

# **Village of Aurora Zoning Law**

**Cayuga County, New York**

**ADOPTED**  
**October 15<sup>th</sup>, 2025**  
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**XX XX, 2026**

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excessive and incompatible development in fragile lakefront areas, to protect the natural and aesthetic beauty of the lakeshore in the Village of Aurora for all of the citizens of the community to enjoy, and to enhance the experience provided to those living near, and those who use the resource provided by Cayuga Lake.

5. Wells College Planned Development District (WC PDD): The **purpose** of the Wells College Planned Development District is to facilitate the preservation and rehabilitation of historic structures within a cohesive, planned framework, ensuring that adaptive reuse of buildings and new development are harmonious with the established character of the former Wells College campus and the Village's Comprehensive plan. The **intent** of this Zoning District is to protect, enhance, and perpetuate the former Wells College's cultural, social, and architectural heritage by allowing flexible, coordinated development. It balances preserving historically significant structures with adaptive, sustainable reuse while ensuring new construction is compatible in scale and design with the existing historic character.~~Institutional District (I): The **purpose** of the Institutional District is to provide for continued institutional use of a portion of the former Wells College campus. The **intent** of this Zoning District is to provide space for non-profit, public, and semi-public entities to house schools, medical centers, municipal offices, libraries, museums, research centers, creative and performing arts centers, and facilities for charitable, fraternal and religious or other similar organizations.~~
6. Village District (V): The **purpose** of the Village District is to support the continued development of a compatible mix of residential and non-residential uses within the traditional historic downtown area of Aurora. The **intent** of this Zoning District is to promote a walkable, traditional village-scaled mixed-use Main Street corridor by permitting appropriately scaled commercial uses while maintaining and enhancing the historic character and development pattern in downtown without negatively impacting lands or neighborhoods in adjacent Zoning Districts. Commercial uses in this Zoning District should provide goods and services for residents and/or support the local tourism economy.
7. Mixed-Use District (MU): The **purpose** of the Mixed-Use District is to promote a greater mix of compatible uses. The **intent** of this Zoning District is to establish and enhance mixed-use areas that allow for both a vertical and horizontal mix of retail, office, service, institutional, residential and open space opportunities. All future development in this District shall adhere to the design guidelines and standards of this Local Law and shall not negatively impact lands or neighborhoods in adjacent Zoning Districts
8. Aurora Village-Wells College Historic Overlay District (AW): The **purpose** of the Aurora Village-Wells College Historic Overlay District is to codify the Village of Aurora Community Preservation Panel's (CPP) role in the historic preservation of landmarks, structures and notable trees within the boundaries of the Aurora Village-Wells College Historic District as listed on the National Register of Historic Places. The **intent** of this Overlay District is to maintain the integrity of the designated Aurora Village-Wells College Historic District to the fullest extent practical. Overlay Districts do not affect the underlying zoning district with respect to uses and how they are or are not permitted. The regulations of the Overlay District are in addition to, not a replacement of, all applicable regulations in this Local Law for the underlying zoning district. This overlay district is shown on Appendix I: Zoning Map in this Local Law.
9. Flood Hazard Overlay District (FH): The **purpose** of the Flood Hazard Overlay District is to enforce the Village of Aurora Local Law #2 of 2007: Flood Damage Prevention Law as may be amended from time to time. Additionally, this Overlay District is established to assist in controlling the alteration of natural floodplains and help minimize the potential

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7. Land application of septage, sludge, or human excreta, including land application facilities as defined in 6 NYCRR Part 360-4.
8. Large quantity generators of hazardous waste as defined in Part 260 of Title 40 of the Code of Federal Regulations.
9. Marinas.
10. Motor vehicle sales and service stations.
11. Municipal, private and construction and demolition landfills as defined in 6 NYCRR Part 360-2 and 6 NYCRR Part 360-7.
12. Utility scale solar energy system.

### Section 4.05 – Use Table

Key: OR = Open Space/Outdoor Recreation District    MU = Mixed-Use District  
 AR = Agricultural/Residential District            P = Permitted by Right  
 R = Residential District                                C = Permitted Subject to Conditions  
 L = Lakefront Residential District                SP = Permitted with a Special Use Permit  
~~I~~ = Institutional District                            N = Not Permitted  
 V = Village District

