or at the building front-yard setback in the case of an undeveloped lot. [Amended 7-24-2007 by L.L. No. 13-2007]

MAJOR PROJECT — A proposed use that requires a special permit or site plan approval and that exceeds any of the thresholds for a minor project.

MARINA — A waterfront commercial facility for the docking, servicing, storage, rental or sale of boats or water-based aircraft.

MARINE RAILWAY — An immovable structure which may be wholly or partially submerged and constructed of parallel rails attached to cross-ties which support a cradle to launch or haul a boat into or from Skaneateles Lake.

MEMBERSHIP CLUB — See "club, membership."

MINING — See "open pit mining."

MINOR PROJECT — A use or combination of uses on a lot or a series of adjoining lots that requires either site plan review or a special permit and that, over a fifteen-year period, does not exceed any of the following limits:

- A. Construction of four multifamily dwelling units or a boardinghouse or lodging facility with six bedrooms.
- B. Construction of facilities or structures for a nonresidential use covering no more than 12,000 square feet of building footprint, except that for a recreational business use this threshold shall be 5,000 square feet.
- C. Alteration of existing structures or expansion of such structure by no more than 12,000 square feet.
- D. Conversion of existing structures totaling 12,000 square feet or less to another use.
- E. Alteration and active use of 43,560 square feet or less of land with or without structures except that for a recreational business use this threshold shall be 15,000 square feet.

MIXED USE — Any combination of residential, commercial or industrial uses on the same lot or in the same building.

MOBILE HOME — A transportable living unit used or designed to be used year round as a permanent residence and containing the same types of water supply, waste disposal and electrical systems as immobile housing. Motor homes designed to be driven or towed by an automobile or motor vehicle, units designed for use principally as a temporary residence, or prefabricated, modular or sectionalized houses transported to and completed on a site are not considered to be mobile homes.

MOBILE HOME COURT — Any court, park, place, lot or parcel under single ownership which is improved for the placement of two or more mobile homes to be used as permanent residences.

MULTIFAMILY DWELLING — See "dwelling, multifamily."

NONCONFORMING LOT — A lot of record which does not comply with the area, shape, frontage or locational provisions of this chapter for the district in which it is located.

NONCONFORMING STRUCTURE — A structure which does not satisfy the dimensional requirements of this chapter, including impermeable surface coverage requirements, for the district in which it is located, but which was not in violation of applicable requirements when constructed. For purposes of this definition, all impermeable surfaces are considered to be structures.

NONCONFORMING USE — Any use lawfully existing prior to and at the time of the adoption or amendment of this chapter or any preceding zoning law or ordinance, which use is not permitted by or does not conform to the permitted use provisions of this chapter for the district in which it is located. A preexisting lawful use which is allowed only by special permit under this chapter shall be considered a nonconforming use until such time as a special permit is granted for it.

OFFICIAL NEWSPAPER — The newspaper or newspapers designated by the Town for the publication of official notices of meetings and public hearings.

OPEN PIT MINING — Use of a parcel of land or contiguous parcels of land, or portions thereof, for the purpose of extracting and selling stone, sand and/or gravel, not including the process of preparing land for construction of a structure for which a building permit has been issued. In no event shall “open pit mining” be construed to mean, be or include natural gas and/or petroleum exploration activities or natural gas and/or petroleum extraction activities.

OPEN SPACE — An area of land not developed with structures and used for recreation, agriculture, lawn or forestry or left in its natural state. (“Permanent open space” is defined and discussed in § 148-9H.)

OUTDOOR STORAGE — Land used for the keeping of goods, wares, equipment or supplies outside of a structure.

PACKAGE SEWAGE TREATMENT PLANT — A facility which treats sewage and discharges treated effluent into surface water or below the surface of the ground, excluding systems consisting of septic tanks and leach fields.

PARKING SPACE — The net area needed for parking one automobile, usually equal to 180 square feet with dimensions of nine by 20 feet.

