

**CITY OF CORTLAND, NEW YORK**  
**LOCAL LAW NO. 1 OF THE YEAR 2023**  
**ADOPTED JANUARY 17, 2023**

**“AMENDMENT OF CHAPTER 300 RELATING TO PLANNING COMMISSION MEMBERSHIP”**

Be it enacted by the Common Council of the City of Cortland as follows:

**Section 1. Enactment and Title.**

**§300-181. Planning Commission.**

- A. Establishment. In accordance with New York State General City Law, the City of Cortland hereby establishes a City Planning Commission for the purposes of administering and enforcing this chapter.
- B. Membership.
1. The Planning Commission shall consist of seven (7) members appointed by the Mayor with confirmation by the Common Council. The Common Council or Planning Commission may designate one member to serve as chairperson.
  2. The term of office of each Commissioner shall be seven (7) years, except that the term of office of Commissioners first appointed shall be so fixed that the term of one member shall expire at the end of the year in which such members were initially appointed. The terms of the remaining members first appointed shall be so fixed that one term shall expire at the end of each year thereafter.
  3. At the expiration of the term of each member first appointed, his or her successor shall be appointed for a term of seven (7) years.
  4. Members now holding office for terms which do not expire at the end of the year shall, upon the expiration of their term, hold office until the end of the official year, and their successors shall then be appointed for terms which shall be equal in years to the number of members of the planning board.
  5. Removal of members, alternates, and vacancies on the Planning Commission shall be addressed as provided for in New York State General City Law.
  6. Each member of the Planning Commission shall complete, at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties as required in New York State General City Law.
- C. Powers and duties. The City of Cortland Planning Commission shall have the authority to fulfill the following powers and duties:
1. Employ experts, clerks, and a secretary, pay for their services, and provide for such other expenses as may be necessary, not exceeding the appropriation made therefor by the Common Council.
  2. Recommend to the Common Council regulations relating to any subject matter over which the Planning Commission has jurisdiction under New York State General City Law and this chapter;
  3. Review and make recommendations on a proposed City comprehensive plan or amendment thereto;
  4. Review and make recommendations regarding any proposed amendments or updates to the text of this chapter;

5. Make investigations, maps, reports and recommendations in connection to the planning and development of the City as it seems desirable, providing the total expenditures of Planning Commission do not exceed the appropriation provided therefor by the Common Council;
6. Review and approve, approve with modifications or conditions, or disapprove a site plan application prepared to specifications set forth in this chapter; and
7. Review and approve, approve with modifications or conditions, or disapprove a special permit application prepared to specifications set forth in this chapter.
8. Seek recommendations from other boards, commissions, departments, or local, county, state, and regional agencies, as it deems appropriate, to aid in fulfilling any one duty provided herein.

D. Meetings and Planning Commission Conduct.

1. The Commission shall hold at least one meeting each month and may hold additional meetings at other times at the call of the Chairperson. The Chairperson may cancel any meeting.
2. Hearings shall be public, and decisions shall be voted upon at public sessions. The Planning Commission may otherwise hold executive sessions in accordance with the New York State Open Meetings Law.
3. The presence of four members shall constitute a quorum for the conduct of business before the board. A concurring vote of four members of the Commission shall be necessary to decide any matter brought before it, except as provided for herein or by New York State General City Law.
4. In accordance with General Municipal Law § 239-m, a concurring vote of five members of the Commission is necessary to override a recommendation by the Cortland County Planning Commission.
5. In accordance with General Municipal Law § 809, a member of the Commission having a conflict of interest shall abstain from any discussion or vote on that matter.
6. The Commission may request advice or opinions on the law relating to any matter before it from the Corporation Counsel of the City of Cortland or independent Council and require the Corporation Counsel to attend its meetings.
7. The Commission may require the Zoning Enforcement Officer or Code Enforcement Officer to attend its meetings to present any facts relating to any matter before the Commission.

E. Official Record.

1. The Planning Commission shall keep minutes of all its meetings. The City Clerk shall be the secretary to the Commission and shall take the minutes.
2. The Planning Commission shall make a record of all of its proceedings, including the reading of the case, public hearing, deliberation, voting and decisions of the Commission. A public record of such items shall be maintained at City Hall and made available to the public by request.
3. Planning Commission decisions shall be made in writing reflecting all findings