Table 1: Use Table								
Land Use Category	Zoning District							Section Reference
	OR	AR	R	L	<del>I</del>	V	MU	
Accessory Building/Structure	C	C	C	C	<del>C</del>	C	C	§4.06,A,1&14
Accessory Dwelling Unit	N	C	C	C	<del>N</del>	C	C	§4.06,A,2
Agriculture	N	P	N	N	<del>N</del>	N	P	
Agri-Tourism	N	P*	N	N	<del>N</del>	N	P*	
Animal Care Facility	N	P*	N	N	<del>N</del>	P*	P*	
Artist Studio/Artisan Workshop	N	P*	N	N	<del>P*</del>	P*	P*	
Bed and Breakfast	N	C	C	C	<del>N</del>	C	C	§4.06,A,3
Benevolent Society Clubs and Lodges	N	N	N	N	<del>P*</del>	P*	P*	
Boarding House & Rooming House	N	N	SP*	SP*	<del>P*</del>	SP*	P*	§6.07,A,1
Boat Tour/Cruise Operation	P*	N	N	N	<del>N</del>	P*	P*	
Botanical Garden/Arboretum/Nature Conservancy	C	P*	N	N	<del>P*</del>	P*	P*	§4.06,A,13
Cemetery	N	P	P	N	<del>P</del>	N	P	
Community Center	N	P*	N	SP*	<del>P*</del>	P*	P*	Article VI
Conference Center	N	N	N	N	<del>P*</del>	SP*	SP*	§6.07,A,2
Craft Beverage Industry	N	P*	N	N	<del>N</del>	P*	P*	
Cultural Establishment	N	SP*	P*	SP*	<del>P*</del>	P*	P*	
Day Care Facility	N	P*	P*	SP*	<del>P*</del>	P*	P*	
Dormitory	N	N	N	N	<del>P*</del>	N	P*	
Drinking Establishment	N	N	N	N	<del>N</del>	P*	P*	
Educational Facility	N	N	N	N	<del>P*</del>	P*	P*	
Elderly Congregate Housing	N	SP*	SP*	SP*	<del>SP*</del>	SP*	SP*	§6.07,A,3
Electric Vehicle Charging Station	C	C	C	C	<del>C</del>	C	C	§4.06,A,4&14
Emergency Service Facility	N	P*	N	N	<del>P*</del>	P*	P*	
Event/Party Tent	C	C	C	C	<del>C</del>	C	C	§4.06,A,5&14

\* Uses that require Site Plan Review subject to the requirement of Article XIII as part of the approval process.

**Table 1: Use Table (Continued)**

Land Use Category	Zoning District							Section Reference
	OR	AR	R	L	I	V	MU	
Excavation, grading, earth filling and/or removal of over twenty-five (25) cubic yards	C	C	C	C	€	C	C	§4.06,A,6&14
Farm Stand	C	C	C	C	€	C	C	§4.06,A,7&14
Farmers' Market	SP*	P*	SP*	SP*	P*	SP*	P*	Article VI
Financial Institution and Services	N	N	N	N	N	P*	P*	
Funeral Home	N	SP*	SP*	N	N	SP*	P*	Article VI
Garden: Community, Demonstration or Institutional	N	P	C	C	P	C	P	§4.06,A,8
Gasoline Station	N	N	N	N	N	N	SP*	§6.07,A,4
Golf Course/Country Club	N	SP*	N	N	N	N	SP*	§6.07,A,5
Greenhouse/Nursery, Commercial	N	P*	N	N	N	N	P*	
Group Home	N	N	SP*	SP*	P*	SP*	P*	§6.07,A,6
Health Care Facility	N	N	SP*	N	P*	P*	P*	Article VI
Home Occupation	N	C	C	C	N	C	C	§4.06,A,9
Inn	N	N	N	N	N	SP*	SP*	§6.07,A,7
Institution	N	N	N	N	P*	P*	P*	
Keeping of Domestic Livestock and Honeybees	N	P	C	C	N	C	P	§4.06,A,10
Laundromat	N	N	N	N	N	SP*	P*	Article VI
Mixed-Use Development	N	N	N	N	N	P*	P*	
More than one (1) Principal Structure on a single lot.	N	SP*	SP*	SP*	SP*	SP*	SP*	Article VI
Multi-Family Dwelling/Apartment Building	N	SP*	SP*	SP*	N	P*	P*	§6.07,A,8
Municipal/Public Facility	N	SP*	N	N	P*	P*	P*	Article VI
Nursing/Convalescent Home	N	SP*	SP*	SP*	SP*	N	SP*	§6.07,A,9
Office, Professional	N	N	N	N	P*	P*	P*	
One-Family Dwelling	N	P	P	P	N	P	P	
Open Space	P	P	P	P	P	P	P	
Outdoor Sales and Displays	N	SP*	N	N	N	N	SP*	§6.07,A,10
Outdoor Storage, Commercial	N	SP*	N	N	N	N	SP*	§6.07,A,11
Parking Lot (stand-alone facility)	SP*	N	N	N	N	SP*	P*	Article VI
Personal Service Establishment	N	SP*	SP*	SP*	N	SP*	P*	Article VI
Physical Fitness Center	N	N	N	N	P*	SP*	P*	Article VI
Place of Worship/Religious Institution	N	N	SP*	SP*	P*	P*	P*	Article VI
Private Club	N	N	N	N	P*	SP*	P*	Article VI
Public Utility Essential Services	C	P	P	P	P	P	P	§4.06,A,14
Recreation, Indoor	N	N	N	N	P*	SP*	P*	Article VI
Recreation, Outdoor	SP*	SP*	SP*	SP*	P*	SP*	P*	§6.07,A,12
Restaurant	N	N	N	N	N	P*	P*	
Retail Business Establishment	N	N	N	N	N	SP*	P*	§6.07,A,13
Small Wind Energy System	N	SP*	N	N	SP*	N	SP*	Article XV
Solar Energy System, Non-Utility Scale	C	C	C	C	SP*	C	C	§4.06,A,14 & Article XVI
Spa	N	SP*	N	N	N	SP*	P*	Article VI

\* Uses that require Site Plan Review subject to the requirement of Article XIII as part of the approval process.

