

ARTICLE VII. REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS

§ 285-46. Principal buildings.

No single-family or two-family residential lot shall have erected upon it more than one principal building. No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be considered to provide a yard or open space for any other principal building.

§ 285-47. Permissible structures within minimum required side or rear setbacks.

- A. An accessory building with a total floor area of 120 square feet or less and a maximum height of 10 feet may be located no closer than 10 feet to a side or rear lot line. [Amended 2-10-2015 by L.L. No. 2-2015]
- B. Fences six feet or less in height, excluding dog runs, may be located along the side or rear lot line.
- C. Unenclosed steps or stairways providing access to the first story of a building may extend into any required setbacks. Decks and porches shall not extend into required setbacks.

§ 285-48. Access to improved street.

No permit for the construction of any building shall be approved, unless such structure has access from an improved street or a street on an official map, plan, approved subdivision or duly filed plat in accordance with Subdivision of Land, Article XIII.

§ 285-48.1. Complete streets.

[Added 2-28-2017 by L.L. No. 2-2017]

- A. Complete streets policy.
 - (1) The City shall design, build, operate, and maintain a safe, reliable, efficient, integrated, and connected multimodal transportation network that will provide access, mobility, safety, and connectivity for all users.
 - (2) Complete streets design will promote improved health, economic growth, public safety, recreational opportunity, and social equality throughout the City of Cohoes, and will ensure that the safety and convenience of all users of the transportation system are accommodated, including pedestrians, bicyclists, users of mass transit, people of all ages and abilities, motorists, emergency responders, freight providers, and adjacent land users.
- B. Scope of complete streets applicability.
 - (1) All City-owned transportation facilities in the public right-of-way including, but not limited to, streets, bridges, and all other connecting pathways shall be designed, constructed, operated, and maintained so that users of all ages and abilities can travel safely and independently.
 - (2) All privately constructed streets, parking lots, and connecting pathways shall adhere to this policy.
 - (3) The City shall foster relationships with the State of New York, neighboring communities and counties, and business and school districts to develop facilities and accommodations that further the City's complete streets policy and continue such infrastructure beyond the City's borders.
 - (4) The City shall approach every phase of every transportation project as an opportunity to create safer, more accessible facilities for all users. These phases include, but are not limited to, planning, programming, design, right of-way acquisition, construction, construction engineering, reconstruction, operation, and maintenance funded by the City of Cohoes, the State of New York, utility companies, and all private development. Other changes to transportation facilities on streets and rights-of-way, including capital improvements, re-channelization projects, and maintenance, must also be included.
 - (5) A project's compliance with this policy shall be determined based on the filing of a complete streets checklist form.

C. Exceptions.

- (1) All exceptions to this policy must be reviewed and approved by the City Building and Planning Department and/or Department of Engineering and be documented with supporting data that indicates the basis for the decision. Such documentation shall be made publicly available.
- (2) Exceptions may be considered for approval when:
 - (a) An affected roadway prohibits, by law, use by specified users (such as interstate freeways or pedestrian malls), in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway;
 - (b) The activities are minor maintenance activities designed to keep assets in serviceable condition (e.g., mowing, cleaning, sweeping, spot repair, and surface treatments such as chip seal or interim measures);
 - (c) The City Engineer issues a documented exception concluding that the application of complete streets principles is unnecessary, unduly cost prohibitive, or inappropriate because it would be contrary to public safety; or
 - (d) Other available means or factors indicate an absence of need, including future need.
- (3) The City Departments of Building and Planning and/or Engineering shall submit quarterly reports to the Mayor's Office summarizing all exceptions granted in the previous quarter. These reports shall be submitted after the end of the quarter, and shall be posted online.

D. Design standards.

- (1) The City shall adopt state transportation design standards as well as adapt, develop, update, and adopt interdepartmental policies, urban design guidelines, zoning, and performance standards and other guidelines based upon resources identifying best practices in urban design and street design, construction, operations, and maintenance. These resources include, but are not limited to: the New York State Department of Transportation Highway Design Manual, New York State Department of Transportation Specification Book, the AASHTO Green Book, AASHTO Guide for the Planning, Designing and Operating Pedestrian Facilities, AASHTO Guide for the Development of Bicycle Facilities, ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, NACTO Urban Bikeway Design Guide; Manual on Uniform Traffic Control Devices, and U.S. Access Board Public Right-of-Way Accessibility Guidelines. When fulfilling this complete streets policy, the City will follow the design manuals, standards, and guidelines above, as applicable, but should be not precluded from considering innovative or nontraditional design options where a comparable level of safety for users is present or provided.
- (2) Designs for all projects will be context-sensitive, considering adjacent land uses and local needs and incorporating the most up-to-date, widely accepted, ADA compliant design standards for the particular setting, traffic volume and speed, and current and projected demand. Each project must be considered both separately and as part of a connected network to determine the level and type of treatment necessary for the street to be complete.

