

**Local Law No. 10 of the Year 2025**  
**Amendment to the Village of Freeville Land Use and Development Law**

**Be it enacted by the Board of the Trustees of the Village of Freeville as follows:**

**SECTION I: PROVISIONS**

Article 2 of the Village Land Use and Development Code is hereby repealed in its entirety and replaced with the attached Article 2.

**SECTION II: SUPERSEDING EFFECT**

All Local Laws, resolutions, rules, regulations, and other enactments of the Village of Freeville in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

**SECTION III: EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

## ARTICLE 2: DEFINITIONS

### Section 201 Definitions: General

The purpose of this and following sections is to define the development control terms and expressions that appear frequently in this Code. Terms and expressions that are used infrequently are defined in the body of the text where they are used.

To the extent possible the definitions herein are intended to correspond with established definitions found in general development control practice: those of the U.S. Bureau of the Census and the New York State Uniform Fire Prevention and Building Code as well as other applicable State and Federal laws and regulations.

Except where specifically defined in these sections, all terms and expressions carry their customary dictionary meanings.

**201.01:** words used in the present tense include the future, and words used in the plural include the singular.

**201.02 Occupied or Used:** are to be considered as though followed by the words "or intended, arranged, or designed to be occupied (or used)".

**201.03 Master Plan or Comprehensive Plan:** a Comprehensive Plan, prepared by the Planning Board pursuant to Section 7-722 of the New York State Village Law, which indicates the materials (maps, studies, reports, etc) that identify the goals and objectives for the immediate and long-term enhancement, growth, and development of the Village.

**201.04 Official Map:** the map established by the Village Board pursuant to Section 7-724 of the New York State Village Law, showing streets, highways, and parks, and drainage-ways, both existing and proposed.

**201.05 Development:** any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. Source: FEMA, National Flood Insurance Program Terminology Index.

**201.06 Substantial Improvement:** any repair, reconstruction, rehabilitation, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred.

**201.07 Zoning District:** an area of land, with precise boundaries, established for the purpose of regulating development.

**201.08 Planned Unit Development:** a diversified development project which does not fit the basic district regulations of this Code, and which is developed as an entity in such a manner as to promote the general development policies of this Village. It permits activities, mixtures of activities, and

densities, which are not allowed by any of the district regulations in this Code. The Planned Unit Development requirements and procedure are found in Section 460.

**201.09 Home Occupation:** a nonresidential activity considered appropriate to take place in residential facilities under conditions that make it compatible with residential neighborhoods.

**201.10 Flood or Flooding:** a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**201.11 Area of Special Flood Hazard:** the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, as determined by the latest Federal floodplain regulations.

**201.12 Flood Hazard Boundary Map or FHBM:** the official map issued by the Federal Insurance Administration where the areas of special flood hazard have been designated Zone A.

**201.13 Base Flood:** the flood having a one percent chance of being equaled or exceeded in any given year.

## **Section 202: Reserved**

## **Section 203: Access Definitions**

**203.01 Street:** a term used interchangeably with road, avenue, lane, and highway, among others; a public right-of-way improved or intended to be improved for traffic.

**203.02 Major Street:** a street with the capacity to serve heavy flows of traffic and which is intended primarily as a route for traffic between heavy traffic generating areas.

**203.03 Collector Street:** a street which serves or is designed to serve as a traffic-way for a neighborhood or as a feeder to a major street.

**203.04 Minor Street:** a street intended to serve primarily as an access to abutting properties.

**203.05 Dead-End Street or Cul-de-sac:** a street or a portion of a street with only one vehicular traffic outlet.

**203.06 Street Pavement:** the wearing or exposed surface of the roadway used by vehicular traffic.

**203.07 Street Width:** the width of right-of-way, measured at right angles to the centerline of the street.

**203.08 Village Right-of-way (unimproved):** a strip of land owned or controlled by the Village government for the purpose of providing access to abutting lots or for providing a bed for a future improved roadway. All Village rights-of-way are shown on the Village of Freeville Official Map.

Unless otherwise indicated all Village rights-of-way are 50 feet wide.