**Table 1: Use Table (Continued)**

Land Use Category	Zoning District							Section Reference
	OR	AR	R	L	I	V	MU	
Temporary Emergency Dwelling	N	C	C	C	<del>N</del>	C	C	§4.06,A,12
Temporary Outdoor Sales	C	C	C	C	<del>E</del>	C	C	§4.06,A,13&14
Trade Shop	N	SP*	N	N	<del>N</del>	SP*	P*	§6.07,A,15
Transportation Facility, Public	N	P*	P*	P*	<del>P*</del>	P*	P*	
Two-Family Dwelling	N	P	P	P	<del>N</del>	P	P	
Wireless Telecommunication Facility	N	SP*	N	N	<del>SP*</del>	N	SP*	Article XVII

\* Uses that require Site Plan Review subject to the requirement of Article XIII as part of the approval process.

**Section 4.06 – Uses Subject To Conditions**

A. No Zoning Permit or Building Permit shall be issued by the Zoning Officer for any land use or activity listed in Section 4.05, Table 1 as permitted by right, but subject to Conditions (C), until the Zoning Officer is satisfied that the applicable regulations set forth below have been complied with as well as any other relevant requirements of this Local Law; or that a variance has been duly granted by the Zoning Board of Appeals. The Zoning Officer may refer an application for a use subject to conditions to the Planning Board for Site Plan Review if he/she deems it is necessary based on the circumstances of the proposed development.

1. Accessory Building/Structure

- a. All accessory buildings and structures erected within the Aurora Village-Wells College Historic Overlay District shall require a Certificate of Appropriateness (see Section 7.07).
- b. Accessory structures attached to the principal building shall comply in all respects with the requirements of this Local Law applicable to the principal building. See Article V.
- c. Accessory structures that are not attached to a principal structure may be erected in accordance with the following restrictions:
  - i. No unattached accessory structure shall be located nearer than ten (10) feet to the side or rear lot lines or thirty (30) feet to the front lot line.
  - ii. No unattached accessory structure shall be located nearer to the principal structure than ten (10) feet.
  - iii. The height of an unattached accessory structure shall not exceed sixteen (16) feet, except in the Flood Hazard Overlay District, where the height shall not exceed eight (8) feet, from the peak of the structure to the highest point on the ground on the side nearest the street.
  - iv. The total area of the unattached accessory structure shall not exceed twenty percent (20%) of the floor area of the principal structure. Accessory structures located in the Flood Hazard Overlay District shall not exceed eighty (80) square feet and are subject to the requirements of Article IX.
  - v. An unattached accessory structure shall not be a building, structure, or other assemblage of materials designed for, or customarily used as, a principal structure allowed under this Local Law; nor shall an unattached accessory structure be a vehicle or a container primarily intended for storage or transportation of goods, animals, or people.

## ARTICLE V: DIMENSIONAL REQUIREMENTS

### Section 5.01 – Dimensional Table

#### A. District Regulations.

1. The regulations for each district pertaining to minimum lot size, minimum lot width, maximum building coverage, minimum setbacks, and maximum height shall be as specified in this Article, subject to the further provisions of this Local Law.
2. All structures shall meet the minimum standards set forth in this Article.

B. Table of Dimensional Requirements. See Figures 1-3 below for typical examples of the location of lot lines, measured setbacks and lot coverage for all properties in the Village.

C. Principal Buildings on a Lot. Only one (1) principal building shall be permitted on any lot, except when approved as part of a Special Use Permit from the Planning Board.

<b>Table 4: Dimensional Table</b>							
District	Minimum Lot Size	Minimum Lot Width	Maximum Lot Coverage	Minimum Building Setback			Maximum Building Height
				Front	Side	Rear	
<b>Open Space / Outdoor Recreation (OR)</b>							
Any principal structure	1 Acre	200 FT	25%	30 FT	10 FT	20 FT*	35 FT*
<b>Agricultural / Residential (AR)</b>							
Agricultural Structure as the principal structure	1 Acre	200 FT	30%	30 FT	15 FT	20 FT	n/a
Residential Dwelling as principal structure	20,000 SQ FT	100 FT	40%	30 FT	15 FT	10 FT	35 FT
<b>Residential (R)</b>							
Residential Dwelling as principal structure	15,000 SQ FT	75 FT	40%	30 FT	10 FT	10 FT	35 FT
Non-Residential principal structure	15,000 SQ FT	75 FT	60%	30 FT	10 FT	20 FT	35 FT
<b>Lakefront Residential (L)</b>							
Residential Dwelling as principal structure	6,000 SQ FT	60 FT	40%	30 FT	10 FT	50 FT	35 FT*
Non-Residential principal structure	6,000 SQ FT	60 FT	60%	30 FT	10 FT	50 FT	35 FT*
<b>Institutional District (I)</b>							
<del>Any principal structure</del>	<del>20,000 SQ FT</del>	<del>100 FT</del>	<del>60%</del>	<del>30 FT</del>	<del>20 FT</del>	<del>10 FT</del>	<del>50 FT</del>
<b>Village (V)</b>							
Residential Dwelling as principal structure	5,000 SQ FT	50 FT	40%	**	10 FT	10 FT*	35 FT*
Non-Residential principal structure	5,000 SQ FT	50 FT	60%	**	10 FT	10 FT*	35 FT*
<b>Mixed-Use (MU)</b>							
Residential Dwelling as principal structure	20,000 SQ FT	100 FT	60%	30 FT	10 FT	20 FT	50 FT*
Non-Residential principal structure	20,000 SQ FT	100 FT	80%	30 FT	10 FT	20 FT	50 FT*
<b>Aurora Village-Wells College Historic Overlay District (AW)***</b>							
<b>Flood Hazard Overlay (FH)***</b>							