PERGOLA – An unenclosed structure with no roof, but topped by a framework of materials, comprised of support columns and horizontal crosspieces, which may only be covered by vines or other climbing plants, but which is not enclosed at the sides or ceiling by scree, fabric, or other material.

PERMEABLE SURFACE – Any surface which collects precipitation and filters or detains precipitation; or any surface which permits precipitation to flow through it, including, but not limited to: swimming pool surfaces, ponds, lawns, mulch, wood chips and other similar surfaces, and stones arranged decoratively for walkways, or otherwise defined and restricted in this chapter.

PERMANENT DOCK — A fixed structure projecting from or along the shore into the water of Skaneateles Lake with elements attached to the lake bottom, or any structure that remains in the lake for more than eight months of the year, including floating docks, piers and wharves used as a

berthing place for boats. An articulating dock, which is attached to the shore year round and projects into the lake for only part of the year, shall be deemed to be a permanent dock.

PLAT — A map or plan submitted to the Planning Board as part of an application for subdivision approval. (See "subdivision law.")

PLOT PLAN — A map or plan showing the boundaries of a parcel and all structures and important physical features on it, drawn to scale with accurate dimensions and submitted with an application for a minor project special permit or a variance.

PREMISES — A lot, together with all the structures and uses thereon.

PRINCIPAL BUILDING — See "building, principal."

PRIVATE RIGHT OF WAY – Real property owned by a private individual for use as a road, street, cross-walk, walkway, or other access.

PRIVATE ROAD — A privately owned road held in common ownership or easement by a homeowners' association.

PUBLIC RIGHT OF WAY – Real property owned by a state or local government or property dedicated by the landowner, for use as a road, including a public or private road, street, cross-walk, walkway, utility line or other access.

PUBLIC WATER AND SEWER — Central or communal water supply systems and central or communal sewage collection and/or treatment systems approved and accepted by the Town Board or by any other appropriate county or state authority for operation and maintenance, including sewage disposal systems involving common septic tanks or leach fields or other forms of decentralized sewage treatment managed by the Town or by an improvement district or sewage disposal management district.

REAR LOT — See "lot, rear."

RECREATIONAL BUSINESS — A business and/or club which, for compensation and/or dues, offers recreational services including but not limited to marinas, boatyards, ski resorts, public stables, golf courses and driving ranges, miniature golf, movie theaters and other places of public or private entertainment.

REDEVELOPMENT – Any change, modification, rehabilitation, or alteration of a pre-existing and nonconforming lot whose total calculation of impermeable surface currently exceeds the maximum permitted by this chapter, which expands or alters the existing footprint of structure located thereon.

RELIGIOUS INSTITUTION — A church, synagogue or other place of religious worship, as well as a monastery or other place of religious retreat.

RESIDENTIAL UNIT — See "dwelling unit."

RESIDENTIAL USE — A use of land and structures in which people live and sleep overnight on a regular basis.

RETAIL BUSINESS — An establishment selling goods to the general public for personal and household consumption, including but not limited to an appliance store, bakery, delicatessen, drugstore, florist, grocer, hardware store, liquor store, newsstand, restaurant, shoe store, stationery store and variety store.

REVIEWING BOARD — The Town board to which an application is directed and from which such application requires approval.

RIDING ACADEMY — An establishment where one or more of the following occurs:

- A. More than four horses are kept for riding, driving, or horseback riding lessons, for compensation, or incidental to the operation of any club, association, resort, riding school, ranch, or similar establishment;
- B. Public riding events or horse shows are held for which an entrance fee is charged; or
- C. An indoor riding ring is used for giving horseback riding lessons or holding events or shows.

ROAD FRONTAGE — The distance along a street line measured at the front of a lot.

ROAD/STREET — A public or private way for pedestrian and vehicular traffic, including avenue, lane, highway or other way, excluding a driveway or common driveway.

