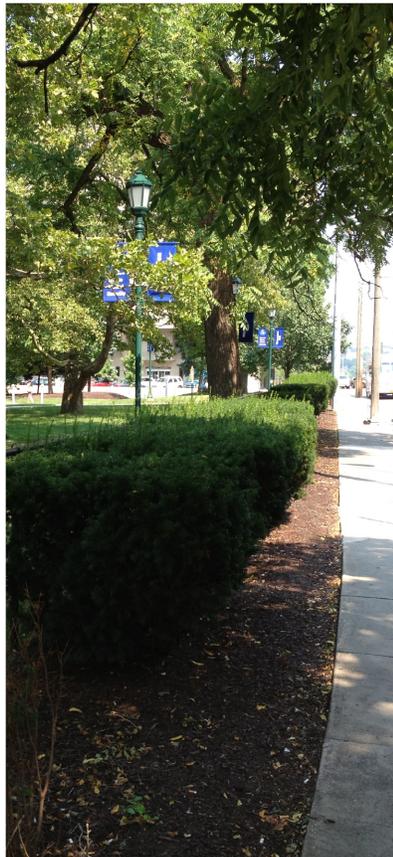


# REZONE SYRACUSE

A Citywide Zoning Update



## Assessment Report

April 2016



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# 1: Project Overview and Summary

## A New Zoning Ordinance for Syracuse

The City of Syracuse initiated a review of the current Syracuse Zoning Rules and Regulations (called the “zoning ordinance” in this report) to identify strengths and weaknesses of the document and to help set the stage for a major update. The zoning ordinance is a regulatory tool adopted by the Common Council that directs how development and redevelopment shall occur within the City.

Generally, a zoning ordinance identifies an array of zoning districts, describes the types of land uses allowed within those districts, sets standards to regulate the quality of new development, and establishes procedures for new development applications to be considered. In theory, the ordinance should be one of the community’s principal tools for implementing local adopted plans.

In Syracuse, however, the current zoning ordinance is outdated and not well-equipped to implement the City’s adopted land use policy document, *Land Use & Development Plan 2040 (LUDP)*, a component of the Comprehensive Plan 2040. The current zoning ordinance was originally adopted in 1922. Relics of the original 1922 ordinance remain (such as the “Class A” and “Class B” district distinctions) and have not been comprehensively updated to address modern conditions in Syracuse. Further, major amendments addressing new issues (such as historic preservation) and discrete areas (such as the Lakefront District) have been inserted at the end of the original document, resulting in repetition and inconsistencies and no clear overall framework.



The City intends for the ReZone Syracuse project to result in the development of a new zoning ordinance and zoning map that achieves several important goals:

- The ordinance should be clearly written and well-organized, so that average citizens are able to pick it up and use it easily, resulting in a transparent and predictable process;
- The ordinance should allow for a diverse array of uses and intensities in appropriate locations throughout the City, while providing protections for the City’s unique neighborhoods;
- The ordinance should allow for and encourage well-designed development that adds to Syracuse’s sense of place and implements the LUDP’s character areas;
- The ordinance should help Syracuse begin to focus more on regulating the quality and form of development, and less on particular land uses; and
- The ordinance should allow for more administrative reviews and by-right development, with fewer variances, exceptions, and waivers.

Overall, a new ordinance should act as an incentive to promote economic development and attract business and industry, while also promoting quality of life and helping to create a healthy community.

## Project Overview

To assist with the creation of a new zoning ordinance and map, the City retained a team led by Clarion Associates, a Denver-based land use consulting firm. The team also includes Syracuse-based Environmental Design & Research (EDR) to assist with ordinance drafting and the development of the zoning map, and Costello, Cooney & Fearon, PLLC, to assist with New York legal compliance. The team brings experience and perspective from working with communities throughout New York and the nation.

The project began in the fall of 2015 when the team held a kick-off meeting with a local project Advisory Committee, facilitated a series of small-group stakeholder interviews, and conducted an independent analysis of the existing ordinance to determine:

- Ways in which the current zoning ordinance works well;
- Ways in which the current zoning ordinance is ineffective or difficult to use;
- Areas of consistency and inconsistency between existing local policies and practices, the adopted plans, and the existing regulatory language;
- Modifications necessary to streamline the development review process; and
- Necessary changes related to New York and/or federal law.

The Advisory Committee includes representatives of neighborhood associations, advocacy groups, human service organizations, local businesses, elected and appointed officials, and other members of the community. Those interviewed included City staff who administer, work with, and enforce the Zoning Ordinance; members of local boards including the City Planning Commission, Syracuse Landmark Preservation Board, and Board of Zoning Appeals; and various stakeholders in the development process (e.g., developers, business owners, and development professionals such as engineers, architects, and planners).

Also as part of the project kick-off, Clarion team members reviewed relevant background documents including the Comprehensive Plan and sample staff reports. The team also toured the City with staff members, looking at examples of a variety of development issues first-hand. All of the information gathered during meetings, analysis, site visits, and interviews has influenced the discussion in this report.

Following review, comment, and endorsement of this Assessment Report, the team will prepare an **Annotated Outline of a New Ordinance**, which will present a chapter-by-chapter outline illustrating what a new zoning ordinance would look like if the City elects to move forward with the recommendations in this report.

Following review of the Annotated Outline, the team will develop the **new draft zoning ordinance**. The draft will be prepared in three incremental stages, with each stage presented to the Project Advisory Committee and the public for review and comment. Along with the new ordinance, the team will work with City staff to develop a new **zoning map** that applies any new or modified zoning districts that are created as part of the ordinance rewrite.

## Report Organization

Following this **Project Overview and Summary** (Part 1), this report is organized into three main parts:

Part 2, **Key Areas for Improving the Zoning Ordinance**, identifies major themes that emerged from our review of the City's regulations, the interviews conducted during and since the project kick-off meetings, our tour of the City, and our knowledge of best practices in development regulations used by

communities across the nation. The discussion of each issue includes recommendations or suggestions on how a new code might modify current regulations to better address concerns pertinent to that issue.

The major recommendations discussed in this section are organized in the following categories:

1. **Create a User-Friendly Ordinance.**
2. **Update the Zoning Districts to Implement the Syracuse LUDP.**
3. **Modernize the Land Uses.**
4. **Streamline the Development Review Procedures.**
5. **Introduce Uniform Standards to Improve the Quality of Development.**

Part 3, **Detailed Review of Current Development Regulations**, includes a section-by-section review of the current zoning ordinance with recommendations for improvements.

## Elements of Successful Ordinance Revision Projects

In our experience, successful ordinance revision efforts share a number of common features. These are benchmarks that local governments and citizens can use to test their current regulations and to guide the drafting of revisions. These common features include:

- Citizens and users should have opportunities for meaningful input before changes are finalized.
- Revisions should help to implement adopted plans and be based on input from elected officials, advisory committee members, staff, developers, and citizens.
- Revisions should be based on a methodical analysis of the strengths and weaknesses of the current code and how it relates to community goals. There are no one-size-fits-all answers.
- At a minimum, revisions should result in an ordinance that includes:
  - A logical organization and user-friendly formatting;
  - Substantive review standards that are clear, consistent, and illustrated where appropriate;
  - Legally-defensible standards and processes; and
  - Enforcement and administrative provisions that are realistic based on available local resources and staff.

## Summary of Recommendations

The table below is organized around the five key areas introduced in Part 2 of this report and summarizes all recommendations included in Part 2.

Create a User-Friendly Code	
Establish a Clear Organization	
	Implement an improved organization for the zoning ordinance following an Annotated Outline to be prepared following this Report.
Add Illustrations and Other Graphics	
	Include graphics and visual aids (summary tables, flowcharts, illustrations, etc. throughout new zoning ordinance to explain regulations.
Improve the Page Format	
	Design and implement a new page layout.
Define Key Terms, Consolidate Definitions, and Use Clear Language	
	Define all key terms.
	Revise definitions for clarity.
	Review all code language and rewrite for clarity, as needed.

<b>Update the Zoning Districts to Implement the Syracuse LUDP</b>	
<b>Update Current Zoning District Lineup</b>	
	Prepare a suggested new lineup of zoning districts as part of the zoning ordinance update. Focus on improvements noted above, including: <ul style="list-style-type: none"> <li>o Potential consolidation of similar districts;</li> <li>o Removal of obsolete districts; and</li> <li>o Introduction of new districts.</li> </ul>
	Rewrite district Purpose and Intent statements.
<b>Rewrite the Lakefront Districts</b>	
	Rewrite the Lakefront Districts to align with rest of the new zoning ordinance and other City ordinances; focus on district structure, allowed uses, procedures, and development standards.
<b>Establish New Mixed-Use Districts</b>	
	Establish mixed-use districts that encourage an appropriate range of uses and level of development intensity.
<b>Modernize the Land Uses</b>	
<b>Develop a Consolidated Use Table</b>	
	Create a consolidated land use table.
<b>Categorize and Define All Use Types</b>	
	Categorize use types within larger categories and subcategories.
	Update definitions to ensure clarity, legal consistency, and that all uses are defined.
	Remove obsolete uses.
	Introduce new use types to reflect contemporary uses and implement the LUDP.
<b>Ensure All Districts Allow Appropriate Land Uses</b>	
	Revise allowable uses per zoning district to best reflect the intent of each district
	Review new district purpose statements (developed as part of ordinance update) to help in the evaluation of appropriate land uses within each district.
<b>Establish Use-Specific Standards</b>	
	Consolidate use-specific standards in new ordinance.
	Refine existing, and develop new use-specific standards for certain uses.
<b>Establish Standards for Accessory and Temporary Uses and Structures</b>	
	Draft new general standards for both accessory and temporary uses and structures.
	Carry forward any relevant existing standards for such uses (e.g., home occupations) as part of this new framework.
<b>Streamline the Development Review Procedures</b>	
<b>Clarify Review and Decision-Making Responsibilities</b>	
	Develop a summary table of Syracuse's development approval procedures in the new ordinance.
<b>Standardize the Review Procedures</b>	
	Establish standard review procedures for the procedural steps.
	Draft application-specific review procedures that reference the new standard procedures; note any variations and additions particular to that type of application.
<b>Replace Project Site Review with a New Site Plan Procedure</b>	
	Replace the Project Site Review procedure with a new site plan review procedure.
	Establish clear criteria and review procedures for major and minor projects.
	Replace the open-ended authority to request waivers with a new Administrative Adjustment tool.
	Replace the point-by-point analysis with new, objective development standards.
	Remove construction details from the site application and defer to a later, separate process.
<b>Establish a Process to Allow Administrative Adjustments</b>	
	Establish an Administrative Adjustment procedure to allow staff approval of minor deviations.
<b>Introduce Uniform Standards to Improve the Quality of Development</b>	
<b>Consolidate and Update the Parking Requirements</b>	
	Consolidate and rewrite off-street parking and loading standards.
	Evaluate parking ratios against national standards; consider maximum requirements in some areas.
	Provide additional tools for flexibility in meeting parking requirements.
	Update parking area design requirements.
	Consider limits on parking location in some areas.
<b>Consolidate and Update the Landscaping Standards</b>	
	Consolidate and update landscaping standards following additional discussions with staff to determine City's preferred approach.

<b>Consider New Citywide Building Design Standards</b>	
	Consider developing citywide building design standards to improve development quality, focusing on multi-family residential and commercial standards.
<b>Focus on Infill and Redevelopment</b>	
	Review dimensional and development standards to ensure they accommodate infill and redevelopment projects.
	Introduce additional flexibility by adding optional approaches and menus wherever possible.
<b>Use Clear, Objective Language</b>	
	Rewrite development standards to eliminate vague, subjective language.



## 2: Key Areas for Improving the Zoning Ordinance

Five major focus areas for improving the current zoning ordinance were identified during the stakeholder interviews and the Clarion team's review of the City's regulations and plans. These key areas present an organized way to discuss the strengths and weaknesses of the current regulations. They include:

- Create a User-Friendly Ordinance,
- Update the Zoning Districts to Implement the Syracuse LUDP,
- Modernize the Land Uses,
- Streamline the Development Review Procedures, and
- Introduce Uniform Standards to Improve the Quality of Development.

Each of these key areas is discussed below. Additional detailed comments appear later in this report in the section-by-section review in Part 3.

### Create a User-Friendly Ordinance

In terms of format and organization, the zoning ordinance is a challenging document. In addition to a confusing organization, it lacks basic tools like a table of contents with page numbers, and there are few illustrations. Many stakeholders said that they find the ordinance difficult to understand and use. It appears from our discussions that the lack of a well-organized, user-friendly ordinance has impeded effective communication (both internally between departments and also externally between City officials and the public) and perhaps has unnecessarily complicated the overall development review process.

The challenges with the zoning ordinance are not unusual. Many communities find that, as zoning rules are modified and updated over many years to address various issues, they become increasingly complicated and more difficult to navigate and understand.

This project provides an opportunity to present new zoning regulations in a more straightforward, efficient, and intuitive way. Several recommendations are presented below to make the City's ordinance more user-friendly, which should help improve the efficiency of the review process.

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### Establish a Clear Organization

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The current zoning ordinance is organized into three Parts, each of which includes Articles and Sections. While early sections follow a logical order, later sections clearly have been added on in piecemeal fashion (some with a completely different organizational structure, like the Lakefront Districts). Related regulations are not grouped together. For example, parking standards appear both in a dedicated section and also within the individual zoning district sections. Sign regulations are similarly dispersed. Definitions are scattered throughout the document. Some procedures are folded into sections describing the review bodies, while other procedures are in freestanding sections.