E. Implementation and reporting.

- (1) The City of Cohoes shall view complete streets as integral to everyday transportation decision-making practices and processes. To this end:
 - (a) One-year outcomes:

- [1] Complete streets checklist form. The City of Cohoes shall adopt or design a complete streets checklist form to be filled out during a project review to determine compliance with this policy.
- [2] Staff training. The City of Cohoes will train pertinent City staff on the content of the complete streets principles and best practices for implementing the policy.
- [3] Streets Manual. The City of Cohoes will create and/or adopt a Complete Streets Design Manual to support implementation of this policy.
- [4] Funding. The City of Cohoes will actively seek appropriate sources of funding to implement complete streets policy.
- [5] Reporting. The relevant departments, agencies, or committees shall report on the annual increase or decrease for each performance measure contained in this section compared to the previous year(s). This report will be presented to the Mayor's Office and made available to the public.
- [6] Coordination. The City of Cohoes will utilize interdepartmental project coordination to promote the most responsible and efficient use of fiscal resources for activities that occur within the public right-of-way.

(b) Three-year outcomes:

- [1] Inventory. The City of Cohoes and the Complete Streets Advisory Board will maintain a comprehensive inventory of the pedestrian and bicycling facility infrastructure integrated with the City's database and will prioritize projects to eliminate gaps in the sidewalk and bikeway networks.
- [2] Education. The City of Cohoes shall promote complete streets education in partnership with bicycling, disabled, youth, and elderly communities, the school district, and the police department.
- [3] Capital Improvement Project prioritization. The City of Cohoes will reevaluate Capital Improvement Projects prioritization to encourage implementation of bicycle, pedestrian, and transit improvements.

(c) Five-year outcomes:

- [1] Revisions to existing plans and policies. All relevant departments, agencies, or committees will incorporate complete streets principles into all existing plans, manuals, checklists, decision trees, rules, regulations reviews, approvals, and programs as appropriate including, but not limited to, comprehensive plans, economic development plans, bicycle and pedestrian master plans, transit plans, snow emergency plans, sidewalk maintenance plans, and other appropriate plans, manuals, rules, regulations, and programs.
- [2] Other plans. The City of Cohoes will prepare, implement, and maintain a bicycle and pedestrian master plan, a safe routes to school plan, and Americans with Disabilities Act transition plan, a street tree and landscape master plan, and a lighting master plan.
- [3] Stormwater management plan. The City of Cohoes will prepare and implement a plan to transition to sustainable stormwater management techniques along our streets.

F. Performance measures.

- (1) The City of Cohoes shall measure the success of this complete streets policy using, but not limited to, the following performance measures:
 - (a) Number of people reached through bicycle and pedestrian education programs;

- (b) Total miles of bike lanes and bike sharrows;
 - (c) Linear feet of new or repaired pedestrian accommodations;
 - (d) Number of new ADA compliant curb ramps installed along City streets;
 - (e) Crosswalk and intersection improvements;
 - (f) Percentage of transit stops accessible via sidewalks and curb ramps;
 - (g) Rate of crashes, injuries, and fatalities by mode; and
 - (h) Rate of children walking or bicycling to school.
- (2) Unless otherwise noted above, within six months of ordinance adoption, the City shall create individual numeric benchmarks for each of the performance measures included, as a means of tracking and measuring the annual performance of the ordinance. Quarterly reports shall be posted online for each of the above measures

§ 285-49. Clear vision at intersections.

Clear vision shall be maintained on corner lots in a triangle formed by the street lines of such lots to a point 35 feet from the intersection and a line connecting those points. Within that area no fence, wall, hedge, screen planting, bushes or shrubbery shall be permitted higher than two feet above the average finished grade of the lot. Trees shall be permitted within the area only if maintained and trimmed so that no branches or foliage is less than eight feet above the average finished grade of the lot.

§ 285-50. Widening of right-of-way.

Where a building lot has frontage on a street which is proposed for right-of-way widening, the required front setback shall be measured from such proposed right-of-way line.

§ 285-51. Lots in more than one district.

All the uses, buildings and facilities, yards, open space, off-street parking and required landscaping must be contained within the district in which the use is permitted.

§ 285-52. Corner and through lots.

The locations of all buildings on corner lots and on lots extending between two parallel streets shall comply with the following requirements: any yard fronting on an improved street shall be a front yard, one other yard shall be a rear yard, and any other yards shall be a side yard.

§ 285-53. Creation of new lot.

When a new lot is formed so as to include within its boundaries any part of a former lot on which there is an existing building or use, the subdivision must be carried out in such a manner as will not infringe upon any of the provisions of this chapter, either with respect to any existing structures or use or any proposed structures or use.

§ 285-54. Travel trailers.

Except as permitted by § 285-61, Temporary uses and structures, no person shall use or occupy any travel trailer, tent trailer, tent or motor home for living or sleeping quarters within Cohoes for more than five days per calendar year.

§ 285-55. Kennels.

Kennels shall be subject to the following requirements:

- A. Demonstration that the kennel will not create nuisance conditions for adjoining properties due to noise or odor.
- B. Demonstration that all animals will be confined to the property.
- C. Demonstration of adequate methods for sanitation and sewage disposal.