\* For parcels located along the Cayuga Lake shore, the rear setback shall be a minimum of 50 feet from the Mean High Water Mark of Cayuga Lake and all new structures shall be subject to the provisions in Section 4.07.

## ARTICLE VI.A: WELLS COLLEGE PLANNED DEVELOPMENT DISTRICT

### Section 6A.01 – Background

- A. The Village of Aurora has established the Wells College Planned Development District (WC PDD) to provide a structured framework for the consideration of future redevelopment proposals within the former Wells College campus. Through the establishment of this Planned Development District, the Village is creating a formal procedure by which applicants may submit planned development proposals for consideration. Such proposals are expected to involve a coordinated development concept that may include a mix of uses, adaptive reuse of existing structures, site improvements, and other elements that would benefit from a unified planning approach rather than strict adherence to conventional zoning standards.
- B. At the time of adoption and effective date of this Local Law, the Village has not received an official planned development proposal for the Wells College Planned Development District. The establishment of the WC PDD is therefore intended to proactively create a clear and transparent review process that will guide the evaluation of any future redevelopment proposals as they are submitted.

### Section 6A.02 – Purpose & Objectives.

- A. The purpose of the Wells College Planned Development District is to facilitate the preservation and rehabilitation of historic structures within a cohesive, planned framework, ensuring that adaptive reuse of buildings and new development are harmonious with the established character of the former Wells College campus and the Village's Comprehensive plan. The intent of this Zoning District is to protect, enhance, and perpetuate the former Wells College's cultural, social, and architectural heritage by allowing flexible, coordinated development. It balances preserving historically significant structures with adaptive, sustainable reuse while ensuring new construction is compatible in scale and design with the existing historic character.
- B. When coordinated with the comprehensive plan, a Planned Development District can be an effective tool for guiding development in ways that support the community's goals and priorities. A Planned Development District provides a means by which different land uses within an area covered by a single development plan may be combined to achieve compatibility among such uses. Unattainable with traditional zoning techniques, a Planned Development District provides flexibility in the regulation of land use development in order to:
  - 1. Encourage innovation in land use variety and design, in the layout and type of new structures, and in their integration with existing structures;
  - 2. Enhance efficiency in the use of land, natural resources, energy, community services and utilities;
  - 3. Encourage open space preservation and protection of natural resources, historic sites and structures;
  - 4. Facilitate the provision of housing and improved residential environments; and
  - 5. Enhance the ability of the Village to promote business and employment opportunities.
- C. In order to achieve the purpose of this Local Law, a WC PDD shall achieve the following minimal objectives. These minimal objectives shall be addressed by the applicant for a WC PDD as part of the proposal submitted for approval:
  - 1. Work as a concentrated whole unit, being self-contained and not conducive to expansion outside its boundaries at a future date, unless such expansion when added to the original WC PDD can act with it to create a larger self-contained unit.

2. Provide open space and/or buffer areas between the WC PDD and adjacent uses.
3. Preserve trees, outstanding natural topography and geologic features and prevent soil erosion.
4. Propose a creative use of land and related physical development so as to allow an orderly transition between adjacent land uses.
5. Present an efficient plan minimizing utility and street networks, thereby limiting costs of construction to the developer and costs of maintenance to future residents and/or the village.
6. Place any commercial or service areas within a WC PDD in a convenient location.
7. Provide a development pattern in harmony with the objectives of the Village of Aurora Comprehensive Plan.
8. Provide a more desirable environment for living and working than would be possible through strict application of other Articles of this Local Law.

**Section 6A.03 – Definitions.**

- A. When used in this article, unless a different meaning clearly appears from the context, the terms listed below shall have the following meanings:

Authorized Board or Body: The board designated by the Village Board of Trustees to review and act on final planned development plans.

Planned Development: A site upon which residential, commercial, institutional or other land uses or any combination thereof may be authorized in a flexible manner so as to achieve the goals of the Village’s Comprehensive Plan.