In general, an effective zoning ordinance should be organized to place frequently used information where it can be easily referenced and to remove repetition by consolidating related information. A new, more logical organization should help ensure that ordinance users can quickly find the information they need, particularly those who do not use the ordinance on a regular basis. In addition, an improved organization makes it easier to see the overlaps between related sections and make future amendments easier and more consistent.

Some of the major organizational improvements to consider include:

- **Procedures:** Create a single "Administration" chapter that identifies the agencies and officials charged with review and/or decision-making responsibilities under the ordinance, plus the procedures and criteria for each type of development application. Certain details of the procedures (such as submittal requirements and timelines for review) may not need to be included in the ordinance itself, but rather relocated to a separate user's guide where they can be updated without a formal ordinance amendment.
- **Districts:** Continue to group regulations for the general zoning districts in a single chapter (as the current ordinance generally does now), but condense standards into a shorter, more graphic format, as discussed later in this report.
- **Uses:** Consolidate standards addressing principal uses, accessory uses, and temporary uses into a single chapter containing use tables and use-specific standards for each of these types of uses. The current ordinance has use-specific standards dispersed throughout the document, which can lead to confusion and inconsistency as the document is updated over time.
- **Development Standards:** Consolidate the various standards that affect development quality, such as parking, landscaping, and any new standards introduced to address site and building design.
- **Definitions:** Consolidate definitions at the end of the ordinance and, if applicable, review similar definitions incorporated from various related ordinances to eliminate conflicts. The document also should include a simple index that provides quick access to key terms.

A typical organization for most zoning ordinances includes the following chapters:

- General Provisions
- Zoning Districts
- Use Regulations
- Development and Design Standards
- Administration and Review Procedures
- Enforcement
- Definitions and Rule of Measurement

Following review, comment, and endorsement of this Report, the Clarion team will prepare a detailed **Annotated Outline** to flesh out a new ordinance organization for Syracuse prior to beginning detailed drafting. The outline will allow stakeholders to examine the overall structure and policy direction of the proposed new ordinance without getting bogged down in the actual wording of each provision.

#### Recommendations

- Implement an improved organization for the zoning ordinance following an Annotated Outline to be prepared following this report.

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## Add Illustrations and Other Graphics

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Photographs, tables, flowcharts, illustrations, and other graphics are helpful in conveying information concisely. The current zoning ordinance is text-heavy (apart from the Lakefront Districts) and includes few graphics. We recommend expanding the use of visual aids to help explain how the regulations are intended to work – for example, by clearly showing how dimensional standards are measured and how development standards (parking, landscaping, etc.) are applied. The few graphics that do exist in the current regulations should be replaced with simplified and cleaner images.

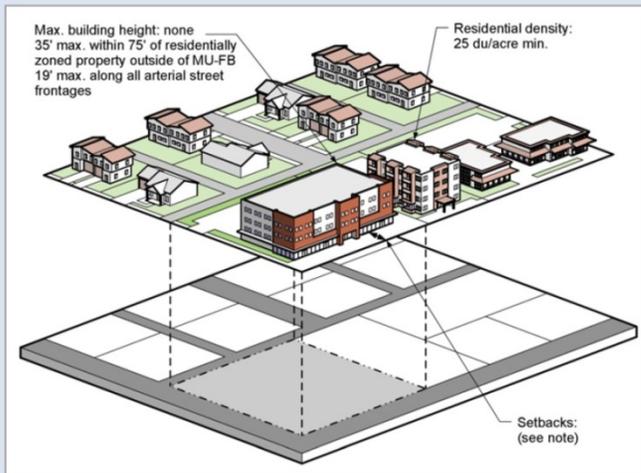
Just like new graphics can be used to clearly show how various standards are measured and applied, new summary tables can succinctly present a variety of detailed information, such as sign standards or setback requirements. Flowcharts can be used to illustrate procedures and convey the interrelationships between procedural steps.

Sample graphics from other codes prepared by Clarion are shown below and on the following page. They are included here simply to illustrate a range of possible formats. Other sample graphics include the use table and procedural flowchart shown later in this report.

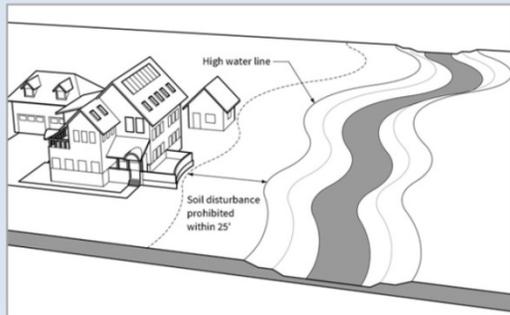
Graphics can be created using a number of different software programs. Simple diagrams and tables can be produced using Microsoft Word, and more complex drawings depicting dimensional standards can be drafted using products such as Trimble’s SketchUp and Adobe Creative Suite (Photoshop, Illustrator, and InDesign). These programs allow staff to quickly create and update drawings depicting dimensional standards. Using graphics software programs also will help the City quickly update drawings that illustrate dimensional and other standards as they are amended in the future.

Each community is unique in how they choose to illustrate an ordinance (freehand versus software, heavy detail versus light detail, etc.). We will work with staff to determine the most appropriate types of illustrations and level of detail for graphics for the new Syracuse ordinance.





*This recent drawing illustrates some of the basic dimensional requirements for a mixed-use zoning district. Each draft zoning district in this community includes a similar graphic to depict general lot and building dimensional standards.*



*The graphics above were recently developed for the Town of Frisco, Colorado. The drawing on the left illustrates stream buffer requirements, and the drawing on the right depicts basic building design standards in the residential overlay district. Throughout Frisco's draft updated code, Clarion used this simplified, yet elegant black and white style template for each of the graphics produced.*

*The draft drawing to the right illustrates building height requirements for a small town along their Main Street. For particularly complex provisions, graphics like these go a long way in communicating the minimum requirements.*



## Recommendations

- Include graphics and visual aids (summary tables, flowcharts, illustrations, etc.) throughout new ordinance to explain regulations.

## Improve the Page Format

Beyond adding new graphics, the page layout of the new ordinance should be improved. The current zoning ordinance has been assembled through different efforts over many years, and thus has some inconsistent formatting. The most noticeable example is the Lakefront Districts sections, which look substantially different than the rest of the ordinance. Examples of other layout inconsistencies include:

- Different sections use different fonts and text formatting.
- Page numbering is not continuous throughout the document. Each article starts with new page numbering (so there are multiple "Page 1's").
- Sections with the same information are titled inconsistently. For example, some district purpose sections are titled "Purpose and Intent," while others are titled "Purpose" (and some districts exclude this section altogether).

Several types of revisions are necessary. A new, **simpler numbering system** should be utilized in the updated ordinance that is consistently applied and easy to understand. Also, a new document layout should establish a **clear hierarchy** of provisions enabling users to more quickly understand where in the document specific information is located. In addition to a clearly defined hierarchy, the new layout should include headers, footers, page numbers, and illustrations with captions. We will discuss proposed document formatting with staff to determine the most appropriate layout for Syracuse.

The following graphic illustrates a sample layout from another ordinance.

The graphic illustrates a sample page layout from the Morrisville Town Center Code. It shows a dynamic header, prominent titles, nested text, a diagram with a caption, and adoption date/page numbers. The diagram illustrates site layout and building orientation for a town center residential district, showing existing homes and single-family infill development with various setbacks and annotations.

**Dynamic Header** — District-Specific Development Standards  
Town Center Residential District  
Subsection 5.3. Site Layout and Building Organization

**Prominent Titles** — 5.3 Site Layout and Building Organization

**Nested Text** — A. INTENT  
(i) To ensure the layout and organization of infill development is compatible with the varied patterns of established residential development in the Town Center Residential District, and  
(ii) To facilitate a range of housing options within walking distance of the Main Street District.

**Balance Between Text and White Space** — B. CONTEXTUAL FRONT YARD SETBACKS  
(i) Town Center Residential development shall comply with standards for Contextual Front Yard Setbacks as contained in Section 3 of this Article. (Figure 18)  
(ii) Where an established pattern of setbacks has not been established along the block by three or more homes, front yard setbacks shall be a minimum of:  
(1) 10 feet for detached single-family, and  
(2) 15 feet for townhomes and multi-family.

**Illustrations with Captions** — Figure 18  
SITE LAYOUT AND BUILDING ORIENTATION: TOWN CENTER RESIDENTIAL DISTRICT  
Existing Homes  
Single-Family Infill Development  
MIN 10'

**Adoption Date Page Numbers** — Morrisville Town Center Code—Final Draft: December 2009 P2B Recommendation Version 49

*This sample page layout illustrates how headers, text, graphics, and use of page numbers help to modernize a code and make it more user-friendly.*

## Recommendations

- Design and implement a new page layout.

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## Define Key Terms, Consolidate Definitions, and Use Clear Language

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In creating an understandable and easy-to-use ordinance, the use of clear and precise language is just as important as document organization and format.

There are several opportunities to improve definitions in the new ordinance. Currently, definitions are in multiple locations; many are in Part A, Section III, Article 2, but others appear in the Lakefront Districts and permitted use lists. Many key terms such as “drive-through” and “outside storage” are currently undefined. In the new ordinance, all key terms should be defined, while inconsistent or obsolete definitions and regulatory language should be removed.

Beyond updating and expanding the definitions, all text should be reviewed and rewritten as necessary to provide greater clarity. When carrying forward any language, we will identify and remove “legalese” and replace jargon with plain language. In doing this, all stakeholders will be able to understand and easily use the updated ordinance.

### Recommendations

- Define all key terms.
- Revise definitions for clarity.
- Review all code language and rewrite for clarity, as needed.

## Update the Zoning Districts to Implement the Syracuse LUDP

This section addresses Syracuse's zoning districts, with the closely related topic of land uses addressed in the following section. Zoning district regulations define what may be built on a landowner's property. They articulate the purpose of each district and establish standards that regulate the basic physical aspects of development (height, setbacks, building placement, etc.).

Zoning districts in any community should provide for a wide range and mixture of housing types, commercial and industrial businesses, institutional uses, and recreational opportunities. In evaluating the lineup of zoning districts in any ordinance update, we typically think through the following questions:

- Is the intent of each district clear and does the district name match the intent?
- Is the district currently being used? If not, is it unnecessary or obsolete?
- Do the uses allowed in the district promote the district's intent?
- Are the district's dimensional standards appropriately tailored to the district's intent?
- Are any districts so similar in purpose and standards that they could be consolidated?
- Are new districts needed to provide for new uses and/or land use patterns?



At the highest level, the list of districts must meet the current and future needs of Syracuse as expressed in the adopted LUDP. Specifically, the standards of each district should be reviewed and updated if necessary to reflect new City goals and policies, such as those found in the plan's Character Areas and Neighborhood-Specific Recommendations. For instance, during our review, we kept goals in mind such as Goal I.1, *"Reinforce Downtown as the mixed-use center of the land use and transportation network."*

Based on our review, we believe the current lineup of 30 zoning districts is generally in good shape; however, there are opportunities for improvement discussed below. The most significant challenge with the districts is the poor structure and organization of land uses allowed within the districts; that issue is addressed in the following section of this report after the district discussion.

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### Update Current Zoning District Lineup

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As part of the ReZone Syracuse project, the City has an opportunity to consider simplifying the district lineup where possible. Possible types of changes that are often seen in comprehensive zoning updates around the country include:

- **Consolidation.** Consider consolidating districts with overlapping purposes and standards. There are some Syracuse districts with very similar purpose statements, permitted use lists, lot standards, and density requirements. While such districts may have been created to serve distinct needs that existed at one time, the strong similarities raise the question of whether retaining the separate districts today serves any purpose.

For example, the RA-1 and RA-2 districts have similar lists of permitted uses, minimum yard requirements, minimum lot width and density requirements. The primary difference in the districts is in their purpose statements, with the RA-2's purpose statement allowing for planned developments. These districts could feasibly be combined and planned development standards and procedures located in the administration chapter of the new ordinance.

As another example, there are nine zoning districts for the Central Business District, which is a relatively small area. There may be opportunities to consolidate the downtown zoning, though special standards may be necessary for certain areas such as Armory Square.

- **Renaming.** Consider renaming districts to follow a logical system and to clearly describe their intended character. Generally, the Syracuse districts have a confusing mix of numeric and letter abbreviations that does not seem to represent their intended character. Moving forward, we will strive for consistency in district names where possible.

For example, currently the Industrial districts are named "Class A" and "Class B." Based on its purpose statement and allowed uses, Class A appears to be intended for light industrial activity while Class B is intended to provide for heavier, more intense industrial uses. Renaming these districts to "Light Industrial" and "Heavy Industrial," respectively, would clearly convey the intent of each district.

- **Elimination of Districts.** Consider removing districts that are unused or that become unnecessary with the introduction of new districts or other changes to the district lineup. We heard in stakeholder meetings that some current Syracuse districts are seldom (or never) used, and thus may be unneeded or obsolete.

For example, there is no land currently zoned Highway Service District, Class A; therefore, this district may not be necessary and potentially could be deleted (unless it is being reserved for particular areas or needs in the future).

- **Clarify District Purposes.** Rewrite purpose statements to succinctly describe each district's intended character. These statements provide the framework for future land use decisions and help provide a basis to determine whether uses allowed in the district are appropriate. Reviewing and revising each purpose statement will help articulate the City's intent for each zoning district, as well as reflect policies found in the LUDP.

