

Town Of Cicero Zoning Ordinance (Chapter 210) Compared to Proposed Brewerton Form-Based Code

The following table is an effort to compare the Town of Cicero's current zoning ordinance with the proposed Brewerton Form-Based code. While every effort has been made to compare the various topics, this list is not an exhaustive comparison. Instead the statements are meant to provide an overall comparison to identify how the new code differs from the current ordinance.

One topic not included here is administration. The administration of the zoning ordinance is contained in the current document and will remain mostly unchanged.

<u>Topic</u>	<u>Current Zoning Ordinance</u>	<u>Proposed Form-Based Code</u>	<u>Comments</u>
Zoning Districts	The project area for the Brewerton Form-Based code currently has one zoning district (GC – General Commercial). This district allows retail and office uses, including gas stations, drive-in activities and vehicle sales and service. This district has front, side and rear yard setbacks, maximum building coverage, size, and height requirements.	The Brewerton Form-Based code has two districts identified that would overlay the current zoning classification. These districts allow a range of uses from residential to commercial. Each of these districts has a combination of frontage type, build-to lines, setbacks, and parking standards. Each district also has architectural standards and guidelines that will provide guidance for the building form and predictability in the different zoning classifications.	<p>One of the primary differences between the current zoning and the proposed zoning is the vision of the Brewerton Strategic Revitalization Plan. This plan, created by the vision of the public and adopted by the Town of Cicero recommended a pedestrian and bicycle oriented mixed use area be created along the Brewerton Road (Route 11) corridor and provided for limited auto-oriented uses. These recommendations and goals are the basics reflected in the draft Brewerton Form-Based Code. The current code was based primarily on occupancy or use and does not include any specific vision or plan.</p> <p>The primary differences between the codes are how front building lines are established, bulk or building mass is addressed, and the public frontage of buildings. The form-based code not only controls the compatibility of uses it provides the predictability in the construction of buildings.</p>

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Uses	The current zoning ordinance provides for a range of uses in the GC zoning classification that generally should not exceed 50,000 square feet.	The form-based code provides a basic list of uses in each zoning classification and general guidance as to what is appropriate. This provides greater freedom for administration to determine compatibility of uses. The code also provides for a broader mix of uses that may be provided in the same building or on the same site.	The form-based code encourages a greater mix of uses that will permit or provide opportunity for bicycling or walking, thereby, reducing the dependency on cars. The form-based code also addresses a type and scale of development that is sensitive to the hamlet's origin and remaining traditional mixed-use characteristics.
Minimum Lot Size	Lot size is based on a minimum lot depth <u>and</u> building line, allowing for building and parking requirements to establish the minimums a property needs.	The form-based code requires a minimum lot width and depth. Lots widths are substantially narrower.	Narrower lot widths and no minimum lot area results in higher densities than permitted by the current ordinance.
Front Setbacks/Build to Zone	Front setbacks are established in the GC zoning classification based on the need of the individual districts. A developer may choose to build up to the setback line or any place behind it.	Front build-to zones are established by the two proposed zoning classifications based on the Brewerton Strategic Revitalization Plan. The build-to zones provide a range of distances where the building must be placed.	Build-to zones provide a level of predictability to construction projects that setbacks do not. Setbacks only provide a minimum while allowing a maximum that can be virtually anywhere on the lot. This can result in wide ranging front setbacks from site to site.

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Side Setbacks	Side setbacks are 10 ft. for all uses.	Side setbacks range from 0 feet in the DC District to three feet in the HG District.	The side setback requirement is more liberal under the form-based code.
Rear Setbacks	Rear setback is 25 ft. for all uses	The rear setback requirement is eight (8) ft.	The form-based code is more liberal than the current code.
Building Height	35' maximum. No minimum.	DC District: 4 stories maximum, 2 stories minimum. HG District: 3 stories maximum; 2 stories minimum.	Residential buildings are generally comparable in both codes, while commercial buildings potentially allow for greater heights. A story may not exceed 14' from finished floor to finished ceiling.
Accessory Buildings	Residential accessory buildings are limited to 15' in height. Commercial accessory structures are limited to 35' in height.	Accessory buildings have virtually the same requirements as the current code with the exception of height. An accessory structure may be two (2) stories in height. It also must be a minimum of three (3) ft. from the property line.	The main difference between the current and proposed codes is the two-story height requirement and minimum set back distance.