**203.09 Village Highway (seasonal maintenance):** a strip of land controlled or owned by the Village government for the purpose of providing access to abutting lots and providing a bed for an improved roadway which is maintained for traffic only during the part of the year designated by the Village Board. All Village Highways (seasonal maintenance) are shown on the Village of Freeville Official Map; unless otherwise indicated they are 50 feet wide.

**203.10 Village Highway (all-year maintenance):** a strip of land controlled or owned by the Village government for the purpose of providing access to abutting lots and providing a bed for an improved roadway which is maintained for traffic throughout the year. All Village highways (all-year maintenance) are shown on the Village of Freeville Official Map; unless otherwise indicated they are 50 feet wide.

**203.11 Easement:** a strip of land over which a party has some legal rights short of ownership, e.g., an access easement: a driveway to an interior lot; a utility easement: a strip of land along which runs a utility line or overhead power transmission line.

#### **Section 204: Lot and Yard Definitions**

**204.01 Lot:** an area of land in single ownership of record. This term is synonymous with parcel. Lot refers exclusively to a development lot, unless indicated otherwise.

**204.02 Lot of Record:** a lot for which there is a map on file in the County Clerk's Office. The map must bear the County Clerk's seal with date of filing and, if applicable, the County Commissioner of Health's seal indicating approval of the lot or lots for development.

**204.03 Development Lot:** a continuous unbroken lot described by the boundary lines on the Assessor's Tax Maps, but not crossing any railroad right-of-way, town right-of-way, or street.

**204.04 Deed Lot:** a lot as described on a deed, often including land out to the centerline of the public right-of-way.

**204.05 Lot Line:** the boundary line of a lot.

**204.06 Street Line:** a lot line dividing a lot from a public street. Minimum frontage is measured along a street line.

**204.07 Frontage:** the lot line dividing a lot from a public right-of-way. A street line.

**204.08 Corner Lot:** a lot having frontage on two streets where they intersect.

**204.09 Double (or Multiple) Frontage Lots:** a lot having frontage on two (or more) streets at points other than where they intersect.

**204.10 Principal Frontage:** on lots with two or more frontages, the one considered the main access

to the lot.

**204.11 Secondary Frontage:** on lots with two or more frontages, all those frontages other than the Principal Frontage.

**204.12 Interior Lot:** a lot which has no frontage on any public street.

**204.13 Yard:** the part of a lot which is open to the sky and which lies between the building line and the lot line.

**204.14 Front Yard:** the yard between the front building line and the lot line along the principal and secondary frontages, extending the full width of the lot. Corner lots have front yards on each frontage.

**204.15 Rear Yard:** the yard between the rear building line and the rear lot line, extending the full width of the lot. Triangular lots and corner lots do not have a rear yard.

**204.16 Side Yard:** the yard between each side building line and the side lot line, extending from the front yard in a direction away from the principal and secondary frontages.

### Section 205: Facility Definitions

**205.01 Structure:** an assembly of materials located on or permanently affixed to the ground, directly or indirectly, usually including underground parts, such as a foundation, and above ground parts. A building is one type of structure.

**205.02 Building:** a structure wholly or partially enclosed within exterior walls, or within exterior partial walls, and a roof, affording shelter to persons, animals, or property.

**205.03 Principal Building:** the building in which the activity on the lot is concentrated, generally the largest, most valuable, and most conspicuous building on the lot.

**205.04 Accessory Building:** a building, the use of which is incidental to that of the principal building, and which is located on the same lot.

**205.05 Accessory Structure:** a structure other than a building, the use of which is incidental to that of the principal building, and which is attached thereto or is located on the same lot.

**205.06 Building Line:** a line formed by the intersection of the finished grade and a vertical plane that coincides with the most projected exterior point of the building.

**205.07 Distance Separation:** an open space between buildings or between a building and an interior lot line, provided to prevent the spread of fire.

**205.08 Alteration:** a change or rearrangement in the structural parts, an enlargement, or moving from one location or position to another of a structure.

## Section 206: Residential Definitions

**206.01 Household:** any number of persons occupying a housing unit.

**206.02 Housing Unit:** a discrete unit of residential space designed to be occupied by a household: a dwelling unit or a rooming unit. Housing unit does not include group quarters.

