

# SPECIAL USE PERMIT APPLICATION

## CITY OF GENEVA, NEW YORK

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Special uses are those uses identified within Schedule I of the City's Municipal Code, Chapter 350 – Zoning, that have some particular impact or unique characteristics which require a case-by-case review of their location, design, configuration and impacts on the surrounding area to determine the desirability of permitting their establishment on a particular site. Therefore, this city requires a special use permit for such uses to secure compliance with general and/or specific standards from the applicant to promote the orderly and harmonious development of the City of Geneva, New York. This review process is executed by the city's **Planning Board (PB)**, which is comprised of nine (9) individuals appointed by City Council.

The city's zoning code mandates that any city permits or certificates shall not be issued for any special uses until approval has been obtained by the city's Planning Board (PB).

PB meetings are held on the third (3<sup>rd</sup>) Monday of each month, with some adjustment for holidays, at 7:00 PM at the Public Safety Building, which is located at #255 Exchange Street within the City of Geneva. Please refer to the attached schedule of application deadlines for the specific date when applications are due.

### **Contacting the City's Development Services Office (Planning & Zoning Coordinator):**

Prospective applicants are strongly advised to consult with the City's Development Services Office before submitting their application. Staff members will explain the approval process and make the applicants aware of regulations that apply to their projects.

The City's Development services Office main telephone number is (315) 789-3101. Most applications can be downloaded from the City of Geneva's website at [www.visitgenevany.com](http://www.visitgenevany.com)

### **Application process:**

1. *Preliminary Staff Discussion:* It is highly recommended that the applicant discuss the prospective project with City staff prior to the preparation of plans. Aspects of the city's zoning ordinance, city's design standards, submittal requirements as well as compliance with the Uniform Fire Prevention and Building Code of New York State will be discussed to help the applicant understand what is required to submit in order for the Planning Board to conduct a review of a special use permit application.
2. *Final Staff Discussion / Submission of Application:* The applicant shall submit the complete application, required documents and the application fee to the city's code enforcement officer. Staff will review these submitted items to ensure that all necessary items have been received. Please understand that any incomplete applications will be returned to the applicant and will not be submitted to the Planning Board for review.

3. *Ontario County Planning Board:* Please understand that the city's Development Services (Planning/ Zoning Coordinator) officer must submit all special use permit applications to the Ontario County Planning Board if action(s) occur on real property lying within a distance of 500 feet from any: boundary of any city, village, or town boundary of any existing or proposed county or state park or other recreation area, right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines existing or proposed boundary of any county or state owned land on which a public building or institution is situated. Such requirement is mandated by New York State General Municipal Law, Article 12-B, Section 239 and the applicant will be required to satisfy any conditions directed by that Board in order to grant their special use permit. Lastly, the applicant shall receive notice when the County's Planning Board will convene and it is highly recommended that the applicant attend to answer any questions. Please review Ontario County Planning Board's website at <http://www.co.ontario.ny.us/planning/cpb.htm> for additional information pertaining to this submission requirement.
4. *City of Geneva's Historic Commission:* Please understand that the city's Planning & Zoning Coordinator must deny any applications regarding real property located within a designated historic zone until approval is granted by the City's Historic Commission in accordance to the City of Geneva's Municipal Code, Chapter 350, Section 61 – Procedure for Review of Plans. It is the responsibility of the applicant to submit their application to this Commission and obtain their required approval.
5. *Scheduled Planning Board Meeting:* The applicant is required to present the application and required documents to the Planning Board at the scheduled meeting.
6. *Environmental Review* – The Planning Board shall be required to conduct an environmental quality review in accordance to New York Code Rules and Regulations (NYCRR), Chapter VI, Part 617 – State Environmental Quality Review (SEQR). The applicant is required to present the required environmental assessment form(s) and answer any questions posed by the Planning Board. Please review New York State Department of Environmental Conservation's website at <http://www.dec.ny.gov/permits/357.html> for any additional information pertaining to this submission requirement.
7. *Action by the Planning Board:* The Planning Board will review the application and submitted documents at the scheduled meeting. The Board shall act to approve, approve with conditions or disapprove the proposed project. In case of disapproval, the Board shall clearly inform the applicant the reasons for its action. Lastly, the Board can ask the applicant to have their action adjourned if it is deemed that all required information has not been provided. Such action will allow the applicant to obtain and submit the additional information and the Board shall act upon the application at the next scheduled meeting.
8. *Obtaining a Building Permit:* Once the Planning Board acts to approve or approve with conditions the project, the applicant shall obtain a building permit application at the City's Development Services Office. Please understand that any approval(s) granted by the Planning Board does not constitute conformance of the proposed project with the Uniform Fire Prevention and Building Code of New York State and/or any other applicable regulation pertaining to construction. Please obtain a building permit application to understand what

