

Agenda

Town Board Work Session

March 27, 2024

5:00 PM

1. Virtual Meeting Instructions - March 27, 2024

Documents:

[3-27-24 TOWN BOARD WORK SESSION INSTRUCTIONS.PDF](#)

2. Pledge Of Allegiance

3. Accessory Dwelling Units

Documents:

[ADU ZONING LOCAL LAW 2024.PDF](#)

4. Adjournment



March 27, 2024 – 5:00PM

Town Board Work Session Virtual Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

<https://us02web.zoom.us/j/81089566550?pwd=UUFkbUtUZW9KMU1ST0N6NFVmVnJJQT09>

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**LOCAL LAW 2024 - ____, A LOCAL LAW AMENDING THE
ZONING CODE TO ALLOW AND REGULATE ACCESSORY
DWELLING UNITS IN THE TOWN OF MANLIUS**

BE IT ORDAINED AND ENACTED by the Town Board of the Town of Manlius, County of Onondaga, State of New York, as follows:

Section 1. That Chapter 155, Section 155-3 is hereby amended as follows:

§155-3 Definitions.

B. When used in this chapter, unless otherwise expressly stated or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

ACCESSORY DWELLING UNIT

A dwelling unit which is incidental and subordinate to a permitted principal use of a one-family dwelling unit, is located on the same lot therewith, and, if it is located in an accessory building, is incidental and subordinate to the permitted principal use of that accessory building.

Section 2. That Chapter 155, Section 155-29 is hereby amended as follows:

§ 155-29 Accessory use permits; application; fees.

A. All permitted accessory uses, except Accessory Dwelling Units, requiring an accessory use permit from the Town Planning Board shall have site plan review and recommendation before such use shall be permitted. A public hearing shall be at the discretion of the Planning Board. The application shall be submitted by the owner of the subject property to the Planning Board and shall be reviewed in accordance with the following procedures and standards. If a public hearing is held, the costs of providing public notice shall be borne by the applicant.

Section 3. That Chapter 155, Section 155-29.1 is hereby added as follows:

§ 155-29.1 Accessory Dwelling Units.

A. Legislative intent and purpose. The intent and purpose of this section are to:

- (1) Provide opportunity for the right to establish smaller dwelling units as incidental and subordinate to single-family dwellings in the Town of Manlius and to ensure that any Accessory Dwelling Unit meets applicable building, fire and safety standards.
- (2) Establish smaller dwelling units without increasing building density by utilizing residential and accessory building resources as a means to meet the housing needs of populations which may be underserved, especially single persons and couples of all ages with fixed, low and moderate incomes, and relatives of existing residents of Manlius.
- (3) Provide economic support for resident individuals and families, particularly property owners who would benefit from rental income due to fixed or moderate means, for whom there are limited housing options should they desire to remain in the Town.

- (4) Encourage diversity in the housing stock options and the residential population of Manlius.
- (5) Promote the health, safety and welfare of the residents of the Town of Manlius and preserve property values.

B. Requirements for special permits for Accessory Dwelling Units. An Accessory Dwelling Unit requires the issuance of a special permit. No special permit for an Accessory Dwelling Unit shall be approved unless the Planning Board finds that all of the following requirements are met:

- (1) The Accessory Dwelling Unit is located within the R-1, R-2, R-3, R-4 or R-A District.
- (2) The Accessory Dwelling Unit must comply with the bulk area regulations (i.e., setback requirements, height requirements, lot coverage requirements, etc.) of the applicable district within which it sits.
- (3) The owner of the one-family dwelling unit must occupy either the principal dwelling or the Accessory Dwelling Unit as a principal residence.
- (4) The minimum floor area for an Accessory Dwelling Unit shall be 600 square feet, but in no case shall it exceed 50% of the floor area of the principal dwelling or 1200 square feet, whichever is less, unless, in the reasonable opinion of the Planning Board, a greater or lesser amount of floor area is warranted.
- (5) An Accessory Dwelling Unit shall not contain more than two bedrooms, each meeting requirements of applicable codes, including building, fire and safety and zoning.
- (6) Although no additional parking shall be mandatory for an Accessory Dwelling Unit, a parking assessment shall be made on a case-by-case basis during the review of the special permit application by the Planning Board. At a minimum, existing required parking for the primary dwelling must be maintained or replaced on site.
- (7) The exterior finish of the Accessory Dwelling Unit, in the reasonable opinion of the Planning Board, is consistent with the exterior finish of the primary dwelling, and, is otherwise consistent with the character of the neighborhood.
- (8) During the review of any application for an Accessory Dwelling Unit special permit, the Planning Board shall consider the effect of the proposed Accessory Dwelling Unit on parking, traffic, noise, congestion, appearance, and other site-specific factors that the Planning Board reasonably deems relevant to potential impacts on the neighborhood. Following consideration of these site-specific criteria, the Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the addition of an Accessory Dwelling Unit use to the subject property. The Planning Board may refuse to issue a special permit if it finds that the cumulative effects from approved Accessory Dwelling Units in the neighborhood, including the one proposed, will adversely affect the character of the neighborhood.
- (9) The Accessory Dwelling Unit must comply with all relevant New York State Uniform

Codes, including all requirements for a dwelling unit.

(10) No open violations of the Town of Manlius Code shall exist at the time of application for an Accessory Dwelling Unit special permit.

(11) A maximum of 25 validly issued Accessory Dwelling Unit special permits shall be permitted Town-wide. The limit on the number of Accessory Dwelling Unit special permits may not be varied by the Zoning Board of Appeals.

C. Procedure for special permits for Accessory Dwelling Units. In addition to the procedures set forth in § 155-27, the following requirements must be met for a special permit for an Accessory Dwelling Unit:

(1) An applicant for a special permit for an Accessory Dwelling Unit shall provide:

(a) A sworn affidavit stating compliance with Subsections B(3) and (5).

(b) A site plan prepared by a licensed professional based on a property survey indicating existing buildings, walkways, and the location of existing and proposed off-street parking and the location of the proposed Accessory Dwelling Unit.

(c) A plan prepared by a licensed professional of:

[1] Floor plan of the proposed Accessory Dwelling Unit; and

[2] If applicable, any portion of the building in which it is to be located necessary to demonstrate compliance with all applicable New York State Uniform Codes.

(2) The Building Inspector, or his/her designee, shall conduct a physical inspection of the proposed Accessory Dwelling Unit, and, if applicable, the building in which it is located and report the results to the Planning Board.

(3) In granting a special permit for an Accessory Dwelling Unit, the Planning Board shall have the authority to impose such reasonable restrictions and conditions as are consistent with the purposes of this chapter, including but not limited to landscaping or other means of buffering.

(4) Water and sewer service. Prior to the issuance of a building permit for the establishment of an Accessory Dwelling Unit, the applicant must obtain approval of the proposed method of water supply and sewage disposal from any necessary governmental agencies and shall coordinate such approval with the Town.

D. Penalties.

(1) Any property owner who allows occupancy of an Accessory Dwelling Unit in violation of this section or any other provision of this chapter, or any condition imposed by the Town in connection with an Accessory Dwelling Unit shall be subject to, at a minimum, revocation of any special permit issued in connection with the Accessory Dwelling Unit.

(2) In addition to the foregoing, any property owner who fails to obtain an Accessory Dwelling Unit special permit or who allows occupancy of an Accessory Dwelling Unit in violation of this chapter, or any condition imposed in connection with the special permit shall be guilty of an offense punishable by a fine of not less than \$1,000.00. Any continued violation shall constitute a separate additional offense and may be subject to applicable fines.

Section 4. This local law shall take upon the filing with the Secretary of State.

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