Planned Development District: An independent, freestanding zoning district, wherein the zoning regulations need not be uniform for each class or type of land use, but where the use of land shall be in accordance with a preliminary planned development plan approved by the Village Board of Trustees.

Preliminary Planned Development Plan: A proposal for a planned development prepared in a manner prescribed by local regulation showing the layout of the proposed project including, but not limited to, maps, plans, or drawings relating to proposed land uses, approximate location and dimensions of buildings, all proposed facilities unsized, including preliminary plans and profiles, at suitable scale and in such detail as is required by local regulation; architectural features, lot sizes, setbacks, height limits, buffers, screening, open space areas, lighting, signage, landscaping, parking and loading, traffic circulation, protection of natural resources, public or private amenities, adjacent land uses and physical features, and such other elements as may be required by local regulation.

Preliminary Planned Development Plan Approval: The approval with conditions, if any, of the layout of a proposed planned development as set forth in a preliminary plan and the simultaneous amendment of the Zoning Law by the Village Board of Trustees to create and map a planned development district encompassing the preliminary plan; subject to the approval of the plan in final form pursuant to the provisions of this Local Law.

Final Planned Development Plan: An approved preliminary planned development plan prepared at such additional detail and showing information as is required by local regulation, and the modifications, if any, required by the Village Board of Trustees at the time of approval of the preliminary planned development plan, if such preliminary plan has been so approved.

Final Planned Development Plan Approval: The signing of a final plan by a duly authorized officer of the authorized board or body pursuant to a resolution granting final approval to the

plan or after conditions, if any, specified in said resolution granting conditional approval of the plan are completed. Such final approval qualifies the plan for filing in the office of the Village Clerk as provided herein.

**Section 6A.04 – General Requirements.**

A. An applicant for the WC PDD shall demonstrate as part of the proposal submitted for approval that the following minimum requirements have been met:

1. **Minimum Area.** The minimum land area for planned development within the WC PDD shall be the entirety of the land area designated as the WC PDD on the Village of Aurora Zoning Map. Any application for planned development approval shall include all parcels and lands comprising the WC PDD within a single, comprehensive development proposal.
2. **Ownership.** Ownership of the land proposed as the WC PDD shall be clearly established. The tract of land for the project shall be owned by the applicant who may be a single person, corporation, or a group of individuals or corporations. An application shall be filed by the owner or jointly by the owners of all property included in a project and the approved plan shall be binding on all owners.
3. **Location.** No Planned Development District (PDD) shall be established unless it is located within the boundaries of the Wells College Planned Development District (WC PDD), the boundaries of which are established on the Village’s Zoning Map in Appendix 1 of this Local Law.
4. **Permitted Uses.** Proposed uses shall demonstrate compliance with the terms of this Local Law. The use of land and buildings in the WC PDD may be for any lawful purpose as authorized by the Village Board of Trustees in accordance with the procedures of this Article; the following general uses, or combinations thereof, may be considered:
  - a. **Residential Uses:** The design and development of residential housing units may be in a variety of housing types and forms in a proposed planned development. In developing a balanced community, the use of a variety of housing types and densities within the proposed WC PDD shall not be required but shall be deemed most in keeping with the intent of this Article.
  - b. **Commercial, Service and Other Non-residential Uses:** These uses may be permitted (or required) where such uses are scaled primarily to serve the residents of the WC PDD and surrounding neighborhoods. Consideration shall be given to the project, as it exists in its larger setting, in determining the appropriateness of such uses.
  - c. **Institutional Uses:** Institutional or educational uses may be permitted where such uses contribute to the educational, cultural, civic, or community-oriented character of the WC PDD and are compatible with the historic campus setting and surrounding neighborhood.
  - d. **Outdoor Recreation Uses:** If designed and organized toward the purposes and intent of this Article, a WC PDD with recreational uses as the primary or accessory land use may be approved.
5. **Common Property.** Common property in the WC PDD is a parcel or parcels of land together with the improvements thereon, the use and enjoyment of which is shared by the owners and occupants of the individual building sites, such as a recreational area for the common benefit of all residents of an apartment complex. Where common property is proposed, the ultimate ownership and maintenance responsibility for such common property shall be clearly stated and proper arrangements shall be made to ensure continuing satisfactory adherence to said arrangements; such common property may include but is not limited to

streets, drives, service and parking areas, storm water management areas, open space and recreational areas.

**B. Environmental Constraints**

1. The uses and design of the WC PDD shall be subject to environmental constraints. The applicant shall address environmental concerns as part of the proposal submitted for approval of the WC PDD. The following list shall be considered as illustrative of concerns. The circumstances unique to a particular proposal may make it necessary for the Village Board of Trustees or the Planning Board to require additional information. When the WC PDD is subject to the State Environmental Quality Review Act, materials prepared to comply with SEQRA will be relied upon for this review whenever practical.
2. The applicant shall demonstrate that the proposed WC PDD will not be made impractical by the following environmental elements and, furthermore, that the proposed WC PDD will not result in the deterioration of the following environmental elements:
  - a. Physical character of the site, including the slope of the site, depth to water table, unique or unusual landforms, depth to bedrock, flooding potential, presence of wetlands, presence of surface water, drainage patterns, character of adjacent land and impacts on adjacent land and any other such matters as deemed appropriate.
  - b. Effect on resources, including plants and wildlife, historic resources, visual settings, air quality, water quality, open-space and recreational facilities, mineral resources and any other such matters as deemed appropriate.
  - c. Socioeconomic factors, including the effect of the proposed transportation patterns and requirements, unique energy requirements or proposals and noise; health, including drinking water and sanitary disposal facilities; community growth patterns, including impacts on schools and other municipal facilities; and any other such matters as deemed appropriate.