SCREEN/SCREENING — The location of structures in such a manner that they are not visible from a public road or any other public place during the summer months and no more than partially visible in winter. Objects or structures may be screened by topography, vegetation or other structures not required to be screened.

SEASONAL USE — Any activity in a structure which is used and intended for use primarily in the summer months, and which generally lacks central heating or insulation. The occupancy of any habitable structure for more than eight months of the year shall be considered year round rather than seasonal.

SERVICE BUSINESS — A business or nonprofit organization that provides services to the public, either on or off the premises, including but not limited to building, electrical, plumbing and landscape contracting, arts instruction or studio, auto repair, business and educational services, catering, health club, house cleaning services, locksmith, photocopying, repair and restoration services, tailoring, typing and word processing. "Service business" does not include retail business, restaurants, warehouses or other uses separately listed in the Use Table.

SETBACK — The distance in feet from a property line to a structure on a lot.

SEWAGE TREATMENT FACILITY — Any package sewage treatment plant, or any other public or private central or communal sewage collection and/or treatment system, including systems involving common septic tanks or leach fields or other forms of decentralized sewage treatment managed privately or by the Town or an improvement district or sewage disposal management district.

SHARED LAKEFRONT RECREATION — Use of privately owned lakefront land for recreational purposes by members of a homeowners' association pursuant to deeded access rights, as defined by § 148-36C. This shall not apply to recreational use of a lakefront parcel by one family and its guests. (See § 148-36C.)

SHORELINE STRUCTURE — Any accessory structure located within 50 feet of Skaneateles Lake.

SIGN — Any billboard, signboard, inscription, pennant or other material, structure, exterior painting or device composed of lettered or pictorial material that is intended for outdoor viewing by the general public (including inside a window) and used as an advertisement, announcement or direction.

SINGLE-FAMILY DWELLING — See "dwelling, single-family."

STRIP COMMERCIAL DEVELOPMENT — The layout of a commercial use or uses in separated or common-wall structures along a state highway, with more than one row of parking located between the highway and the commercial building(s), where parking is visible from the road. The provision of gasoline pumps or other drive-up facilities in front of a building shall be considered to be equivalent to one row of parking. Strip commercial development is contrasted with village center development, which is characterized by two-story or taller buildings set close together and close to the street (forming a street wall that encloses the street), with a pedestrian orientation (including sidewalks) and with all off-street parking located behind or to the side of buildings.

STRUCTURE — A static construction of building materials set upon or affixed to the ground, including but not limited to a building, dam, display stand, gasoline pump, installed mobile home or trailer, reviewing stand, shed, shelter, sign, stadium, storage bin, tennis court, driveway, parking area, hot tub, fence or wall, bridge, and including structures enclosed by screen, fabric or other temporary materials..

TELECOMMUNICATIONS ACCESSORY FACILITY — Serves the principal use, is subordinate in area, extent and purpose to the principal use and is located on the same lot as the principal use. Examples of such facilities include transmission equipment and storage and equipment sheds or structures.

TELECOMMUNICATIONS TOWER — A structure on which transmitting and/or receiving antenna(s) are located.

TEMPORARY DOCK — Any dock that is not a permanent dock, as defined herein .

TEMPORARY STRUCTURE – Any structure which is constructed for seasonal use only, no longer than 8 months, which is dismantled and store while not in seasonal use. Any structure retaining longer than 8 months is considered permanent and must meet all zoning requirements of this chapter, including, but not limited to, dimensional and impermeable surface coverage limitations.

THIS CHAPTER — See "Zoning Law."

THIS LOCAL LAW — See "Zoning Law."

TOWN ENGINEER — The engineer retained by the Town Board or the Planning Board or other professional engineer qualified under the New York State Education Law and authorized by the Town Board to perform work for the Town.

TOWN LAW — The Town Law of the State of New York, Chapter 62 of the Consolidated Laws.