Applying all these types of changes could result in the introduction of an improved set of districts for Syracuse. More detail related to proposed changes is in Part 3 of this report. Additional district proposals will be discussed in the Annotated Outline and in subsequent stages of the ReZone Syracuse project.

Recommendations
<ul style="list-style-type: none"><li>▪ Prepare a suggested new lineup of zoning districts as part of the zoning ordinance update. Focus on improvements noted above, including:<ul style="list-style-type: none"><li>○ Potential consolidation of similar districts;</li><li>○ Removal of obsolete districts; and</li><li>○ Introduction of new districts;</li></ul></li><li>▪ Rewrite district Purpose and Intent statements.</li></ul>

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## Rewrite the Lakefront Districts

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The existing districts discussed most frequently in our interviews were the Lakefront Districts, which are set forth in Part B, Section XI. That section is different from the rest of the zoning ordinance in so many respects (organizing framework, drafting style, allowed uses, definitions, project approval requirements, and development standards) that it essentially functions as its own separate zoning ordinance for one discrete area.

The section was developed in the early 2000's and introduced a new style of zoning to Syracuse called "form-based development," which emphasizes the physical form of development over specific land uses. There are two Lakefront districts: General Urban (T4), intended as a primarily residential mixed-use district with some nonresidential uses allowed, and Urban Center (T5), intended as a "dense, fully mixed-use neighborhood with a vibrant street life and a public realm with many design amenities." A variety of small-scale residential uses are allowed in T4, while residential in T5



is primarily apartments. The "T" designations refer to the "transect," which is a commonly used term in form-based codes referring to a continuum of place types, ranging from least intense to most intense. T4 and T5 are on the more intense side of the continuum (and communities that implement the entire transect concept also have districts with T0 through T3 designations).

The ordinance identifies a set of building types allowed within the T4 and T5 districts, such as "edge yard building" and "court yard building," along with civic space types like "promenade"; these typologies are unique to Lakefront and are not used elsewhere in the zoning ordinance. The Lakefront section also has its own definitions, some of which (e.g., "apartment") conflict with generally applicable definitions used in the rest of the ordinance. Basic use categories ("e.g., residential," "lodging") are defined and regulated differently and more specifically than elsewhere in the zoning ordinance. The section introduces a concept of A and B streets with calibrated standards that is not used elsewhere in the ordinance. The district contains its own development standards; some, such as parking, overlap with topics covered in the general ordinance. Other standards, such as building frontage, lighting, and architectural design (e.g., façade openings), are unique to Lakefront.

Several stakeholders commended the Lakefront approach for introducing a new focus on design quality to Syracuse, and for focusing on issues such as right-of-way. However, the section as written has proven difficult to administer for many reasons. Most importantly, the section was drafted based on common form-based zoning templates and was not tailored for Syracuse. This is most clear in its unique organization and nomenclature that do not relate to the rest of the zoning ordinance. Some standards also may conflict with other City regulations, such as the street width standards. The section was created with the expectation that it would apply to clean, vacant land and does not provide direction on redevelopment that may involve unique existing site conditions. Also, we understand that the original drafters assumed that market demand would help drive development in the Lakefront districts and help

facilitate the implementation of form-based zoning; that did not happen, development in the districts has been slower than expected, and the form-based approach has not expanded in Syracuse beyond the Lakefront.



Moving forward, the Lakefront section needs to be rewritten to preserve its useful elements while more closely matching the format, structure, and organization of the new zoning ordinance. There are several important issues that require further conversation to determine how best to integrate the Lakefront districts into the new ordinance. For discussion purposes, we recommend:

- **District Structure:** Following discussions with staff, we recommend the Lakefront T4 and T5 districts not be carried forward as separate districts. Instead, they should be merged into one or more existing or proposed new districts (such as the new mixed-use districts) that also apply in other locations in the city.
- **Hybrid Approach:** While we understand the original intent behind introducing the transect concept to Syracuse, it has not been integrated well into the zoning culture, and our interviews indicated that basing a new zoning ordinance solely on form-based approaches and the “transect” concept is not desirable. Instead, the City wishes to pursue a “hybrid” approach that integrates more standards focused on physical form, while maintaining some of the traditional focus on land uses.
- **District Intent:** The stated intent of each district should be re-examined and rewritten to ensure relevant language and appropriate policies are reflected.
- **Uses:** Permitted land uses should be analyzed to ensure appropriateness within the districts and also continuity with the new definitions and organization of permitted uses in other districts.
- **Development Standards:** Architectural, parking, landscaping, lighting, and other standards should also be analyzed for similar reasons – do they reflect the desired character of the Lakefront area as described in the LUDP? There are aspects of the Lakefront standards that promote high quality development and economic development and should be considered for retention as city-wide standards.
- **Procedures:** The Lakefront section has its own procedural requirements, which impose distinct requirements and criteria and are challenging for City staff to administer. The Lakefront “site plan review” concept is similar to the Project Site Review used elsewhere in the ordinance, but the terminology and specifics are different. We recommend they not be carried forward and instead any new citywide procedures adopted as part of this project (e.g., the new Site Plan procedure recommended in this report) be applied to the Lakefront districts.
- **Tourism Overlay:** Beyond the T4 and T5 districts, the Lakefront section of the zoning ordinance also includes a third district called the “Tourism Overlay.” The district sets up an alternative Comprehensive Development Plan option for sites of 30 acres or more, but the usefulness of this tool is unclear. We had few discussions on the district in our meetings. Further discussion is necessary (specifically on the district’s applicability, procedures, and

overall intent) to determine if this district should be retained, and if so if any modifications are necessary.

### Recommendations

- Rewrite the Lakefront Districts to align with rest of the new zoning ordinance and other City ordinances; focus on district structure, allowed uses, procedures, and development standards.

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## Establish New Mixed-Use Districts

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Mixed-use development is designed to allow residential and nonresidential uses to develop organically as part of the same project or sites, such as when residential units are built over or next to small-scale retail stores or offices. The combination provides residents the opportunity to live, work, and shop in the same location without requiring a car trip for each activity, thus helping to lower vehicle miles traveled and reducing overall traffic congestion and air pollution. Allowing such a combination of uses in areas like the downtown core also supports economic development by locating residents close to a wide range of businesses.

Several existing Syracuse zoning districts allow for a mix of residential and nonresidential uses. For example:

- Residential District, Class B Transitional, allows primarily medium- to high-density residential uses, but also allows for professional offices;
- The CBD Retail District is a high-density, compact shopping district that allows residential units above the first floor; and
- The Industrial District, Class A, allows for apartment buildings and condominiums, in addition to industrial uses.

However, the approach to mixing uses in each of these instances is highly specific, based in part on the very precise way that land uses are identified. While a handful of specific mixed-use combinations might be created, no districts generally encourage or require a wide variety of residential and nonresidential uses by right. Any proposed mixed-use combinations beyond the specified approaches require a variance or some other modification. This approach creates an impediment to the implementation of policies and goals related to adaptive redevelopment, environmental sustainability, and economic development. Additionally, it could be a contributing factor to the overuse of the variance process.

The LUDP and our stakeholder interviews suggest that there is demand for more by-right mixed-use development of varying scales in Syracuse. While mixed-use development is not appropriate everywhere, it could help further redevelopment in some locations consistent with the plan. For example, mixed-use zones may be appropriate to encourage the adaptive reuse of some of Syracuse's large, older single-family houses, as well as underutilized vacant commercial and industrial structures. For discussion purposes, staff has suggested areas such as those along West Onondaga Street, James Street, and E. Genesee Street might be appropriate for this type of land use (though no mapping discussions have begun).

There are several key issues to consider when establishing new mixed-use districts for Syracuse.

- **Location and Applicability.** Mixed-use districts could be limited to specific Character Areas identified in the LUDP. Or, they could be allowed anywhere they meet specified locational criteria, which might include population served, service radius, minimum separation from other mixed use districts, and location with respect to arterial/secondary roadways.

- **Use Mix.** All mixed-use districts generally should contain a mix of residential, commercial, institutional, and/or office uses. The particular combinations of uses will vary by district; for example, the amount of residential along primary corridors may be lower than in neighborhood centers. A city has options for choosing how prescriptive to be: prescribe a minimum mix of uses at set percentages (e.g., at least 40 percent residential, at least 30 percent retail, at least 20 percent office, etc.); require a mix of uses but not mandate a set percentage; or encourage, but not require, a mix of uses through incentives. After discussions with staff, we recommend incentivizing mixed-use development (but not requiring it), which is both easier to enforce and also creates more opportunity for flexible market response.
- **Density/Intensity.** Traditionally, zoning ordinances set maximum density requirements to ensure that areas do not become overcrowded. In mixed-use areas, however, communities often set *minimum* density requirements to ensure the necessary level of residents and activity is present to support thriving centers. Should there be minimum density and intensity standards in the new Syracuse mixed-use districts? For residential development, minimum densities could be required for larger centers, to ensure such areas do not become exclusive office and retail developments. For commercial development, options include setting minimum FAR standards and also setting minimum height standards in order to target intensity at key locations (e.g., along arterial streets).

For discussion purposes, we propose three mixed-use districts for Syracuse: one neighborhood-scale (i.e., smaller areas of five to 10 acres), one for corridors, and one for small-scale, office-based mixed-use. Some of these districts would be new, while others could be based on existing districts. Allowed uses and standards should complement and preserve current neighborhood characteristics, and encourage adaptive reuse and redevelopment and infill on larger lots and in less residential areas.

All these districts should be designed to emphasize pedestrian-scale development and the relationship of buildings to the streetscape, and to minimize the presence of off-street parking along street frontages. The focus of these districts will be more on the particular urban form desired, rather than the uses allowed within the districts. Illustrations and graphics will help convey the intended character of the districts. If additional design or other development standards are needed, they can be added to the ordinance's new development standards chapter. Some of the existing Lakefront standards may be appropriate to consider for these districts; for example, minimum building frontage, locating parking areas behind buildings rather than between the building and sidewalk, and landscaping requirements.



### Recommendations

- Establish mixed-use districts that encourage an appropriate range of uses and level of development intensity.

## Modernize the Land Uses

Beyond improving the lineup of zoning districts in Syracuse, this project will involve substantial improvements to the land uses allowed within those districts. The term “land use” refers to the way a parcel or building is utilized. Family daycare, single-family residential, retail, and manufacturing are all examples of land uses in Syracuse. One of a zoning ordinance’s essential functions is to provide a systematic way to identify, classify, and regulate land uses.

The level of land use regulation varies by both use and jurisdiction. Even in communities that have begun to embrace form-based codes (i.e., ordinances that emphasize physical form and design over land use), some sort of identification and at least minimal regulation of uses typically is necessary.

In the current zoning ordinance, land uses are listed primarily in Part B, District Regulations. Each set of districts (residential, office, commercial, etc.) includes a narrative list of principal uses permitted by-right or through a Special Permit, plus accessory uses and structures. A separate set of land uses is provided in the Lakefront section. These lists are not presented in a consistent manner. For example, several districts list the same uses as permitted by-right, but the uses do not appear in the same order and some include slightly different wording. Definitions for some, but not all, uses are alphabetized with other defined terms in Part A, Section III. Because the uses appear in different formats and locations and not all are defined, there are potential inconsistencies and frustrations for the ordinance user.

Moving forward, a variety of improvements are possible to the way that land uses are identified, organized, and regulated in the Syracuse ordinance. Collectively, these improvements, which are discussed below, have the potential to substantially improve the clarity, user-friendliness, and predictability of zoning in Syracuse.

### Develop a Consolidated Use Table

As noted, permitted, special, and accessory uses are identified in narrative lists in each district section. There is no tool for understanding and comparing all uses in one location. A potential developer/investor wanting to establish a certain type of business in Syracuse would have a hard time identifying appropriate districts for their business based solely on the ordinance.

TABLE 5.1-1 TABLE OF ALLOWED USES		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	R-S	R-N	R-L	R-M	R-H	AC	CO	CT	CC	MU	OS	PR	PF	
<b>RESIDENTIAL USES</b>															
Household Living	Attached or stand-alone townhouse			●	●	●									
	Cabin housing		●	●	●	●					●	●			5.2.2
	Duplex		●	●	●	●									
	Fractional ownership unit					●	●				●	●			
	Multi-unit dwellings				●	●	●								
	Residential dwelling unit											●	●		
	Residential dwelling unit above ground floor commercial											●	●		
	Residential dwelling unit not along Main Street												●		
Single-household detached dwelling		●	●	●	●	●									
Group Living	Group care facility					●									
<b>PUBLIC, INSTITUTIONAL, AND CIVIC USES</b>															
Community and Cultural Facilities	Activities for conservation of natural resources and the environment														●
	Arts and entertainment center						●	●		●	●				

Sample use table from another community.

Most modern zoning ordinances include a consolidated use table that summarizes the land uses allowed in all districts. Such a table allows for side-by-side district comparisons and helps the City evaluate if allowed uses are aligned with each district’s intent. We recommend creating a new consolidated table for Syracuse that identifies all primary, accessory, and temporary land uses. An example of a well-organized use table from another community is provided above.

Some communities have experimented with alternative formats to the typical use table format shown above. For example, Henderson, Nevada, (illustrated below) organizes its use chapter by listing each use individually with its own mini-use table (just for that use), along with the use definition, parking requirements, and any use-specific standards. A master use table showing all uses is located in an appendix.