**Section 6A.05 – WC PDD Establishment Process.**

- A. General Overview. The following outlines the process required to obtain approval for a Wells College Planned Development District (WC PDD) in the Village. In general, the process includes the following steps. Additional information on each step is outlined in this section.
1. Conceptual Development Plan Approval. The applicant submits a conceptual development plan and discusses the information on an informal basis with the Planning Board Chair, Code Enforcement Officer, and/or Municipal Engineer. Following the review of the concept plan, the Planning Board Chair has the discretion to present the concept plan to the Planning Board and Village Board of Trustees for comment.
  2. Preliminary Development Plan Approval. The applicant submits a preliminary development plan to the Planning Board, along with a rezoning application to the Village Board of Trustees, for an advisory opinion. The plans are transmitted to the Village Board of Trustees for approval or denial of the rezoning and preliminary plan following a public hearing by the Village Board of Trustees, if applicable.
  3. Final Development Plan Review. The applicant incorporates conditions into plans for final development site plan or subdivision plat review by the Planning Board. If the plans are in substantial conformity, final approval is granted.
- B. Procedure. When a WC PDD is proposed, before any permit for erection of a permanent building or redevelopment of an existing building in such WC PDD shall be granted and before any subdivision plat or any part thereof may be filed in the Cayuga County Clerk's office, the

applicant or their authorized agent shall apply for and secure approval of such WC PDD in accordance with the following specific procedures:

1. Application for the WC PDD shall be made to the Village Board of Trustees. The Village Board of Trustees shall refer the application to the Village Planning Board for consideration and recommendation.
2. Pre-application Discussion Stage. Prior to formal application the applicant shall present the proposed WC PDD to the Village Planning Board in rough sketch and written descriptive form to get the initial opinions concerning the suitability of the concepts, and general elements of the development, and to make sure the required procedures for the WC PDD application are fully understood by the applicant. No approval at this stage shall be considered binding.
3. Application for the WC PDD. A complete application for the establishment of the WC PDD shall be made to the Village Board of Trustees in plan (drawn to scale) and written report form. Prior to Village Board of Trustees action, to ensure that the proposed WC PDD is within the intent of the comprehensive planning activities of the Village, the Village Board of Trustees shall immediately after receiving the complete application refer it, for the purpose of review and recommendations, to the Village Planning Board which shall have sixty-two (62) days from its next regularly scheduled meeting within which to report. At this stage, the applicant should provide such detailed information as may be required by the Planning Board to enable the Board to evaluate the proposal and to suggest revisions which may be necessary prior to final approval. This stage should be considered as the working session between the applicant and the Planning Board, and the applicant should provide detailed drawings and environmental data so that a consensus can be reached regarding the impacts of the proposal on the community and suggestions made to mitigate undesirable impacts.
  - a. Historic Preservation. For any portion of the proposed WC PDD development involving an individual historic landmark, scenic landmark, or for a property located in a historic district as defined in Section 7.04 of this Local Law, the applicant shall be required to obtain and provide a copy of an approved Certificate of Appropriateness from the Community Preservation Panel.
  - b. County Referral. The approval and adoption by the Village Board of Trustees of a Planned Development District, by definition, is considered the rezoning of land within the Village of Aurora and therefore subject to the referral requirements of §§ 239-l, 239-m, and 239-n of the General Municipal Law. All applications for a Wells College Planned Development District (WC PDD) whether the initial or a future amendment, must follow the procedures for referral to Cayuga County as prescribed in Section 19.04 of this Local Law.
4. Final Development Plan Review & Approval. The final proposal approval is intended as the last stage of Planning Board consideration. At this stage, the Planning Board should be provided with the final site plan developed by the applicant, completely describing the proposal as it will be developed. This stage will provide a final opportunity for the Planning Board to discuss the proposal and to evaluate any changes resulting from the previous stages. At this stage, the Planning Board shall make a recommendation to the Village Board of Trustees concerning the proposal, and the Planning Board may recommend approval, approval with modification or denial of the proposal.
  - a. Public Hearing. Within sixty-two (62) days after receiving a report from the Planning Board, the Village Board of Trustees shall schedule and conduct a public hearing for