TRUCK TERMINAL — Any location where freight originates, terminates or is handled in the transportation process or where carriers maintain operating facilities, excluding the premises of shippers or receivers of freight.

TWO-FAMILY DWELLING — See "dwelling, two-family."

USE — The purpose for which any premises may be arranged, designed, intended, maintained or occupied, or any occupation, activity or operation conducted or intended to be conducted on a premises.

USE, ACCESSORY — A use which is customarily incidental to and subordinate to the principal use of a lot or structure, located on the same lot as the principal use or structure.

UTILITY FACILITY — A utility facility is a use which is operated by a public utility, and which provides cable television, electric, gas, steam, telephone service, water, or sewerage directly to the general public. Examples are electric substations. A public utility is an entity which operates as a monopoly, and whose rates charges to customers are established by a utility commission. Connections from utility facilities in the homes and businesses of customers of the public utility are considered accessory uses.

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 physical requirements of the applicable zoning regulations.

VARIANCE, USE — The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations. An increase in density or intensity of use shall be deemed to require a use variance if such increase is not allowed by right or by special permit.

VISIBLE/VISIBILITY — Able to be seen by a person with normal vision on a clear day when there is no foliage on deciduous trees.

WALL — An upright structure of stone, brick, rock or similar material serving to enclose, protect, divide or partition an area of land.

WAREHOUSE — A structure or structures in which materials, goods or equipment are stored.

WATERCOURSE — Waters or waters of the state as defined in § 17-0105 of the Environmental Conservation Law, including Skaneateles Lake, and further described as being annual or perennial, influent or effluent, continuously or intermittently flowing, including those classified in 6 NYCRR Part 896, that are capable of and do, under normal conditions, carry water in a manner described above. The banks of such watercourse shall be identifiable, i.e., defined bed, banks, gullies, ravines, etc. Road ditches and shallow land depressions generally referred to as grassed waterways, swales, etc., that carry water only immediately (a few to several hours) after a runoff-producing event are not considered watercourses. Where there is a question of whether a watercourse exists and where the top of the bank is located, the reviewing board shall conduct a site evaluation to determine whether or not a particular channel is a watercourse and where the top of the bank is located. Its determination shall be final. For purposes of determining setbacks and required buffers, the boundary of the watercourse shall be measured from the lake line or the top of the bank closest to construction.

WATERSHED (Skaneateles and Owasco Lakes) — That land (and water surface area) which contributes water to the lake and watercourse. The map of the watershed boundary should be a guide, but final determination of the boundary location is best made in the field.

WETLAND — An area of land that is characterized by hydrophytic vegetation, saturated soils or periodic inundation. (See § 148-29.)

WINDMILL — A mechanized system which converts wind energy into electrical or mechanical power. A "large-scale windmill" is defined as any windmill with a generating capacity in excess of three kilowatts. A "small-scale windmill" is defined as any windmill with a generating capacity up to and including three kilowatts, including windmills used in connection with business operations.

YARD — An open space on the same lot with a structure.

YARD, FRONT — An open space extending across the full width of the lot between the front building line and the street line.

YARD, LAKE — An open space extending across the full width of the lot between the lake shore and the principal building.

YARD, REAR — An open space extending across the full width of the lot between the rear lot line and the rear of the principal building nearest the rear lot line.

YARD, REQUIRED — That portion of any yard required to satisfy minimum yard setbacks. No part of such yard can be included as part of a yard required for structures on another lot.

YARD, SIDE — An open space on the same lot with a principal building between the principal building and side line of the lot and extending from the front yard to the rear yard.

ZONING LAW/THIS LOCAL LAW/THIS CHAPTER — The officially adopted Zoning and Land Use Control Law of the Town of Skaneateles, together with any and all amendments thereto, in accordance with Article 16 of the Town Law and Articles 2 and 3 of the Municipal Home Rule Law.