*The Henderson, Nevada, Zoning Ordinance consolidates all information pertaining to each use, including definition, standards, parking and loading requirements, and an individual use table.*

O. PUBLIC SAFETY FACILITY

		RESIDENTIAL								DOWNTOWN RESIDENTIAL				
RS-1	RS-2	RS-4	RS-5	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	DRL	DRM	DRH	DP
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE		DWTWN			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	DCC	DHC	PS
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

- Definition**  
Facilities for public safety and emergency services, including police and fire protection, not including detention facilities.
- Standards**  
Substations may be allowed as accessory to other primary uses (e.g., station within a recreation center or mall), subject to design review requirements. Stand-alone sub-stations require approval of a conditional use permit.
- Off-Street Parking Requirement**  
Schedule "C" (Section 19.7.4.C.3)
- Off-Street Loading Group**  
None.

**Recommendations**

- Create a consolidated land use table.

**Categorize and Define All Use Types**

The uses identified in the new table should be clearly organized, consistent with professional practice, and grouped in common-sense categories. If uses are not well-organized, staff and applicant time is lost in attempting to locate the use within the document. In addition, the likelihood of uses being classified differently in several places creates the potential for inconsistencies.

**Establish a Hierarchy of Uses.** There is no clear hierarchy or organization of uses in the current zoning ordinance. Use lists are not even alphabetical—for example, the reader in Local Business District Class A moves from “office building” to “studios” to “dry cleaning” to “restaurants.” An ordinance user would have to know precisely the name of a particular use under this system, and may even need to have staff help in order to find it in the document.

We recommend categorizing individual **use types** within a logical system of larger **use categories**. For example, the category of “residential uses” could include a subcategory of “group living,” which could include specific use types such as “group home” and “senior living.” Standards in the ordinance can simply refer to a category of uses and, by definition, include all of the uses within that category rather than listing them individually. All uses in a category typically have similar land use impacts, and thus creating well-

defined categories allows the elimination of many specific use types, as well as accommodating potential future uses not in existence today.

There are some broader use types in the current zoning ordinance, such as “services,” but there are opportunities for further streamlining. For example, “beauty and barber shop” and “shoe repair shops” have similar land use impacts and could be combined into a larger “personal services” category. We will propose a new organizational framework for uses as part of the drafting process.

**Define All Uses.** Both use categories and specific use types should be defined as precisely as possible. If uses are not defined or definitions are unclear, zoning staff is called upon to interpret the ordinance. If the applicant disagrees with the interpretation, the Board of Zoning Appeals or the courts could be called upon to interpret the ordinance. From the applicant's perspective, this creates unnecessary delay in the development approval process.

A methodical process for defining all land uses will help address some of the specific issues we heard during stakeholder meetings. For example, the current use type “**restaurant**” in Syracuse is unusually broad and encompasses bars that do not serve food, in addition to other activities. “Bar,” on the other hand, is not a defined use. Because the “restaurant” definition is so broad, the city has had to carve out special geographic limitations in the definition of the term “restaurant” and also ends up approving numerous special conditions and waivers to help narrow the meaning of the term for particular applications. Moving forward, the development of a new use classification system should include creation of a new “Food and Beverage Services” category, within which are a variety of specific uses like restaurants, restaurants with drive-throughs, bars, nightclubs, etc. This is an example of where greater specificity is needed, versus less. Cleaning up the definition of “restaurant” could potentially help address a range of issues.

**Establish a Process for Unlisted Uses.** We recommend that the ordinance clearly and precisely define new procedures and criteria to follow when determining whether a use type not expressly listed in the use table should be permitted in a particular zoning district. The new standards should require review of the nature, function, size, duration, impacts, and other characteristics of the use in relation to those of listed permitted uses in the district, as well as in relation to the purpose and intent of the district. If possible, at least some of this interpretative authority should vest with staff, but further discussion with the City’s legal team is necessary. New standards would also provide specific criteria to determine when unlisted uses that have been permitted through interpretation should be formally added to the use table via an amendment to the zoning ordinance.

In order to modernize the zoning ordinance, this project should eliminate obsolete uses and introduce new contemporary uses such as commercial flex space, live/work units, sustainable energy production, and uses associated with urban agriculture (e.g., community gardens, produce stands, etc.).

#### Recommendations

- Categorize use types within larger categories and subcategories.
- Update definitions to ensure clarity, legal consistency, and that all uses are defined.
- Remove obsolete uses.
- Introduce new use types to reflect contemporary uses and implement the LUDP.

### Ensure All Districts Allow Appropriate Land Uses

The allowable uses within each district should be compatible with the intent of the district. There may be current land uses that are permitted in Syracuse that are inconsistent with the intended character of their respective districts. The creation of a new master use table will allow for a district-by-district evaluation of the uses allowed within each district. The City should, for example, identify those districts most

appropriate (or not) for new uses such as urban agriculture. This analysis might result in a proposal to add new uses to existing districts, or prohibiting some uses in certain districts.

During this analysis, special attention should be paid to use variances granted by the Board of Zoning Appeals. If a significant amount of variances are regularly approved for specific uses or certain areas, those uses should be considered for a more liberal application as a permitted use for zoning districts throughout the City. A review of approved Board of Zoning Appeals variances can help determine possible reform of permitted uses “by-right.”

### Recommendations

- Revise allowable uses per zoning district to best reflect the intent of each district.
- Review new district purpose statements (developed as part of ordinance update) to help in the evaluation of appropriate land uses within each district.

### Establish Use-Specific Standards

Use-specific standards apply to a particular use regardless of the zoning district. While the bulk of such standards are found in Part C, Section I of the current ordinance, standards are also found in use type definitions and permitted use lists. For example, the definition of “Bed and Breakfast Establishment” includes a requirement that “the premises be owner occupied and the primary residence of the owner.” Similarly, the Uses Permitted list of the Office District, Class B includes language dictating the maximum amount of gross floor area for accessory uses such as restaurants and banks. Generally, regulatory requirements should be removed from definitions and use tables and relocated into the main body of the ordinance.

We recommend consolidating use-specific standards in one location, cross-referenced with the new use table. We will review all existing use-specific standards for clarity and relevance while working with staff to ensure the standards meet the City’s objectives and implement the plan. Some uses that are currently special uses may be proposed as by-right uses accompanied by a new set of use-specific standards.

New standards may be developed for land uses that have not yet been adequately address in the current ordinance, such as:

- **Neighborhood Retail.** This is one of the more problematic uses in Syracuse, based on stakeholder feedback. While neighborhood retail is desirable in some neighborhoods, it is deeply problematic in others and seen as a source of crime and blight. The ordinance update project should consider potential issues such as: What are appropriate parking requirements? Should there be distance requirements from neighboring residences? This is a good example of a use where different standards may be appropriate for different zoning districts. For example, neighborhood retail could be allowed by right subject to minimal standards in a designated neighborhood mixed-use node, but could be held to much more stringent standards in more residential environments.



- **Community Gardens and Urban Agriculture.** Possible issues to be addressed include: What is the appropriate scale of agricultural production in various districts? Should on-site sale of produce be allowed in residential neighborhoods? Can structures, permanent or temporary, be sited on urban agriculture lots? We understand research studies related to urban agriculture in Syracuse have been undertaken and shared with staff. Data from these studies will be reviewed while urban agriculture standards are drafted.
- **Restaurants, Bars, Events Centers.** This is a range of uses that require better distinction in the new ordinance, as noted above, rather than all being collapsed under the general term "restaurant." Discussion with the City's legal team is necessary to ensure consistency with operational standards found in other city ordinances. Additional possible issues to be addressed include: What are appropriate parking standards? Are there distance requirements from neighboring residences or residential districts? Is a special permit required for live music performances?

#### Recommendations

- Consolidate use-specific standards in new ordinance.
- Refine existing, and develop new use-specific standards for certain uses.

### Establish Standards for Accessory and Temporary Uses and Structures

As with other topics, the identification and standards for accessory and temporary uses and structures is uneven and scattered throughout the current zoning ordinance. The ordinance lists multiple permitted accessory uses and structures in each district, along with some standards for particular structures like garages. Also, some of the General Regulations in Part C deal with accessory uses and structures like swimming pools and home occupations. There is no central location for standards applicable to accessory uses and structures. The ordinance provides much less information about temporary uses and structures.

Both accessory and temporary uses can be controversial if not carefully defined and limited. An ordinance without comprehensive standards addressing both can lead to abuses. An effective ordinance should identify a broader range of accessory and temporary uses than is in the current ordinance (e.g., seasonal sales, contractors' trailers) and also a range of performance standards designed to make the regulation of such uses clear, efficient, and consistent (e.g., location on site, hours of operation, expiration times for temporary uses, signs, etc.).

#### Recommendations

- Draft new general standards for both accessory and temporary uses and structures.
- Carry forward any relevant existing standards for such uses (e.g., home occupations) as part of this new framework.

## Streamline the Development Review Procedures

Zoning ordinances should clearly describe the procedures by which applications for new development projects are accepted, considered, and acted upon by local officials. A well-written ordinance makes it easy for staff, the development community, and local officials to know exactly what is required for approval of development applications and helps ensure consistent administration over time.

During our stakeholder interviews, we received significant feedback about the development review process in Syracuse. Some aspects of the process were complimented, such as the multi-departmental Pre-Development Meetings, which we heard have become a useful tool for providing feedback on initial concepts. Participants also expressed respect and support for staff, who they feel do a good job administering the ordinance, despite the document's challenges and limitations.

However, many stakeholders expressed concerns about the City's zoning procedures. Some of the issues include:

- The current zoning ordinance does not spell out important procedural steps in a clear manner, resulting in submission of incomplete applications that require additional time and documentation to process, as well as some inconsistencies in processing and occasional applicant confusion.
- The Project Site Review procedures require a complex inventory and evaluation of surrounding conditions that City staff does not have the resources to administer consistently, and that applies the same level of intensive review to all types of projects regardless of size or complexity.
- The current zoning ordinance's general inflexibility results in many requests for use and area variances, waivers, and exceptions. These requests add complexity, time, and uncertainty to the approval process.
- While some projects can be handled by staff, many seemingly small projects end up requiring a public hearing and approval by the Planning Commission and/or the Common Council, creating additional time, cost, and uncertainty and discouraging development activity.
- Circulating applications to various City agencies takes time, and sometimes results in competing comments that are challenging for applicants and staff to reconcile.
- The determination of whether a project is in compliance with applicable plans can come relatively far into the project review process and often triggers unexpected requests for waivers, exceptions, or other relief.
- There are no clear timelines or submission deadlines for review processes articulated in the



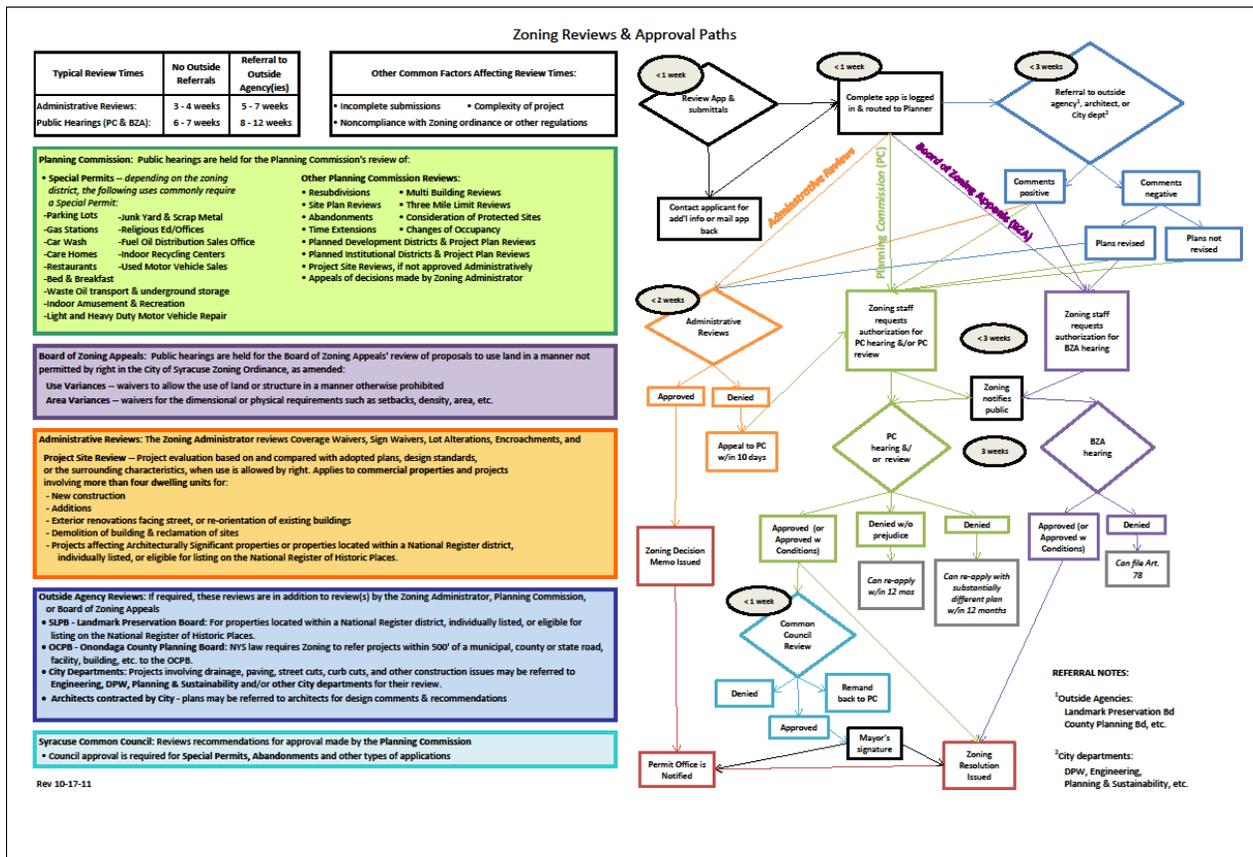
current zoning ordinance or elsewhere. For example, a project application may be added to the next Planning Commission agenda, or it may have to wait for two or three Planning Commission meetings until there is an available opening in an agenda.

