

PART C

SECTION VII LANDMARK PRESERVATION

ARTICLE 8 Demolition of Buildings or Structures Designated on the State and/or National Register of Historic Places or City of Syracuse Inventory of Buildings or Structures Identified as Eligible for Such Designation or as a Protected Site

Legislative Intent:

The purpose of this section is to prevent the demolition of building(s) or structure(s) designated on the state and/or national register of historic places or which is enumerated on a City of Syracuse inventory of buildings or structures which have been formally identified as eligible for designation on the state or national register of historic places or as a Protected Site in the City of Syracuse by establishing a procedure for a determination as to whether such building(s) or structure(s) shall be designated as a Protected Site pursuant to the Zoning Rules and Regulations of the City of Syracuse, as amended, upon application for a demolition permit with the City. Said inventory heretofore mentioned and on file in the office of the City Clerk was prepared pursuant to a State grant and reviewed by the Syracuse Landmark Preservation Board and the New York State Office of Parks, Recreation and Historic Preservation to determine whether building(s) or structure(s) shall be identified as eligible for such designation. Said inventory may be amended to include additional building(s) or structure(s) and said amendments shall be filed in the Office of the City Clerk and shall be subject to the provisions of this Article.

A. Demolition Permit:

1. Whenever an application is filed with the appropriate city department for a demolition permit of any building or structure designated on the state and/or national register of historic places or enumerated on a City of Syracuse inventory of buildings or structures described above, said city department shall forward a copy of said application to the Landmark Preservation Board within two (2) business days of receipt of the same.
2. Any owner of property who proposes to demolish any building or structure designated or enumerated as provided in paragraph 1 above, may prior to the filing of an application with the appropriate city department for a demolition permit request the Landmark Preservation Board to initiate the procedure set forth in this article for a determination whether said property shall be designated as a Protected Site as if an application for demolition had been filed.

B. Public Hearing:

The Landmark Preservation Board shall hold a public hearing for consideration as to whether said building or structure shall be recommended for designation as a Protected Site in the following manner:

1. Notice of such hearing shall be published in the city newspaper at least ten (10) days prior to the hearing;
2. A copy of the hearing notice shall be sent to each contiguous property owner, the applicant for the demolition permit, the owner of the property as appears on the City assessment rolls if not the applicant, the county legislator for that district, each member of the City Common Council, the Common Council president, each member of the City Planning Commission, the City Clerk, the Corporation Counsel, the Director of the Division of Code Enforcement, the City Fire Prevention Bureau, and the Preservation Board;

3. Informal notification shall be sent to every address within four hundred (400) feet of the subject property; and
4. Compliance with the aforementioned paragraphs 2 and 3 shall not be a condition precedent to proper notice and no hearing action taken thereat shall be deemed invalid or illegal because of any failure of the notification provided in said paragraphs.

C. Determination of the Board:

The Board shall make its determination within forty-five (45) days of the date of filing of the application for demolition permit with the City of Syracuse or request as set forth in paragraph A.2. Failure to take action thereon within such time shall be deemed a determination not to recommend the subject premises be designated as a Protected Site. All decisions of the Board recommending the designation of a building or structure for Protected Site classification or the issuance of a demolition permit shall be made in accordance with the rules of procedure of the Landmark Preservation Board.

In the event the Board recommends the designation of the subject property as a Protected Site, the Chairperson or his designee shall appear at the public hearing of the Planning Commission to give testimony on behalf of the Preservation Board. All decisions of the Board shall be recorded by the secretary of the Board and the secretary shall be responsible for transmitting a copy of the decision of the Board to the following:

1. City Clerk,
2. City Planning Commission,
3. Commissioner of Community Development,
4. Applicant for the permit, or his designee, and
5. Owner of the subject property if not the applicant.

D. Designation:

The Landmark Preservation Board, in exercising its powers and duties under this section to determine if the building or structure proposed to be demolished shall be designated as a Protected Site, shall consider the following:

1. Association with persons or events of historic significance to the city, region, state or nation;
2. Illustrative of historic growth and development of the city, region, state or nation;
3. In the case of structures embodying distinctive characteristics of a type, period or method of construction or representing the work of a master, or possessing unique architectural and artistic qualities, or representing a significant and distinguishable entity whose component may lack individual distinction; and
4. In the case of interiors, possessing one (1) or more of the characteristics enumerated in 1, 2 or 3 above and, in addition, embodying distinctive characteristics of architectural scale, form and visual homogeneity, which are an integral part of the character of the structure in which the space is contained.

E. Exemption:

This Article shall not apply to building(s) or structure(s) which have been determined by the Director of the Division of Code Enforcement to constitute an imminent danger or hazard to public health, safety or welfare. In such cases said Director may exercise his emergency powers to cause said building(s) or structure(s) to be immediately demolished.

F. Miscellaneous:

1. The procedure for designation of building(s) or structure(s) as a Protected Site shall be completed in accordance with the provisions of Part C, Section VII of the zoning Rules and Regulations of the City of Syracuse, as amended.
2. The provisions of this article shall supersede any inconsistent ordinance, code, rule or regulation of the City of Syracuse, except Articles 6 and 7 herein.

Adopted 8/9/93