submission requirements will be needed in order to obtain a building permit, which is available at the City's Development Services Office or online at [www.visitgenevany.com](http://www.visitgenevany.com).

**City standards:**

The City's Planning Board is obligated to review the special use permit application and attached documents to ensure conformance with the city's standards. Such standards are documented in the City of Geneva's Municipal Code, Chapter 350, Section 53 – Special Use Permits, which are:

General Standards:

1. Is the proposed use listed as a special permitted use in the appropriate zoning district and will be consistent with the purposes and intents of the Master Plan and the stated purpose of the applicable zoning district?
2. Will the proposed use conform to the standards and conditions specified in Chapter 350 for that use?
3. Will the applicant obtain from state or other authorities all other necessary permits and approvals?
4. Will the proposed use not have an adverse effect on adjacent properties or compromise the character and enjoyment of nearby properties by means of traffic conditions, parking, utility facilities or other matters affecting the public health, safety, welfare or convenience?
5. Will the proposed use be objectionable to nearby properties by reason of noise, fumes, vibration, illumination, outdoor storage, or disposal of waste material than the operation of any permitted use not requiring such a special use permit?
6. Will the proposed use be served adequately by essential services such as streets and highways, off-street and on-street parking, police and fire protection, stormwater drainage, refuse disposal, water and sewer service, and schools?
7. Will the proposed use provide sufficient landscaping and/or other forms of buffering to protect surrounding land uses?
8. Will the proposed use obtain a building permit and a certificate of occupancy within a reasonable period of time as specified by the Planning Board. Please comprehend that any special use permit granted which is not exercised within one year shall expire without further hearing by the Planning Board.
9. Will the proposed use comply with any additional requirements imposed by Chapter 350 or as may be deemed necessary by the Planning Board to ensure that the proposed use is to be conducted in a manner compatible with the surrounding neighborhood and will not constitute a threat to the public health, safety, welfare or convenience.

Specific standards:

*In addition to those general standards listed above, the following specific standards shall apply to the following specific uses:*

1. Light industry/light assembly uses, including research and development, and warehousing, without distribution, within the B2 District:
  - a. The applicant shall supply sufficient information as part of the written application to verify quantities of truck traffic to and from the site; number of employee and company vehicles to be on site; specific nature of any noise, vibration, dust and/or smoke perceptible from beyond the property line; quantity and nature of any hazardous or toxic chemicals or substances to be kept or used on site; quantity, nature and location of any exterior lighting and/or signage; and daily hours of operation.
  - b. The size and nature of the proposed use shall not be substantially inconsistent with the character of the surrounding neighborhood and/or jeopardize the continued use of the surrounding neighborhood for previously existing uses.
2. Motor vehicle salesrooms and repair garages, and motor vehicle service stations, in the B1 and B2 Districts:
  - a. The same standards listed in specific standards #1(a) and #1(b).
  - b. Such uses shall be permitted only on lots of 10,000 square feet or more, with 100 feet minimum street frontage.
  - c. The area for use by motor vehicles, except access drives thereto, as well as any structures, principal or accessory, shall not encroach on any setback required.
  - d. No fuel pump shall be located closer than 20 feet to any side lot line, or closer than 35 feet to any front lot line, measured from the outside edge of the fuel island.
  - e. All repair work and overnight storage of vehicles shall be within the permitted area subject to any buffering requirements of the Geneva Planning Board.