- the purpose of considering the change in zoning district to WC PDD for the applicant's plan in accordance with the procedures required under § 7-708 of the New York State Village Law.
- b. Village Board of Trustees Action. Within sixty-two (62) days after a public hearing, the Village Board of Trustees shall render its decision on the WC PDD application. If the Village Board of Trustees grants the WC PDD zoning, the Zoning Map shall be so notated, and this Local Law shall be amended in order to define the legal boundaries of the WC PDD, but such action shall have the effect only of granting permission for development of the specific proposed land uses in accordance with the use and dimensional specifications, plans and related materials filed with the Village Board of Trustees and related to the WC PDD; such specification, plans and related materials to include, if deemed necessary by the Village Board of Trustees to protect the public health, safety and welfare of the Village, and any conditions and requirements for the applicant to meet. The approved plan and the related attachments shall be deemed an amendment to this Local Law and shall serve as continuing land use controls for the WC PDD. The Village Board of Trustees action shall adhere to the procedures for amending this Local Law as set forth by § 20.01 with the following variations:
    - i. The recommendation of the Planning Board shall constitute the Planning Board review required by §20.01.
    - ii. A negative recommendation by the Planning Board will require a majority plus one vote of approval by the Village Board of Trustees.
    - iii. The publishing of the notice required by §20.01 shall constitute acceptance by the Village Board of Trustees that the material provided by the applicant is sufficient to comply with the State Environmental Quality Review Act. and procedures required by that Act shall be undertaken concurrently with the procedures of §20.01.
  - c. Review of WC PDD During Development Stages. The Village Board of Trustees may review the WC PDD during the development stages in order to determine the amount and quality of the progress made by the applicant toward fulfilling the specifications and plans and any attached conditions. If such a review is determined necessary by the Village Board of Trustees, a schedule for review shall be created by the Village Board of Trustees. The review shall require an inspection by the Code Enforcement Officer. When the WC PDD is due for an inspection, it shall be the responsibility of the applicant to initiate the inspection with the Code Enforcement Officer. Based upon the progress made by the applicant, the Village Board of Trustees may reconsider the WC PDD and further amend this Local Law in relation to it if progress is not to the satisfaction of the Village Board of Trustees or not in keeping with the staging approved by the Village Board of Trustees.

**Section 6A.06 – Required WC PDD Application Components.**

- A. In order for the Village Board of Trustees to adequately evaluate the WC PDD proposal, the application (in its plan and written report form) shall, in addition to the requirements laid out in Section 13.03, B of this Local Law, the Major Preliminary Site Plan Checklist, address the following areas, and the information shall be furnished therein in a reasonably complete manner:
  1. Project Particulars. Shall include the name and location of the project, name(s) and address(es) of the owner(s), a legal description of the property, and the names of owners of abutting properties.

2. Type of Development. The type of development shall be fully described, including at least the following information:
  - a. Residential: Total acreage of residential area and each residential portion of the development; total number of dwelling units and number in each residential portion; percentage and numbers of dwelling units by type (single family, garden apartment, town homes, etc.); dwelling unit density per gross site acreage; estimated population of the development over the first five (5) years of full occupancy.
  - b. Commercial: Total acreage of commercial area; gross floor area (in square feet) available for lease or occupancy; general description of commercial types and their general requirements for receiving and delivering goods.
  - c. Outdoor Recreation: The total acreage of recreational area and each portion of the development (campground, boat marina, picnic grounds, parking, facilities, etc.)
3. Phasing of Development. Description on plan and in written report of the planned phasing of the project (and such phasing may be required.)
4. Description of Natural Site Characteristics. A description of the natural site shall be included with at least the following information: soil characteristics and limitations; extent of and treatment intended for the site's vegetative cover (especially trees); topographical features (on topographic contour map); existing and proposed site drainage (on topographic map); foreseeable needs of the site for construction precautions; existing conditions of and the projected effects upon the ground and surface waters of the site and community; possible air pollution hazards.
5. Site Planning and Design Considerations. Descriptions and illustrations of the following:
  - a. Site ingress and egress, parking, on-site pedestrian and vehicular circulation patterns;
  - b. General landscaping treatment;
  - c. General location and arrangement of buildings and other structures;
  - d. Locations of all facilities; and
  - e. General visual description.
6. Dimensional Requirements. A clear establishment of minimum front, back, and side setbacks, minimum lot size, minimum lot width, maximum lot coverage, and maximum built height for the WC PDD.
7. Transportation and Traffic. Descriptions of at least the following:
  - a. Existing streets serving the area;
  - b. Level of service provided by existing streets in terms of traffic count and street traffic capacities;
  - c. Expected modifications for existing street systems required by project;
  - d. Estimated daily automobile trips generated by the residential and/or other uses;
  - e. Availability of public transportation to site; and
  - f. Design considerations for deterring on-site and project area traffic congestion.
8. General Market Information. Describe the need for the proposed Land Uses in their proposed locations and their proposed quantities; and the intended market structures for the residential units (prices and rents, describe whether low-income, middle income, luxury, etc.).