- The relationship of the zoning procedures to other related City procedures, like building permit review, is unclear to many stakeholders.

The sections below discuss a variety of recommended strategies and tools that could help improve Syracuse's zoning procedures and address these concerns.

## Clarify Review and Decision-Making Responsibilities

Many zoning ordinance users told us they simply have a hard time determining what types of zoning review procedures may be required for a particular project, and which City departments and/or review bodies are responsible for various decisions. A phone call is often necessary to help decipher the City's requirements. Indeed, we found that the current system, as explained in the Ordinance, can be challenging to understand. The chart below is provided on the City's website as an explanation of current development review procedures and decision-making authorities.



While this chart admirably attempts to summarize a large amount of information in a comprehensive manner, it nevertheless is confusing and reveals the overall complexity of the system. The ordinance text that describes each procedure and explains the chart is dispersed throughout the document (as noted earlier) and fails to capture all the various exceptions and nuances in this highly complex system.

Moving forward, this project provides an opportunity to create transparency and predictability. The table below is an initial attempt to summarize zoning-related procedures and associated review and decision-

making responsibilities as codified in the current zoning ordinance. Creating a table that clearly illustrates zoning related procedures and the associated review and decision-making responsibilities allows ordinance users to find all procedural information in one location and helps clarify the basic steps and responsibilities in evaluating projects. We recommend including such a table such in the new zoning ordinance or making it available as a handout.

<b>Summary Table of Syracuse Review Procedures</b> <b>(NOTE: sample procedures only; table is not exhaustive.)</b> R: Review D: Decision < >: Public Hearing				
<b>Procedure</b>	<b>Staff Review</b>	<b>Board of Zoning Appeals</b>	<b>Planning Commission</b>	<b>Common Council</b>
<b>Ordinance Amendments</b>				
Rezoning (Change to Zoning Map)	R		<R>	<D>
Zoning Ordinance Text Amendment	R		<R>	<D>
<b>Development Permits and Approvals</b>				
Project Site Review	R & possible D			
Project in Planned District	R		<R>	<D>
Special Permit	R		<D>	
Development in Lakefront District	R		R	
Certificate of Appropriateness [2]	R			
Certificate of Suitability	R & possible D			
<b>Flexibility and Relief</b>				
Variance (Use or Area)	R	<D>		
Limited Waiver	R, D [1]			
Waiver	R		<D>	<D>
Exception	R	<D>		
Appeal	R	<D>		
<i>[1] Part C, Section I, Article 8 provides for Administration Waivers related to Yard and Area Requirements</i>				
<i>[2] Any review involving a property designated as a historic property is forwarded to the Landmark Preservation Board for review and approval.</i>				

<b>Recommendations</b>
<ul style="list-style-type: none"> <li>Develop a summary table of Syracuse’s development approval procedures in the new ordinance.</li> </ul>

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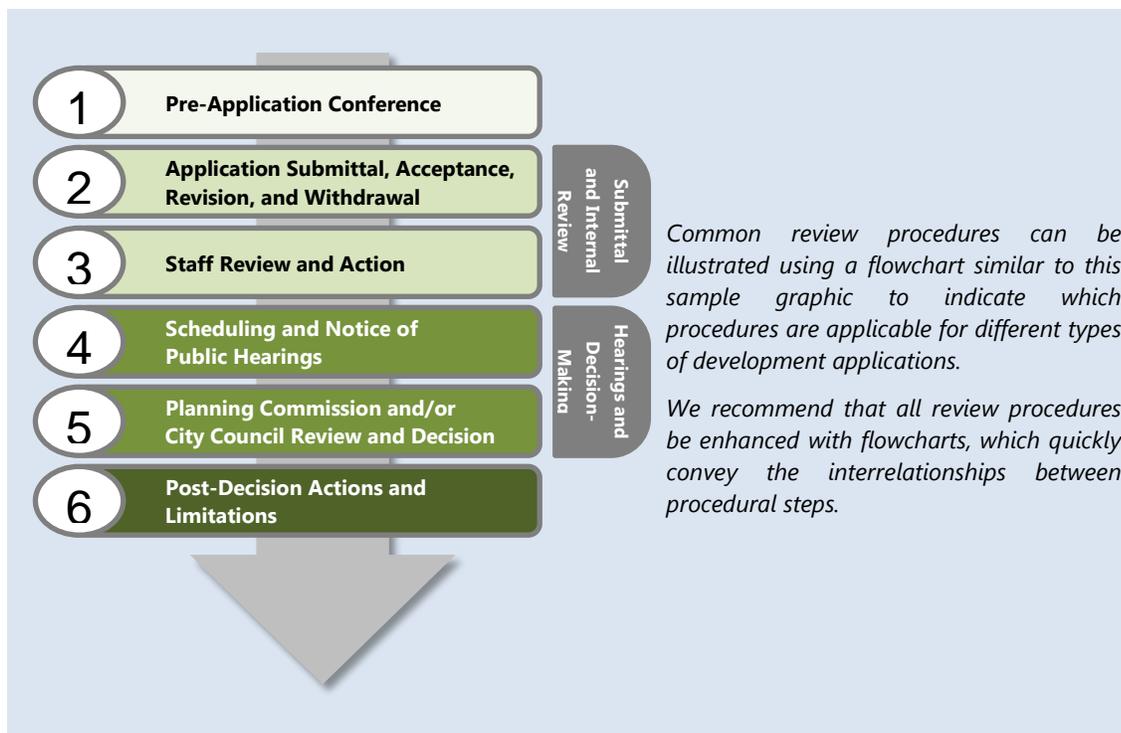
## Standardize the Review Procedures

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The current zoning ordinance calls for a number of different permits and approvals, such as Project Site Review, Variances, and Special Use Permits, dispersed throughout the document. The procedures are written in different styles and have little in common, reflecting the fact that they were established at different times and fulfill different purposes. The Project Site Review section, for example, bears little resemblance to the Lakefront review procedures, though in theory some of the same procedural steps are common to both types of applications (such as the requirement for an application to be submitted and the need for the application to be reviewed by staff to ensure it is complete before further review).

Generally, the level of detail for each process is inconsistent and key details are left unanswered. Some procedures spell out a review step or requirement (like a pre-application conference) in detail, while others merely mention the step or requirement (or only imply it), leaving it up to the applicant, interested parties, other code users, and City staff to guess about whether and how it applies to a particular procedure.

Modern zoning ordinances frequently consolidate the common elements of each review process. Doing so helps stakeholders better understand the City's basic procedural steps and requirements, avoids unnecessary duplication, ensures consistent application of generally applicable procedural steps and requirements, and eliminates the need to amend multiple sections of the development regulations if a standard procedural provision is revised.



The new zoning ordinance should include a consolidated procedures chapter with separate sections for each type of application, all written in a uniform format and with a consistent level of detail. It should include a new section of "standard" or generally applicable procedures that apply to all types of applications unless the ordinance specifies otherwise. Establishing standard procedures—through codification of existing practices, incorporation of procedures located in other city documents, and introduction of professional best practices—helps ensure consistency and creates predictability. Other

specific procedures (e.g., special permits, variances) can refer back to the standard review procedures, noting any deviations from the general rules.

We suggest the following standard review procedures:

- **Pre-application staff conference.** This is a meeting of a prospective applicant with relevant City staff providing an opportunity to discuss application requirements and identify any potential issues. Such conferences, currently called “pre-development meetings,” are already being held in Syracuse. Our recommendation is to formally incorporate these meetings in the standard process, making them mandatory for larger and/or more complex projects and optional for other projects.
- **Applicability submittal and acceptance.** The ordinance should specify how, when, and where an application is filed. It should state what constitutes a “complete” application—i.e., contains all prescribed plans and information necessary to make an adequately informed decision about the proposal’s compliance with applicable regulations— and specify that incomplete applications will not be processed.
- **Staff review and action.**
  - Distribution of the application to City staff and outside agencies for review and comment as to its compliance with applicable provisions;
  - Collection, consolidation, and finalization of staff review comments;
  - Transmittal of staff review comments to the applicant with an invitation to revise the application;
  - Applicant preparation and submittal of a revised application;
  - Acceptance and staff review of and comments on the revised application; and
  - Either a final decision by staff, or a staff report to forward to an advisory board and/or decision-making board.

While Syracuse staff already distributes applications, there is no coordination with the applicant regarding application revisions based on comments from other departments, causing confusion as to whether staff is reviewing the latest plans, increasing time and cost of an application process, and making it difficult to administer the ordinance efficiently.

Further discussion related to the addition of a staff recommendation in staff reports is necessary. Currently, staff documents how an application meets code requirements, but does not formally include a recommendation. It is common practice in many communities nationwide for staff to include recommendations for action in staff reports. We understand there has been ongoing conversations on this topic; this project provides an opportunity to clarify and implement a new approach.

- **Public hearing scheduling and notice.**
  - Scheduling of any required public hearing on the application; and
  - The types (published, posted, mailed), content, and timing of hearing notices.
- **Advisory board review and action.**
  - Review of (and hearing on) the application; and
  - Either a final decision by the board or a recommendation to forward to a decision-making board.
- **Decision-making review and action.**
  - Review of (and hearing on) the application; and
  - A final decision of approval, approval with conditions, or denial.
- **Post-decision actions and limitations**
  - Notice of the final decision to the applicant (and other interested parties);

- Opportunity for the applicant and affected parties to appeal the final decision ;
- Procedures for amending the approved plan, ideally distinguishing between minor and major amendments (the latter being required to restart the approval process);
- Approval expiration—i.e., how long an application approval is valid as authorization to start development or apply for subsequent development permits and approvals, and how that time period might be extended (the city currently uses a 12-month time period); and
- Possible limitations on the submittal of applications for the same or similar development proposal (to avoid attempts to wear down the City until the proposal is approved).

### Recommendations

- Establish standard review procedures for the procedural steps described above; and
- Draft application-specific review procedures that reference the new standard procedures; note any variations and additions particular to that type of application.

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## Replace Project Site Review with a New Site Plan Procedure

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The City's primary tool for reviewing a proposed project's physical form is Project Site Review (PSR), set forth in Part C, Section I, Article 10. The PSR process applies to commercial properties and projects involving more than four dwelling units. It applies to new construction, additions of more than 25% of a building's footprint square footage, exterior renovations facing a street, re-orientation of existing buildings, demolitions, and site reclamation. (PSR is also triggered for projects that are "architecturally significant" or within a National Register district, individually listed, or eligible for listing on the National Register of Historic Places.) Certain project types are exempt, including any cases that involve special permits, projects designated as "super projects," those that go to the Syracuse Landmark Preservation Board, and projects in planned districts.

PSR requires preparation of SEQR forms and a site plan (and is often called "site plan review" in other communities). A key part of the PSR process that is unique to Syracuse involves completion by staff of a "point-by-point" analysis, which is a detailed comparison of the proposed project against the contextual features of the surrounding area and also any relevant plans. Also, in some instances the PSR application must document building interior details, since the ordinance bases some standards on physical features. For example, required parking spaces in Residential Districts, Class C, are based in part on the amount of "net floor area used for office purposes...less area used for halls, toilet facilities, maintenance, closets, etc."

The PSR process is managed by the Zoning office, with projects being routed to other city departments and agencies for review and comment when applicable. Approvals generally are made by the Zoning Administrator without public hearings. However, certain projects are routed to other agencies and require public hearings (e.g., James Street Overlay projects go to the Planning Commission). An applicant may request waivers from any applicable area, number, or design requirements. If a waiver is requested, the project is routed to the Planning Commission and requires a noticed public hearing.

We heard several concerns with the PSR process.

- The PSR tool applies roughly the same type and level of review to all projects, regardless of their size and complexity.
- Waiver requests are frequent due to the inflexible nature of the zoning ordinance.
- The point-by-point evaluation of surrounding conditions is challenging and time-consuming to complete. Because the ordinance requires it to be completed by staff, it is completed inconsistently, and sometimes not at all, given available resources.

- The theory behind the point-by-point analysis is that new development should respond to and be compatible with conditions on adjacent sites and the surrounding neighborhood (e.g., building setbacks, architectural character); however, the PSR does not address situations when surrounding conditions may be undesirable models for new development.
- Sometimes it is not apparent that a waiver is necessary until the application is circulated to other City departments for comment. An unexpected late notice that a waiver is required frustrates the applicant and extends the overall review time for the project.
- The PSR submission includes plans for building interiors (e.g., room sizes, locations of doors) and also a determination of building code compliance issues. This creates problems if a PSR is approved based on certain plans, but then those plans must later be changed when an applicant seeks a building permit (which then creates a need for a waiver and requires the application to go back for hearings).