**Approval by other City Entities and/or Regulatory Agencies:**

Please understand that any approval(s) granted by the Planning Board for a special use permit does not imply approval of drawings that are required to be reviewed and approved by other City entities and/or regulatory agencies. Questions about building permits and other regulations can be addressed by the city's Development Services (Planning & Zoning Coordinator) officer at (315) 789-3101.

# SUBMISSION REQUIREMENTS

## CITY OF GENEVA, NEW YORK

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The city's code enforcement officer shall review the applicant's submitted package to ensure that the following documents are provided to the Planning Board for a special use permit:

1. A completed application for a special use permit.
2. An application fee of, which all checks must be made payable to the "City of Geneva, New York:"
  - a. One hundred dollars (\$100.00) for any existing buildings.
  - b. One hundred fifty dollars (\$150.00) for any new construction.
3. Survey maps of the property signed and stamped by a land surveyor licensed in the State of New York.
4. Legal proof of control of the property by ownership.
5. New York State Environmental Assessment Form. The type of environmental assessment form to be submitted will depend on the scope of work and proposed use described in the application. Please refer to the New York State Department of Environmental Conservation's website at [www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html) for further information as well as printing required forms.
6. Color photographs of the property including all elevations of the building(s).

If the applicant does not satisfy each of the above-mentioned criteria, the application must be denied by the City's Planning Board (PB).

# SPECIAL USE PERMIT – APPLICATION FORM

## CITY OF GENEVA, NEW YORK

Date of Application: \_\_\_\_\_

Please type or print clearly.

### Contact Information:

Property owner(s): \_\_\_\_\_

Property owner(s) telephone no.: \_\_\_\_\_

Property owner(s) email: \_\_\_\_\_

Mailing address of property owner: \_\_\_\_\_  
\_\_\_\_\_

Land surveyor's name: \_\_\_\_\_

NYS license number: \_\_\_\_\_

Surveyor's telephone no.: \_\_\_\_\_

Surveyor's email: \_\_\_\_\_

Mailing address of surveyor: \_\_\_\_\_  
\_\_\_\_\_

### Real Property Information:

Address of real property: \_\_\_\_\_

Tax parcel identification number: \_\_\_\_\_

Zoning district: \_\_\_\_\_

Current use of real property: \_\_\_\_\_

Proposed use of real property: \_\_\_\_\_

### Project Information:

Cost (US dollars): \_\_\_\_\_ Existing property acreage: \_\_\_\_\_

Existing bldg. style: \_\_\_\_\_ Proposed property acreage: \_\_\_\_\_

Proposed bldg. style: \_\_\_\_\_

Existing floor area (sq ft): \_\_\_\_\_ Existing Occupant Load: \_\_\_\_\_

Proposed floor area (sq ft): \_\_\_\_\_ Proposed Occupant Load: \_\_\_\_\_

Existing height (ft): \_\_\_\_\_ Fire Detection (yes/no): \_\_\_\_\_

Proposed height (ft): \_\_\_\_\_ Fire Suppression (yes/no): \_\_\_\_\_

### Brief Summary of Project:

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**Supporting Documentation (check all that apply):**

- Completed application form (12 copies)
- Survey maps of the property signed and stamped by a land surveyor (12 copies)
- Legal proof of ownership (12 copies)
- New York State Environmental Assessment Form (12 copies)
- City of Geneva's Historic Commission approval (12 copies)
- Application Fee (Please make all checks payable to the "City of Geneva, New York.")

**Property Owner's signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Owner's name:** \_\_\_\_\_