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Parking Counts	The only parking considered for the current code is that which is located on site. Parking counts are roughly as follows: 2 spaces for each one- and two-family dwelling unit; 1 ½ spaces for each dwelling unit within a multifamily use.	Parking proposals for the form-based code include: Residential, .75 – 1.5 spaces based on number of bedrooms; lodging, 1 space/living unit; all other 6 spaces/1000 square feet. Credit for parking can be allowed for on-street or public parking spaces. There are also shared parking bonus and in-lieu fee options available. Bicycle parking is required.	In general, fewer parking spaces are required by the proposed form-based code.
Parking Lot Setbacks, Landscaping, and Lighting	Parking setback is 15 ft. from any lot line.	Parking lot front setback is minimum 20'. Parking lots that encroach a front or side yard must be masked by a wall, continuous hedge, or fence. Interior landscaping – required at the end of parking rows, islands, and medians. Cutoff type fixtures required to prevent light spillage and allow for a dark sky.	Landscape requirements (trees) provide shading to the lot. Hedges and fences that screen parking are not required in the current code.
Parking Lot Screening	No screening required of parking lots.	Parking lots must be buffered from adjacent development with landscaping.	The screening requirements in the form-based code lean on green or landscape requirements.

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ARCHITECTURAL STANDARDS & GUIDELINES	No architectural standards or guidelines.	Architectural standards and guidelines are proposed for: <ul style="list-style-type: none"> • Roof types • Roof materials • Cladding (siding) • Awnings • Windows • Shutters • Doors (Front, Loading, Garage) • Color 	This section ensures that new and renovated buildings embody architectural characteristics that maintain desired human scale, rhythm, and characteristics of the Hamlet of Brewerton. The architectural elements addressed are generally common and universal. In many cases these architectural standards and guidelines have been established through documentation of existing examples of architecture in the Hamlet and stakeholder preferences for preserving and extending the architectural character of the Hamlet. Ultimately, the goal is to build on the best efforts of previous generations, while allowing for and encouraging creativity on the part of developers and designers.
LANDSCAPE & LIGHTING STANDARDS & GUIDELINES	Minimum landscape and fencing standards or guidelines.	Specifically, there are standards and guidelines for: <ul style="list-style-type: none"> • Paving • Walls • Fencing • Screening of utility and service areas. 	The intent of the landscape standards and guidelines is to ensure development of Private Frontages complements public areas in the Hamlet, including street right-of-ways. The lighting guidelines recommend exterior lighting device features that are compatible with the Hamlet's character.

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Nonconfirming Use of Land	<ul style="list-style-type: none"> • Shall not be enlarged on the site. • Uses discontinued for one (1) year shall not be reintroduced. • No additional structures not in conformity with the code shall be erected. 	<p>Discontinued or abandoned nonconforming use for six months shall not be reestablished or resumed.</p> <p>Nonconforming signs shall be in compliance within six months after this code's adoption.</p>	The proposed form base code is not meant to change the administrative portion of the code.
Nonconforming Buildings	<ul style="list-style-type: none"> • Shall not be altered or enlarged to increase its nonconformity. • Destroyed by any means more than 50% of its fair cash value shall not be reconstructed except in conformance with the code. 	No changes.	The proposed form base code is not meant to change the administrative portion of the code.
SIGN REGULATIONS	Located in Town of Cicero Code, Chapter 210-18.	Modifies and expands code requirements that are related to Brewerton.	The current zoning ordinances is not specific as to which zoning districts provide for which type of sign. This Section seeks to enhance the economy and aesthetic appeal of the Brewerton Road Corridor through the reasonable, orderly, and effective display of signage.
Free Standing or Ground Signs	Not addressed specifically.	<p><u>Pole Signs</u></p> <ul style="list-style-type: none"> • One sign per lot • No projection over the ROW • 6 ft. maximum height • Maximum areas of 18 sf. <p><u>Monument Signs</u></p> <ul style="list-style-type: none"> • One sign per lot • 8 ft. maximum height • Maximum area is 24 sf. 	The general direction of the form-based code is to ensure these types of signs blend well with the new districts. Reducing height, area, and number of signs is doing this.

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Flush-Mounted Signs Suspended/Blade Signs	Not addressed specifically. Not addressed specifically.	<ul style="list-style-type: none"> • One sign per tenant per street front. • Maximum area of sign is 12 sf. • Height is limited to 20 ft. and not less than 7 ft. above the sidewalk. • 1 permitted per street frontage. 	
Fabrication	Materials for most signs are limited only by construction type of the building as regulated by the building code.	Wood, wood substitute, metal and masonry preferred; Plastic and synthetics permitted only as alphanumeric characters or logos.	
Illumination	How a sign is to be illuminated is not generally regulated by the current sign code.	Requires external light sources to be shielded and directed so to not be visible from a public street or private residence. Awning and canopy signs are not to be internally lit.	
Electronic	Most electronic signs are not specifically regulated by the current sign code. They are permitted as long as they do not flash, oscillate, or revolve.	Digital/electronic or changeable letter signs are prohibited.	