Moving forward, we believe that this project provides an opportunity to replace PSR with a new site plan review structure that addresses some of these concerns and makes more efficient use of City resources. We recommend several improvements:

**Distinguish Major versus Minor Projects.** The City should consider establishing a new distinction between major and minor projects, and have separate review procedures for each. The intent of having this distinction is to allow smaller projects that have less impact to move through the review process in a simplified, faster manner (e.g., a proposal for a small building addition would not require the same review process as a proposal to build a large office building on an undeveloped site). Minor projects should continue to be administrative and decided by the Zoning Administrator, with major projects going to the Planning Commission.

There is no “correct” dividing line to distinguish between major and minor development plans and the line is different in every community. Specific thresholds for determining if an application is major or minor should be proposed and evaluated during the drafting process. Such thresholds might include size of development (e.g., number of dwelling units or gross square footage of nonresidential floor area), certain uses, or development in certain areas. Along with thresholds for determining an application’s project category, different review and approval procedures should be proposed as well. The Zoning Administrator should have the ability to bump up a minor project into the major category at their discretion.

**Require Pre-application Conference for All Major Projects.** Syracuse currently has an optional Pre-Development Conference tool in place, managed by the Neighborhood and Business Development office. We heard this conference is helpful to both staff and applicants, and we recommend making it a formal part of the zoning review process for major projects and optional for minor projects. We understand that before this recommendation is implemented, further analysis of staff capacity is necessary.

**Eliminate the Open Ability to Request Waivers.** The current ability of an applicant to request a waiver from any area, number, or design requirement creates a great deal of uncertainty in the overall process. The waiver tool is not well-defined and not subject to clear approval criteria. It reportedly has not been applied consistently over time. A better approach to allow flexibility to adjust minor requirements is the introduction of an Administrative Adjustment tool, discussed below. Also, the variance tool will continue to exist for situations when a hardship exists.

**Replace the Point-by-Point Analysis with New Development Standards.** The contextual evaluation should be replaced with citywide, objective standards that apply to all projects. Such standards could be focused on specific types of projects, (e.g., multi-family) and/or certain areas (e.g., corridors). Various building and site design standards could also address contextual issues. This issue of new standards is discussed in the next section of this report.

**Focus on Zoning Compliance and Site Layout Issues (not Construction Details).** Currently the PSR submittals include detailed building information and are circulated and reviewed for building code, fire code, and other issues. Moving forward, we recommend that the City consider dividing the development review process into stages, especially for major projects. The initial submittals would involve more high-level, conceptual information and less detail. Technical supporting documents (especially construction drawings) would be required later, perhaps at the building permit stage, once the City grants preliminary approval on the larger concepts.

In summary, **a new site plan process** will be the tool that allows the city to ensure effective, consistent implementation of new development standards. It should be relatively simple and quick for small projects, and relatively more involved and require a higher level of review for larger projects. It should focus strictly on review of structure location, details of the site, and how the project complies with the zoning ordinance. The application should not request information on building interiors or construction details. That type of information should be deferred to a later application, after the site plan is approved. A separate procedure could involve staff review of detailed plans and engineered drawings that show the final location and design.

This is an approach that has been implemented in many other communities. For example, in Morrisville, North Carolina (in the Research Triangle), the town first requires site plan approval for most projects to review compliance with general development and design standards. (The Planning Director approves minor site plans and the Town Council approves major site plans). A separate process called “Construction Plan Approval” follows site plan approval. Construction Plan Approval by the Town Engineer is required before issuance of a Building Permit or Certificate of Compliance/Occupancy for any most development activity. It may be submitted and reviewed concurrently with an application for major or minor site plan approval or subdivision approval. Approval authorizes submittal of an application for a Building Permit. (Vesting under North Carolina law occurs with submission of a site-specific development plan, which is either the site plan or special use permit application.)

#### Recommendations

- Replace the Project Site Review procedure with a new site plan review procedure.
- Establish clear criteria and review procedures for major and minor projects.
- Replace the open-ended authority to request waivers with a new Administrative Adjustment tool.
- Replace the point-by-point analysis with new, objective development standards.
- Remove construction details from the site application and defer to a later, separate process.

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### Establish a Process to Allow Administrative Adjustments

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The majority of development applications in Syracuse require variances, waivers, or exceptions in order to obtain final project approval. In part, the high number of requests for flexibility or relief is a result of inflexible development standards, which are addressed later in this report. From a procedural perspective, the issue can result from not having any tools that allow staff the authority to grant limited relief in targeted circumstances. Variances, exceptions, and waivers also appear to have simply become part of the development culture in Syracuse—an expected part of most applications.

Many communities use an Administrative Adjustment procedure to authorize staff to approve minor deviations from certain dimensional or development standards based on specific criteria. The procedure is intended to provide relief where strict application of the standards would otherwise create unnecessary difficulties. Such a procedure could identify standards that are commonly adjusted in Syracuse, and would prevent having to file a request for a variance. The extent of deviation available for administrative approval is typically five or ten percent. Criteria for adjustments should be clearly stated, should not undermine the intent of the underlying regulations, and should not impose greater impacts on

surrounding properties than strict compliance would. Examples of standards that are frequently subject to administrative adjustments include the following lot width and lot coverage, setbacks, fence or screening height, and number or size of required parking spaces

The current ordinance allows for administrative waivers of a handful of area and yard requirements. This new Administrative Adjustment tool would carry forward and expand this authority.

#### **Recommendations**

- Establish an Administrative Adjustment procedure to allow staff approval of minor deviations.

## Introduce Uniform Standards to Improve the Quality of Development

The quality of development in Syracuse is important to the City's economic prosperity and the continued enjoyment of a high quality of life by its residents. Good design significantly affects quality of life. As examples, landscaping and building design determine the attractiveness of the places we live, work, and shop. Open spaces provide places for recreation, healthy exercise, and the enjoyment of nature. Access and circulation patterns influence how safely and conveniently we travel between those places.

Throughout New York and the rest of the country, many cities have adopted a variety of zoning tools to regulate the layout of a development site (such as sensitive area protections and open space requirements), as well as the design of buildings. While cities vary widely in the level of regulation, most attempt to exercise at least some control over the quality of new development through their zoning ordinances.

Syracuse's LUDP provides the policy foundation for regulating development quality by describing "character areas" and also through specific goals and objectives. For example, the plan's Guiding Principal III is to "*Ensure high-quality, attractive design throughout the city.*"

Unlike many other communities, Syracuse has relatively few standards in place to affect the *quality* of new development. Apart from off-street parking standards, plus scattered regulations that apply to limited areas like the James Street Overlay and the Lakefront districts, the ordinance is generally silent on the quality of new development. Practically, the lack of standards puts pressure on staff and local officials to use existing tools like Project Site Review and Special Use Permits to try and ensure development is compatible with neighborhoods and meets community expectations. Because each project must be considered individually, however, they result in one-off solutions that may not result in consistent project quality over time and provide little predictability to project applicants.

This project provides an opportunity to introduce new development standards. The new zoning ordinance should raise the bar with respect to development quality by setting clear, objective minimum standards, but not make code-based development cost-prohibitive. Standards should address both site design—how buildings relate to their site and surrounding development—and building design. The standards should allow enough flexibility to address unique sites and circumstances and to encourage innovation and creative design.

This recommended approach to development and design standards will result in two important steps forward for Syracuse:

- Objective standards that address key elements of building and site design offer a win-win opportunity for both the community and the property developer. Clearly stating the City's standards up-front can save time and money for both the City and the owner, as the need for lengthy negotiation on those items is removed.
- Over time, new standards will help the City focus more on building form and quality, and less on particular land uses.

The following sections discuss several areas where revisions or additions to current standards are recommended.

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### Consolidate and Update the Parking Requirements

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The primary area in which the current zoning ordinance addresses development quality is parking. During our stakeholder interviews, we often heard that parking in Syracuse is an issue. For example, we heard that some projects have provided too much parking, resulting in empty parking lots on property that could be

used in a more effective way. Further, because parking requirements are based on specific uses, they can be challenging to administer (e.g., standards determined by number of employees), and inflexible (e.g., a retail establishment has the same parking requirements whether it is located in a Central Business District, or a less intense district such as Local Business District, Class A). We also heard that the city has a desire to become more pedestrian-friendly, with one way of achieving this being to allow for parking requirements to be met with on-street or shared parking.

We recommend rewriting the parking and loading standards to provide more clarity and introduce some flexibility in standards. We will consolidate all parking requirements in one section of the new ordinance, rather than spreading them through the district standards. We will conduct a comprehensive review of Syracuse's current parking requirements and make recommendations for improvements in the following areas:

**Evaluate parking ratios.** We will review the current parking standards for all uses against national best practices to determine where the current standards may be requiring too many (or too few) spaces. The national trend is to move to lower required parking standards since many communities in the past have required an excessive amount of parking. Also, some pedestrian-friendly areas (such as mixed-use districts) often have maximum parking standards (typically 125% of the minimum requirement) or require increased landscaping or other mitigation when additional parking is provided.

**Provide flexibility in meeting parking standards.** Another trend nationwide is to provide more flexibility in parking standards and how parking is provided. For example, many communities allow for a reduction of parking in mixed-use areas, when development is served by regular transit service, or when parking demand management tools are used. In addition, the City might consider allowing development to count adjacent on-street parking toward its minimum parking requirements. Finally, additional flexibility should be provided for redevelopment sites in areas of the City if existing development limits the ability to provide on-site parking.

**Require higher-quality parking area design.** Where parking lots are required, they should be designed to be attractive and safe. We suggest the City consider adding modest standards to require that parking lots be landscaped within the interior as well as around the perimeter to provide visual screening, and that they contain a requirement to break up large lots into parking modules separated by landscaping and walkways to reduce their apparent scale. These are common requirements in almost all communities. In addition, pedestrian walkways should be provided within the parking area and from the adjacent roadway/sidewalk through the parking area to the building entrance to encourage pedestrian activity and for safety.

**Consider parking location requirements.** The location of parking relative to the street should also be considered. We recommend establishing objective standards for how much parking may be located in front of the building in pedestrian-oriented areas. The standard should vary based on the type and location of development. For example, in neighborhood retail centers and along major corridors, at least 70 percent of required parking might be required behind or to the sides of a building to bring the building closer to the street and create a more pedestrian-friendly environment.

#### Recommendations

- Consolidate and rewrite off-street parking and loading standards.
- Evaluate parking ratios against national standards; consider maximum requirements in some areas.
- Provide additional tools for flexibility in meeting parking requirements.
- Update parking area design requirements.
- Consider limits on parking location in some areas.

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## Consolidate and Update the Landscaping Standards

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Action item IV.2 in the LUDP states: “Establish requirements for landscape and site-design features on private property.” In analyzing the current ordinance, we found several references to landscape plans or required landscaped areas, but no specific landscaping standards. For example, the standards for car wash facilities (Part C, Section VI, Article 2, Section 2) include the following requirement: “All landscaped areas shall be adequately protected by a raised curb of not more than six inches in height,” but there are no specifics as to how much area should be landscaped, or how such an area should be landscaped. Additionally, there are references to required “landscape plans” in various procedures, but again there are no specifics as to what such a plan should entail.

We recommend expanding landscaping standards to implement the LUDP goals and objectives. As with the parking standards, any existing landscaping standards should be consolidated in one location in the new ordinance and supplemented as necessary to establish clear minimum landscaping requirements for all development, as well as general rules governing landscaping (e.g., what types of projects must submit landscaping plans, standards for maintenance of required plant materials, etc.). We heard few comments on this topic so far; additional discussion is necessary to determine the City’s preferred approach to new landscaping standards.

### Recommendations

- Consolidate and update landscaping standards following additional discussions with staff to determine City’s preferred approach.

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## Consider New Citywide Building Design Standards

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We heard interest in improving and expanding building design standards in Syracuse in order to protect neighborhoods, create better places, and improve the general character of new development.

The current ordinance has no **citywide design standards**; rather, there are discrete standards in place for certain areas and certain types of buildings. The local preservation districts, protected sites, and preservation ordinance contain some design standards, and there are a handful of building design standards in specific areas such as the Lakefront districts and the James Street Overlay (e.g., window location and design). Some districts also have neighborhood protection standards that control certain aspects of building design, such as the setbacks required in Part B, Section VI, Article 1, Section 5.b.2:

“Where the rear of a nonresidential use lot abuts against the rear lot line or a lot in a residential district, a building of incombustible materials not exceeding two stories in height may be erected on the rear lot line in the nonresidential district but any portion of such a building above two stories in height must setback to provide a space equal to the rear yard space required for the adjacent residential property.”

While an area-based approach has been necessary in the past, this project provides an opportunity to take a fresh look at the City’s approach to design, focusing more on establishing unified and consistent standards for the entire city. Unified standards could help reduce repetition and bulk in the document, and also could make administration of Project Site Review (or a new site plan procedure) easier and more predictable.

New citywide standards could be structured to address a wide variety of common design aspects like building orientation, building placement, primary facade treatment, massing, materials, roof form, and surface parking location. In some cases, these new standards would not need to be developed from scratch, but rather simply build on and incorporate the City’s current standards from Lakefront or other areas, or perhaps existing planned developments that the City believes have been successful.

Adopting citywide standards does not mean that area-based design standards would be unnecessary. Because Syracuse is a city of many different places and character types, from established neighborhoods to a revitalizing downtown, special approaches may be needed in one or more districts. But an ordinance that starts with some uniform standards as a base, and then supplements those with district-based or development-based standards as necessary, could help bring greater consistency and effectiveness to the City's zoning system overall. For example, citywide standards could establish general design requirements for large-scale commercial and/or residential buildings, and those might be supplemented with additional detail in neighborhood-oriented districts where ground-floor design treatments are especially important.