**206.03 Dwelling Unit:** a facility designed or used for living quarters by a household, including provisions for cooking and sleeping. A dwelling unit always has its own kitchen and a separate entrance; it usually has its own bathroom; it usually has more than one room.

**206.04 Apartment:** a dwelling unit in a building containing other dwelling units or non-residential facilities.

**206.05 Multiple Dwelling:** a residential building containing three or more dwelling units.

**206.06 Rooming Unit:** a facility designed or used for living quarters by a household. A rooming unit never has its own kitchen; it may have its own bathroom; it usually has only one room; and it is usually found in the same building with other residential facilities. A rooming unit is usually found in rooming houses, hotels, and motels.

**206.07 Group Quarters:** a residential facility in which parts of the living accommodations are discrete units and parts are not (e.g., separate rooms for sleeping or study, shared kitchen and dining room), such as found in dormitories, monasteries, group homes, and prisons.

**206.08 Group:** any number of persons occupying group quarters.

**206.09 Mobile Home:** a factory-manufactured dwelling unit built prior to June 15, 1976, with or without a label certifying compliance with NFPA, ANSI or a specific state standard, transportable in one or more sections, which in the traveling mode, is 8 feet (2438mm) or more in width or 40 feet (12192mm) or more in length, or, when erected on site, is 320 square feet (29.7m<sup>2</sup>) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term “mobile home” shall not include travel trailers or any self-propelled recreational vehicle.

**206.10 Modular Home:** a factory manufactured dwelling unit, conforming to applicable provisions of this code and bearing insignia of approval issued by the State Fire Prevention and Code Council, which is constructed by a method or system of construction whereby the structure or its components are wholly or in substantial part manufactured in a manufacturing facility, intended or designed for permanent installation, or assembly and permanent installation.

**206.11 Manufactured Home:** a factory manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), *Manufactured Home Construction and Safety Standards*, 24 CFR Part 3208, 4/1/93, transportable in

one or more sections, which in traveling mode, is 8 feet (2438 mm) or more in width or 40 feet (12192 mm) or more in length, or, when erected on site, is 320 square feet (29.7 m<sup>2</sup>) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term “manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 1974, as amended. The term “manufactured home” shall not include any self-propelled recreational vehicle.

**Section 206.12 Elder Cottage:** a separate and detached living quarter on a single lot subordinate in size, locations, and appearance to the primary residence, providing complete house-keeping facilities for exclusive use of the occupants. Only elder cottages that meet the specifications as provided by Ithaca Neighborhood Housing Services.

### **Section 207: Administration and Enforcement Definitions**

**207.01 Building Permit:** shall mean a permit issued pursuant to Article 4, Section 403 of this document. The term “Building Permit” shall also include a Building Permit which is renewed, amended or extended pursuant to any provisions of this local law.

**207.02 Certificate of Occupancy/Certificate of Compliance:** shall mean a certificate issued pursuant to Article 4, Section 405 of this document.

**207.03 Village:** shall mean Village of Freeville.

**207.04 Code Enforcement Officer:** shall mean the Code Enforcement Officer appointed pursuant to Section 208 of this document.

**207.05 Code Enforcement Personnel:** shall include the Code Enforcement Officer and all inspectors.

**207.06 Compliance Order:** shall mean an order issued by the Code Enforcement Official pursuant to Article 4, Section 419.6 of this document.

**207.07 Inspector:** shall mean an inspector appointed pursuant to Article 4, Section 402 of this document.

**207.08 Operating Permit:** shall mean a permit issued pursuant to Article 4, Section 406. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended or extended pursuant to any provisions of this local law.

**207.09 Permit Holder:** shall mean the person to whom a Building Permit has been issued.

**207.10 Person:** shall include an individual, corporation, limited liability company, partnership,

limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

**207.11 Stop Work Order:** shall mean an order issued pursuant to Article 4, Section 418.

**207.12 Temporary Certificate:** shall mean a certificate issued pursuant to Article 4, Section 405.

**207.13 Town:** shall mean Town of Dryden.

**207.14 Uniform Code:** shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time. [**Removed in Local Law #3 of 2012**]

**208-299: Reserved**