9. Projected Fiscal Impacts on the Village. Calculations of projected Village revenues and costs to be expected by the Village as a result of the proposed development.
10. Utilities and Related Services. Describe the following and detail their intended locations on the plan(s);
  - a. Method and projected quantities of wastewater (sewage) from the development;
  - b. Demand and source of supply for water;
  - c. Level of service needed and available for fire protection;
  - d. Demands for and availability of gas and electricity;
  - e. Projected quantities of and method of disposal for solid wastes; and
  - f. Detailed plans and engineered drawings, prepared and sealed by a licensed professional engineer, demonstrating the method by which water and sewer services will be metered, separated, and connected to public infrastructure. Such plans shall illustrate the location of all service lines, meters, valves, and related infrastructure necessary to independently meter water and sewer usage and to decouple any existing shared or campus-style utility systems so that individual buildings, parcels, or development phases may function independently. The plans shall demonstrate that the proposed configuration meets all applicable municipal utility standards and allows for clear ownership, maintenance responsibility, and billing of water and sewer services.
11. General Effects of Development on Neighborhood and Community Appearance and Land Use. Description of effects on the appearance and relationship of project to predominant character and land use in area (compatibility).
12. Relationship of Proposed WC PDD to Official Village Development Policies. Information on how the proposed WC PDD relates to local and area wide goals and policies as stated in plans and regulations, including the Village of Aurora Comprehensive Plan.
13. Development, Operation, and Maintenance of Open Space and Common Properties. A general statement concerning the responsibility for these and proposed methods for their implementation.
14. Developer Competence. Evidence in the applicant's behalf to demonstrate their competence to carry out the plan and their awareness of the scope of the project, physical and financial.
15. Other. Any other such information as the Village Board of Trustees deems to be reasonably pertinent to the adequate consideration and evaluation of the proposed project.

**Section 6A.07 – Reimbursable Costs.**

- A. Costs incurred by the Planning Board or the Village Board of Trustees for consultation fees or other extraordinary expenses in connection with the review of a proposed WC PDD or inspection of required improvements shall be charged to the applicant. Estimated review fees shall be deposited into an escrow account when making application for WC PDD approval. Such fees may include staff costs or consultant fees covering planning, engineering, environmental analysis, wetland delineation, legal review, and other technical services required for a proper and thorough professional review of the application. No permit shall be issued until all costs have been paid. The Village shall account for the expenditure of all such funds and shall promptly refund any unexpended funds within twenty (20) business days of final action by the Village Board of Trustees.

**Section 6A.08 – Amendments.**

- A. An existing WC PDD may be amended to add or adjust allowed uses, building densities, lot dimensional requirements, or other regulations, following the procedure for WC PDD application and approval established in Article VIA of this Local Law. The proposed amendment shall be subject to the provisions established in §6A.04, §6A.05 and §6A.06 herein.

**Section 6A.09 – Transfers, Abandonment and Revocation.**

- A. Approval of the WC PDD shall remain in effect upon the sale, transfer, or conveyance of the property, in whole or in part. All subsequent owners, lessees, or occupants shall be bound by the approved plans, conditions, and requirements established as part of the WC PDD approval. Any changes in use of the land in a WC PDD beyond what was approved in the original WC PDD when the property was sold or transferred, must be approved by the Village Board of Trustees through an amendment to the WC PDD in accordance with the provisions established in §6A.04, §6A.05 and §6A.06 herein.
- B. If the uses within an approved WC PDD are discontinued for a period of twenty-four (24) consecutive months or more, as documented by the Code Enforcement Officer, then the Village Board of Trustees may revoke said WC PDD from the owner or operator of the property. The revocation of the WC PDD and subsequent re-zoning by the Village Board of Trustees shall occur in the same manner as the procedure for amending the Zoning Law, as explained in §20.01 with the Village Board of Trustees providing proper notification of and holding a public hearing prior to taking action.

**Section 6A.10 – Payment in Lieu of Taxes.**

- A. If the real property located within the WC PDD is, at the time the planned development is approved, or later becomes exempt from the payment of real property taxes, then the owner or owners thereof shall be required to enter into a payment in lieu of taxes agreement (PILOT agreement) upon such terms and conditions as the Village Board of Trustees may determine. The PILOT agreement shall take into account all real property taxes that would be paid if there were no exemption from such payment.

**Section 6A.11 – Applicability of Other Regulations.**

- A. Except where expressly modified by this Article, all applicable provisions of this Local Law shall remain in full force and effect for development within the WC PDD including excavation, grading, earth filling or earth removal which are regulated activities subject to the provisions in Article IX of this Local Law.
- B. In addition to the regulations set forth in this Local Law, all uses permitted shall be subject to the New York State Uniform Fire Prevention and Building Code, New York State Environmental Quality Review Act (SEQRA), the Flood Damage Prevention Local Law, New York State Multiple Dwelling Law, and all other applicable laws and regulations of the Village, County and State.
- C. All uses, structures, and development located within the Aurora Village-Wells College Historic Overlay District (AW) or involving an individual landmark listed on the New York State and/or National Register of Historic Places; and individual landmark designated by the Village of Aurora Board of Trustees; or a scenic landmark designated by the Village of Aurora Board of Trustees shall be subject to applicable review and approval from the Community Preservation Panel before work on or near said structures or landmarks shall begin in accordance with Article VII of this Local Law.

**APPENDIX I: ZONING MAP**