There is a wide range of potential approaches to regulating building design. On one end of the spectrum, voluntary design guidelines can encourage, rather than require, good design. This approach provides maximum flexibility, but can be tougher to administer and have less predictable results. On the opposite end, mandatory design standards are more straightforward to administer and achieve the most predictable results, but offer less flexibility and are more frequently challenged (though menus and alternative compliance can help allow room for creative approaches). Many successful systems fall somewhere in the middle, offering some of both approaches.

Regardless of which regulatory approach Syracuse embraces, the **impacts on staffing and development costs** should be considered when adopting any new standards. Because new design standards would be new to Syracuse, we recommend starting in a limited way, to allow staff, local officials, neighborhoods, and the development community time to become familiar with the new approach. Two particular areas where we heard interest in new standards are **multi-family residential** and **commercial** buildings. Further details on proposed standards could be provided in the Annotated Outline of the new ordinance.

#### Recommendation

- Consider developing citywide building design standards to improve development quality, focusing on multi-family residential and commercial standards.



*Images of current development in Syracuse: commercial (left) and multi-family residential (right).*

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## Focus on Infill and Redevelopment

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Because Syracuse is a primarily built-out city, the majority of new development will be in the form of infill or redevelopment. This means the ordinance must be updated to encourage and produce high-quality reinvestment throughout the city. Infill and redevelopment parcels present challenges ranging from environmental cleanup to compatibility with the existing character of surrounding neighborhoods. Although site-specific challenges cannot be eliminated altogether, well-drafted regulations need not add an unnecessary layer of complexity to these context-sensitive sites. As we draft the new Syracuse ordinance, we will focus generally on opportunities to reduce barriers to infill and redevelopment. Particular areas of focus will include:

**Dimensional requirements.** Minimum setbacks and lot areas and maximum height standards can discourage redevelopment or infill on a vacant lot. For example, throughout all Residential Zoning Districts, the minimum lot size for a single-family dwelling unit is 4,000 square feet. This requirement, along with significant yard setback requirements, could create barriers to the redevelopment of older, smaller platted lots.

**Development standards.** For particularly challenging infill lots, both residential and commercial, every inch of the site matters. Once requirements such as parking and loading standards have been met, many infill sites have difficulty making a project “pencil out.” One way to help make a development more financially feasible is to reduce minimum parking requirements, where possible, without harm to surrounding neighborhoods.

**Flexibility.** The broad range of Syracuse’s existing development patterns prohibits the application of a one-size-fits-all approach to infill and redevelopment. The new ordinance should allow flexibility to meet unusual circumstances and encourage creativity. We recommend using menus of alternatives where possible and allowing the property owner options in how compliance with the standards is achieved.

Although site-specific challenges cannot be eliminated altogether, well-drafted regulations can remove layers of complexity from development of context-sensitive areas.

### Recommendations

- Review dimensional and development standards to ensure they accommodate infill and redevelopment projects.
- Introduce additional flexibility by adding optional approaches and menus wherever possible.

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## Use Clear, Objective Language

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We heard from stakeholders that subjective language in the current zoning ordinance creates uncertainty and delay by requiring negotiation of design-related issues with staff and with various reviewing entities.

For example, the term “character” is used throughout the ordinance; projects are “to be in character with the surrounding properties,” and decisions are made based on “the impact the Waiver would have on the character of the surrounding area.” Staff, decision makers, developers, and community members could all interpret that term differently in those two examples.

The new ordinance, and particularly the new development standards, should use clear, objective language, which should present a win-win opportunity for both the community and developers. Clearly stating the City’s standards up-front can save time and money, as expectations are set in the beginning of the development process and the need for lengthy negotiations regarding design standards is removed.

### Recommendations

- Rewrite development standards to eliminate vague, subjective language.



### 3: Detailed Review of Current Regulations

This section provides a more detailed review of the current Syracuse Zoning Ordinance. It is based on the Clarion team’s review of the ordinance and includes observations, questions, and recommendations regarding language, organization, and content. The table lists only those sections for which we have comments. Broader issues (including most feedback from stakeholders) are addressed in Part 2 of this report.

Section/Article	Comments
Table of Contents	<ul style="list-style-type: none"> <li>Update to include all contents of new Zoning Ordinance.</li> <li>Include a summary overall table for entire document, along with detailed contents for each chapter.</li> <li>Add page numbers.</li> </ul>
<b>PART A</b>	
Section I General Purpose and Intent	<ul style="list-style-type: none"> <li>Rewrite purpose statement using simpler language and bullets or subsections.</li> <li>Include statement about implementing the Land Use and Development Plan 2040.</li> </ul>
Section II Ordinance	
Article 1 Zoning Rules and Regulations of the City of Syracuse	<ul style="list-style-type: none"> <li>This language probably belongs in the enabling resolution or motion adopting the ordinance, not the ordinance itself.</li> <li>However, discuss with Law Department to determine if any references to prior local laws or other information should be retained.</li> </ul>
Article 3 Revisions and Legal Authority	<ul style="list-style-type: none"> <li>Replace with discrete sections addressing legal authority to adopt zoning, severability, and zoning map.</li> </ul>
Article 4 Penalties and Enforcement	<ul style="list-style-type: none"> <li>Relocate to new Administration chapter.</li> <li>Confirm with staff whether enforcement in practice is consistent with this language, particularly the process for issuing ordinance violation citations. We understand from staff that actual practice may be inconsistent with this language.</li> <li>New ordinance should include a dedicated section focused on enforcement that clarifies provisions and provides details on violations, who has enforcement authority, and the range of potential penalties and remedies.</li> </ul>
Article 5 Board of Appeals	<ul style="list-style-type: none"> <li>Relocate to Administration chapter, in section describing various review and decision-making bodies.</li> <li>Confirm specific authority of BZA.</li> <li>Clarify name (“Board of Zoning Appeals” versus “Board of Appeals.”)</li> <li>Separate out the procedures for appeals and variances and remove to procedures section. Rewrite consistent with new standard procedures, addressed in Part 2 of this report.</li> <li>Reevaluate need for “exceptions” if new Administrative Adjustment tool as recommended in this report is implemented.</li> </ul>
Article 6 Zoning Districts	<ul style="list-style-type: none"> <li>Relocate to include in Zoning Districts section.</li> </ul>
Section III Definitions	
Article 1 Map	<ul style="list-style-type: none"> <li>Draft new section clearly adopting the Zoning Map by reference and providing rules for map interpretation.</li> <li>The zoning map will be updated as part of this project. The City and EDR are currently working to clean up existing inconsistencies and create a methodology for the final conversion exercise.</li> <li>Update summary list of districts as necessary; see Part 2 of this report.</li> </ul>
Article 2 Terms	<ul style="list-style-type: none"> <li>Consolidate all definitions in a new chapter.</li> <li>Remove regulatory language from individual definitions and relocate to</li> </ul>

Section/Article	Comments
	<p>appropriate section within ordinance, such as development standards, use-specific standards, administrative procedures.</p> <ul style="list-style-type: none"> <li>• Add illustrations as necessary (e.g., building height, side yard setback, lot size, etc.).</li> <li>• Define all uses, use types, and operative terms. Consider separating out use definitions from other key terms.</li> <li>• Delete unused, obsolete, and commonly understood terms. Include missing terms.</li> <li>• Draft common rules of interpretation (e.g., “shall” versus “should”).</li> <li>• Key definitions already identified as needing attention: animal-related uses, bakery, bar, bottle and can return, convenience store, pet day care, gasoline service station, gym/fitness, hookah lounge, private club, retail store, single housekeeping, urban agriculture, microbrewery, tiny house, micro units, renewable energy infrastructure, indoor agriculture, aquaculture, livestock, residential re-entry facility.</li> </ul>
<b>PART B</b>	
Section I Residential Districts	
General Comments	<ul style="list-style-type: none"> <li>• See <i>Key Areas</i>: Examine and revise the City’s district lineup.</li> <li>• See <i>Key Areas – Uses, User-friendliness</i>. We recommend uses and use-specific standards be listed in a summary table for ease of access to information spanning all zone districts. Organize uses into general categories and specific use types (which may allow for the consolidation or removal of some very specific use types in the current ordinance).</li> <li>• The lot dimensional standards for residential zoning districts are written in a confusing manner, utilizing percentages of lot width and depth coupled with required minimum linear measurements.</li> <li>• For all districts, consolidate dimensional standards related to setbacks, lot size, height, and other standards in a summary table for all zone districts. Any special dimensional requirements for special lot configurations (e.g., corner lots) should be reflected in this summary table.</li> <li>• Review all Purpose and Intent statements and revise for brevity and clarity.</li> <li>• Review parking requirements for all uses per the general discussion in this report.</li> </ul>
Article 1 Residential District, Class A-1 (RA-1)	<ul style="list-style-type: none"> <li>• We heard from staff that this is a fundamental zoning district that includes a large portion of Syracuse’s residential neighborhoods. No major changes are proposed beyond the general comments noted above.</li> </ul>
Article 2 Residential District, Class A-2 (RA-2)	<ul style="list-style-type: none"> <li>• Staff suggests removal of district as unnecessary and too similar to RA-1.</li> </ul>
Article 3 Residential District, Class A (RA)	<ul style="list-style-type: none"> <li>• This district is similar to the RAA district. There are slight differences in lot dimension standards and density allowances, providing for higher density in the RAA district. Staff recommends keeping this district and removing RAA.</li> <li>• A large amount of land area within the city appears to be zoned RA.</li> </ul>
Article 4 Residential District, Class AA (RAA)	<ul style="list-style-type: none"> <li>• Staff suggests removal of this district, which is similar to the RA district. There are slight differences in lot dimension standards and density allowances. Providing for lower density in the RA district.</li> </ul>
Article 5 Residential District, Class B-1 (RB-1)	<ul style="list-style-type: none"> <li>• The intent of this district is to provide for single-family to smaller apartment residential development throughout the city.</li> <li>• Staff suggests no major changes to this district.</li> <li>• This district is similar to the RB-1T district in lot and development standards.</li> </ul>
Article 6 Residential District, Class Transitional (RB-1T)	<ul style="list-style-type: none"> <li>• The intent of this district is to provide a transition from single-family to smaller apartment residential areas to areas with similar residential density and a specific mix of office uses.</li> </ul>

Section/Article	Comments
	<ul style="list-style-type: none"> <li>The district should be examined as part of this project to determine if it is still relevant.</li> <li>This district differs from RB-1 in that it has a more restricted Uses Permitted list, but allows more uses by Special Permit, including some RB-1 by-right and office uses.</li> </ul>
Article 7 Residential District, Class B (RB)	<ul style="list-style-type: none"> <li>The intent of this district is to provide for medium-density residential development with a range of housing types. (This was the original zoning for Syracuse University.)</li> <li>This district is similar to the RB-T district in lot and development standards.</li> </ul>
Article 8 Residential District, Class B (RB-T)	<ul style="list-style-type: none"> <li>The intent of this district is to provide for medium-density residential development with a range of housing types, as well as specific office and commercial uses.</li> <li>This district is similar to the RB district in lot and development standards.</li> <li>Consider merging into proposed new Mixed-Use Neighborhood district.</li> </ul>
Article 9 Residential District, Class C (RC)	<ul style="list-style-type: none"> <li>The intent of this district is to provide for a mix of higher-density residential and compatible commercial and office uses.</li> <li>The intent of this district is very similar to the existing RS district and we suggest reviewing this district for possible consolidation with the RC district.</li> <li>Consider merging into proposed new Mixed-Use Neighborhood district.</li> <li>Remove broad authorization for waivers for special permit uses. We heard this has been used to justify major changes to ordinance standards, but is not supported by any strong, objective criteria.</li> </ul>
<b>Section II Office Districts</b>	
Article 1 Office District, Class A (OA)	<ul style="list-style-type: none"> <li>The two Office districts have very similar allowed uses and general development standards. The primary difference is OB allows for a higher residential density than OA.</li> <li>It appears that a relatively small amount of parcels have Office zoning, with the majority of these parcels located along James Street close to the downtown area (adaptive mansion corridor).</li> <li>These districts should be reviewed to determine if they can be consolidated with appropriate district- and use-specific standards incorporated.</li> <li>These districts allow "premiums," or extra lot coverage or FAR for certain amenities like having a parking garage. The system is oddly written since it grants bonuses for items that theoretically should be required, like an approved site plan. We recommend replacing the premiums with objective standards where possible and not carrying forward the premium system, which we heard from staff is not well-used or understood.</li> </ul>
Article 2 Office District, Class B (OB)	
<b>Section III Local Business Districts</b>	
Article 1 Residential Service District (RS)	<ul style="list-style-type: none"> <li>We heard from staff that this is an underutilized district where the original intent was to provide for neighborhood-scale services. It could be helpful in the future as a lower-intensity mixed-use or business district that helps buffer neighborhoods.</li> <li>Because the original intent of this district is so similar to the existing RC district, we suggest reviewing the RS district for possible consolidation with the RC district.</li> <li>In use list, remove the limitation on five employees; challenging to track or enforce.</li> </ul>
Article 2 Local Business District, Class A (BA)	<ul style="list-style-type: none"> <li>This district appears to include parcels primarily along corridors within the city. It is used frequently and there are many Project Site Review applications from this district to do mixed-use projects.</li> <li>Minimum building size (1000 sq. ft.) is high, which acts as a barrier to redevelopment and requires waivers of density standards.</li> </ul>

Section/Article	Comments
	<ul style="list-style-type: none"> <li>Use list: Several examples of archaic, ambiguous language (e.g., “so-called tourist camps”)</li> <li>Use list: “nonprofit community center” is undefined; also, contains an odd provision requiring staff to perform analysis of services offered by the center.</li> <li>Use list: good example of how narrowly defined use (“animal hospitals, clinics, and dog kennels”) led to need for a variance for an unlisted use (“doggie day care”)</li> <li>Use list: Indoor amusement and recreation: consider whether gyms could fit into this definition; should not always require a special use permit or variance.</li> </ul>
Article 3 Planned Shopping District (PSD)	<ul style="list-style-type: none"> <li>Carry forward, since the two parcels with this zoning are governed by site-specific plans approved by the City Planning Commission.</li> <li>However, consider converting to an “obsolete” district and not allowing future rezonings to this district.</li> </ul>
<b>Section IV Central Business Districts</b>	
General comments	<ul style="list-style-type: none"> <li>During stakeholder interviews we heard that there were “too many divisions of CBD” for the relatively small land area the districts cover.</li> </ul>
Article 1 CBD Retail District (CBD-R)	<ul style="list-style-type: none"> <li>There are nine districts just for the central downtown area of Syracuse.</li> </ul>
Article 2 CBD Office and Service District (CBD-OS)	<ul style="list-style-type: none"> <li>Based on discussion with staff, consolidate and simplify into one zoning district, with a possible overlay district (or other mechanism for specific standards) for the Amory Square area.</li> </ul>
Article 3 CBD Office & Service District (Restricted) (CBD-OSR)	<ul style="list-style-type: none"> <li>This is one of the only areas in the ordinance that already has defined use categories, rather than just specific use types. Use as base for developing new categories.</li> </ul>
Article 4 CBD General Service District (CBD-GS)	<ul style="list-style-type: none"> <li>Rethink the very broad retail use exceptions – necessary?</li> </ul>
Article 5 CBD Local Business District (CBD-LB)	<ul style="list-style-type: none"> <li>A comprehensive redefinition of the term “restaurant” and development of new categories for bars and similar uses could help facilitate the consolidation of the downtown districts - some of which were developed separately specifically to address that issue.</li> </ul>
Article 6 CBD High Density Residential (CBD-HDR)	<ul style="list-style-type: none"> <li>Determine if FAR should be carried forward as a development standard. Consider folding “parking site plan” requirements into the suggested new site plan procedure.</li> </ul>
Article 7 CBD Medium Density Residential (CBD-MDR)	
Article 8 CBD Planned Developments and F.A.R. Premiums	
Article 9 CBD General Service A District (CBD-GSA)	
<b>Section V Commercial Districts</b>	
Article 1 Commercial District, Class A (CA)	<ul style="list-style-type: none"> <li>It was staff’s opinion that the commercial districts are very similar in content and standards, and it was suggested the two could be consolidated.</li> </ul>
Article 2 Commercial District, Class B (CB)	<ul style="list-style-type: none"> <li>The majority of land area in commercial zoning districts appears to be in the CB district, the more intense district.</li> <li>Commercially zoned properties are found primarily along corridors, and commercial park areas.</li> <li>Use list: gasoline service stations: update definition to acknowledge these are multifunction establishments</li> </ul>
<b>Section VI Industrial Districts</b>	
Article 1 Industrial District, Class A (IA)	<ul style="list-style-type: none"> <li>This district includes light industrial uses.</li> <li>The majority of industrially zoned land area is in this district.</li> <li>Use list: item “m” is extremely broad and would potentially allow almost any type of activity. Who checks to determine compliance with this provision? Recommend removal and replacement with clear, objective standards.</li> </ul>
Article 2, Industrial District, Class B (IB)	<ul style="list-style-type: none"> <li>This district includes heavy industrial uses.</li> <li>The parcels with this zoning are located in the northwest portion of the city,</li> </ul>

Section/Article	Comments
	in between I-690 and I-81. Includes the mall.
<b>Section VII Highway Service Districts</b>	
Article 1 Highway Service District, Class A (HSD)	<ul style="list-style-type: none"> <li>• Not carried forward, seems to be unnecessary.</li> <li>• We heard from staff this is an unused district, which is confirmed by the apparent lack of any parcels mapped in this zoning district.</li> <li>• Unusually, no uses by right are allowed in this district. The district contains a Special Use Permit process that is different than the one generally applied elsewhere in the ordinance. If the district is carried forward, we recommend making the standard SUP process apply.</li> <li>• The district has some standards referred to as “special conditions” that address curbing, driveways, easements, gas pump islands, etc. Even if the district is not carried forward, these standards could potentially be applied more broadly in the new ordinance.</li> </ul>
<b>Section VIII Institutional Districts</b>	
Article 1 Planned Institutional District	<ul style="list-style-type: none"> <li>• Carry forward. Areas with this designation are regulated by site-specific plans approved by the City Planning Commission.</li> <li>• This district applies to Syracuse University, a hospital, and Loretto (sp?).</li> <li>• Consider relocating the procedure for planned development review into the new Administration chapter, along other procedures.</li> <li>• Reconsider the current “Project Plan” procedures that broadly require any type of activity that requires a building permit to obtain a Project Plan from the planning commission. Consider whether smaller activities and/or structures could be handled administratively, with the ability for staff to forward the application to the planning commission on complex or controversial projects.</li> <li>• Amendment of plans: The ordinance refers to “substantial” differences but does not define the term.</li> </ul>
<b>Section IX Lakefront Districts</b>	
General comments	<ul style="list-style-type: none"> <li>• Delete this district and incorporate area into appropriate existing or proposed new base districts. .</li> <li>• See Key Themes section for more in-depth discussion of recommendations regarding this district.</li> </ul>
<b>Section X Development Districts</b>	
Article 1 Planned Development District	<ul style="list-style-type: none"> <li>• Further discussion needed as to whether this district is needed.</li> <li>• Language found on Future Land Use Map in Land Use &amp; Development Plan 2040, “PDDs and PIDs are regulated by site-specific plans approved by the City Planning Commission.”</li> </ul>
<b>Part C</b>	
<b>Section 1 General Regulations</b>	
Article 1 Boundaries	<ul style="list-style-type: none"> <li>• Relocate to include in Zoning Districts chapter with Zoning Map discussion.</li> </ul>
Article 2 Building and Lot Requirements	<ul style="list-style-type: none"> <li>• Consolidate building and lot requirements into new Dimensional Standards section.</li> <li>• Review standards for appropriateness with staff.</li> <li>• Group like standards into tables for ease of reference and comparison (e.g., lot standards for all residential districts in one table).</li> <li>• Revise standards so they are easier to reduce the use of complicated measurement equations.</li> <li>• Revise contextual standards language to simplify and clarify appropriate use.</li> </ul>
Article 4 Swimming Pool Regulations	<ul style="list-style-type: none"> <li>• Relocate to use-specific standards (for accessory uses).</li> </ul>
Article 5 Planting and Screening Requirements for Gasoline	<ul style="list-style-type: none"> <li>• Relocate to use-specific standards.</li> <li>• Expand landscaping standards and broaden applicability.</li> </ul>

Section/Article	Comments
Service Stations, Parking Lots and Drive-In Facilities (excluding CBD)	
Article 6 Screening Device Regulations	<ul style="list-style-type: none"> <li>Relocate to new general Landscaping and Screening section of Development Standards chapter.</li> </ul>
Article 7 Antennas, Communication Towers, and Satellite Dish Antennas	<ul style="list-style-type: none"> <li>Relocate to use-specific standards.</li> <li>Review and revise to ensure compliance with professional best practices, and current state and federal requirements for telecommunication uses.</li> <li>Relocate site plan review procedure language to Administration Chapter. Merge with recommended new site plan procedure.</li> </ul>
Article 8 Area and Yard Requirements – Zoning Administrator Waivers	<ul style="list-style-type: none"> <li>Replace these “waivers” with the new, expanded Administrative Adjustment tool discussed in Part 2 of this report.</li> </ul>
Article 9 Home Occupations	<ul style="list-style-type: none"> <li>Review and revise standards to align with current best practices.</li> <li>Relocate to use-specific standards (for accessory uses).</li> </ul>
Article 10 Project Site Review	<ul style="list-style-type: none"> <li>See Key Themes for in-depth discussion of proposed revisions related to the Project Site Review process.</li> </ul>
Article 11 Mobility Access for Dwellings	<ul style="list-style-type: none"> <li>Relocate definitions to Definitions chapter.</li> <li>Relocate standards to Development Standards chapter.</li> <li>Consider revising applicable development standards (e.g., yard requirements, allowable encroachments) to facilitate addition of mobility access structures.</li> </ul>
<b>Section II Non-Conforming Uses and Structures</b>	
Article 1 Non-Conforming Structures	<ul style="list-style-type: none"> <li>Rewrite to address a broader range of nonconformities, including lots, structures, uses, and development features.</li> </ul>
Article 2 Non-Conf. Uses & Change of Occupancy	
<b>Section III Parking and Loading Requirements</b>	
General	<ul style="list-style-type: none"> <li>See <i>Key Areas</i> – Make document more use-friendly. Include illustrations and graphics to explain parking standards.</li> <li>Create a summary table of parking standards that matches the new use table.</li> <li>As previously discussed in this document, parking standards should be reviewed and revised to address specific parking issues in Syracuse (e.g., empty parking lots, temporary parking areas, shared parking).</li> <li>Review all parking ratios against recommended best practices.</li> <li>Consider maximum parking requirements for some uses and/or areas.</li> <li>Allow additional flexibility in meeting parking requirements.</li> </ul>
<b>Section IV Special Permits</b>	
Article 1 Information and Procedures	<ul style="list-style-type: none"> <li>Relocate to new Administration chapter and rewrite to reflect new standard procedures.</li> </ul>
Article 2 Special Permit Uses and Requirements	<ul style="list-style-type: none"> <li>A variety of standards are included here, most of which should be considered for integration into a new use-specific standards section.</li> <li>Reevaluate need for transitional parking areas standards. Staff indicates they may be unnecessary. The standards are used often, but perhaps could be replaced with more objective, predictable requirements.</li> <li>Consider whether any of the restaurant site standards could have broader applicability in the new ordinance.</li> </ul>
<b>Section V Multi-Building and Planned Developments</b>	
Article 1 Multi-Building and Planned Developments	<ul style="list-style-type: none"> <li>Relocate definitions to Definitions chapter.</li> <li>Review section for revision and incorporation into Planned Development procedures and Administration Chapter.</li> </ul>
<b>Section VI Signs</b>	

Section/Article	Comments
General comments	<ul style="list-style-type: none"> <li>• During our stakeholder interviews we learned that sign regulations are complex and difficult to interpret and administer.</li> <li>• See <i>Key Areas</i> – Update development standards (especially signs and parking) to focus on user-friendliness, enforceability, and clarity.</li> <li>• Review regulations to identify and remove content-based regulations (e.g., temporary signs, ideological signs, political campaign signs).</li> <li>• Relocate definitions to new Definitions chapter.</li> </ul>
Section VII Landmark Preservation	
General comments	<ul style="list-style-type: none"> <li>• During stakeholder interviews, we heard mixed views on the Landmark Preservation program and board in Syracuse. There was general consensus that historic preservation is a high priority in the city, and that there are several examples of successful adaptive reuse of historic structures and sites.</li> <li>• We understand the standards are currently being revised by the City; for example, the City is evaluating whether the demolition provisions should be extended to all properties at least 50 years old, versus just designated landmarks.</li> <li>• Since that review is underway, we do not recommend major revisions as part of this project, and that the preservation ordinance remain a separate document. However, the new ordinance should be reviewing and revised as necessary to align with the new Zoning Ordinance format and organization.</li> <li>• Some interviewees expressed concerns related to the landmark preservation review process, citing lack of understanding when a project would be subject to review, what standards a project would be held to, and what specific authority the Landmark Preservation Board holds. Consider rewriting preservation procedures based on the new standard procedures recommended in this report.</li> </ul>
Section VIII Certificate of Suitability	
General	<ul style="list-style-type: none"> <li>• This section must be reviewed and considered in greater detail. Further discussion is necessary.</li> </ul>
Section IX Lakefront District Procedures	
General comments	<ul style="list-style-type: none"> <li>• See Part 2 of this report for detailed discussion of the Lakefront Districts and recommended changes.</li> <li>• Generally, projects in the Lakefront Districts should not require a separate or additional review and approval procedure. Attempt to integrate these procedures into the generally applicable procedures as part of this project.</li> </ul>
Section X Overlay District	
Article 1 James Street Overlay District	<ul style="list-style-type: none"> <li>• Carry forward. No major substantive changes proposed.</li> <li>• Remove obsolete language referring to the Design Review Board.</li> </ul>
Article 2 Motor Vehicle Sales Business Overlay District	<ul style="list-style-type: none"> <li>• This overlay is intended to provide oversight for development of motor vehicle sales businesses.</li> <li>• Further discussion is needed as to whether this should be carried forward as an overlay, or whether the intent, standards, and requirements could be folded into other parts of the new ordinance, perhaps as use-specific standards.</li> </ul>
Article 3 Connective Corridor	<ul style="list-style-type: none"> <li>• Carry forward. No major substantive changes proposed.</li> </ul>