

PART C

SECTION X OVERLAY DISTRICTS

Article 1 James Street Overlay District

1. Purpose and Intent:

The regulations set forth in this Article establish a specialized district for the Eastwood portion of James Street and are intended to protect and enhance the traditional neighborhood main street character of the area. A principal aim of the regulations is to maintain and stimulate a pedestrian friendly environment while encouraging business and civic growth. To facilitate the purpose and intent of the regulations a Design Review Board **[Editing Note: this board's functions now belong to the City Planning Commission]** is established to review specific plans for development.

2. Boundaries and Effect:

The James Street Overlay District shall consist of those properties zoned Local Business A within 350 feet of the right-of-way of James Street from Shotwell Park east to the city line. Unless specifically superseded by the provisions and restrictions contained in this Article, all of the provisions and restrictions otherwise set forth in the Zoning Rules and Regulations of the City of Syracuse, as amended, as they relate to the properties within the Overlay District, shall be unaffected by this Article. In particular the specification of land uses permitted in the underlying Local Business A District shall be unaffected by this Article.

3. Basic Standards:

The following Basic Standards shall be applicable to all properties within the Overlay District, unless Exceptions are granted in accordance with the requirements specified herein.

a. Setbacks Applicable to Buildings and Parking Areas:

The minimum setback from the street line of James Street and from street lines of the side streets intersecting with James Street, shall be seven (7) feet. The maximum setback from said street lines shall be twelve (12) feet. (Note also the restrictions on Parking Placement below.)

b. Side Yards (the areas between buildings and side property lines as distinct from setbacks from street lines):

Side yards measured from lot lines intersecting with the street line of James Street shall be limited in width from zero (0) to four (4) feet. (Note also the restrictions on Driveways and Parking Space Placement below.)

c. Building Alignment and Configuration:

All buildings facing James Street shall be placed so that their facades are parallel to the street line of James Street.

d. Structural Coverage:

The maximum permitted structural coverage on any lot in this district shall be 100%. The minimum structural coverage shall be 50%, except where the lot is structurally vacant.

e. Parking Surface Coverage:

The maximum permitted parking surface coverage on any lot shall be 50%. There shall be no minimum parking surface coverage.

f. Driveways and Parking Space Placement:

- (1) Parking spaces shall not be located within restricted setback areas.
- (2) All permitted parking areas and driveways shall be paved.
- (3) On lots where parking is permitted as a principal use, which shall not include corner lots, all parking spaces shall be placed no closer to James Street than the average setback of the adjacent buildings. In the absence of an established building line the parking space setback shall be at least seven (7) feet from the street line of James Street. No lots in the Overlay District shall be used for the open storage or display of motor vehicles, trailers, boats, or other transportation equipment.
- (4) Accessory parking shall be permitted on a corner lot only if there is at least 50% structural coverage and only if the parking spaces are confined to the area at the rear of the building as it faces James Street.
- (5) No driveways shall be allowed on James Street. If an Exception is sought for such a driveway, together with any related Exception for a side yard wide enough to accommodate the driveway, it must be shown that no alternative access point from a side street or street in the rear is possible. (The intent of this restriction is to encourage deliveries at the rear of those buildings fronting on James Street, to protect the appearance of the streetscape along James Street, and to reduce vehicular/pedestrian conflict along the street.)

g. Signs:

- (1) Each business shall be permitted to have one wall or projecting sign on each façade facing a street. The maximum area of each sign (including both faces of a projecting sign) shall be one (1) square foot for each linear foot of the façade width. No signs shall be permitted on facades not facing a street. Projecting signs shall have a minimum clearance above finished grade of at least seven (7) feet and shall project no more than six (6) feet beyond the face of the building. Ground signs and signs above the first floor shall not be permitted. Animated signs and roof signs shall be prohibited and shall not be subject to review as Exceptions. All illuminated signs shall be turned off when the businesses being identified are closed.
- (2) Off-premises Advertising Signs shall be prohibited within the James Street Overlay District and shall not be subject to review as Exceptions.
- (3) One wall sign may identify each property where the principal use is residential apartments. Such sign shall not exceed 25 square feet in area. Ground signs identifying apartments shall not be permitted.
- (4) All signs other than those restricted above shall be subject to the regulations set forth in Part C, Section VI (Signs) of the Zoning Rules and Regulations of the City of Syracuse, as amended.

4. Standards for Design and Site Amenities:

Properties within the Overlay District shall further be subject to the provisions below, including review by the Design Review Board [**read City Planning Commission**] as specified.

a. Facades and Building Materials:

All new exterior wall construction and all changes of material of building facades and roof lines as they are visible from James Street shall be subject to Site Plan review and approval by the Design Review Board [**read City Planning Commission**]. In determining the appropriateness of materials the Design Review Board shall consider the type of materials used in adjacent existing buildings and shall consider the architectural nature of buildings facing James Street generally found in the same block. Long term durable materials traditional to James Street, such as brick, cast stone, limestone, terra cotta, and wood trim, shall be considered with greater preference than non-traditional materials, such as vinyl, aluminum or Styrofoam compositions. (The James Street Eastwood Design Guidelines as duly adopted and amended should be consulted for specifics on types of building material.) Any decision to allow use of less traditional materials or to permit façade departures from the existing architectural character of the block must be based on findings that:

- (1) The alternative design is complimentary to or improves the traditional look and character of the neighborhood;
- (2) Any synthetic material used is durable and visually compatible with or indistinguishable from traditional material in shape, color, and texture.

b. Doors and Windows:

For commercial buildings the combination of first floor doors and windows facing James Street shall occupy no less than 50% but no more than 75% of the respective first floor façade. The same restriction shall apply to the combination of first floor doors and windows facing any side street intersecting with James Street. Upper floor street-facing windows in commercial buildings shall occupy no more than 35% of the respective upper floor facades. For other buildings, all doors and windows facing James Street or side streets intersecting with James Street, including the first floor doors and windows, shall occupy no more than 35% of the respective facades. First floor windows in all commercial buildings shall be fitted with clear glass in order to permit the view of activities within the buildings from the contiguous sidewalk and street. Reflective or dark tinted glass shall not be considered to meet this purpose.

Installation of doors and windows visible from James Street shall be subject to Site Plan review and approval by the Design Review Board [**read City Planning Commission**]. (The James Street Eastwood Design Guidelines as duly adopted and amended should be consulted for specifics on doors and windows.) Preferential consideration shall be given to first floor windows with architectural details such as lower bulkheads and cornice/sign board trims. Buildings without windows on the first floor shall be prohibited.

c. Color:

The color of new buildings and any change in color of existing buildings as they are visible from James Street shall be subject to Site Plan review and approval by the Design Review Board [**read City Planning Commission**]. (The James Street Eastwood Design Guidelines as duly adopted and amended should be consulted for specifics on color limitations.) Before approving proposed color applications the Design Review Board [**read City Planning Commission**] shall find that:

- (1) the colors do not conflict with the traditional character of the existing buildings in the area; and
- (2) the number and combination of colors are not excessive for the architectural style of the buildings involved.

d. Planting and Visual Barriers:

Space shall be reserved for landscaping and visual barriers along the periphery of any off-street parking area as it faces James Street or a side street intersecting with James Street. The minimum width of this space shall be seven (7) feet as measured inward from the street line. The specific treatment of the space shall be subject to Site Plan review and approval by the Design Review Board [**read City Planning Commission**].

Unless the Design Review Board [**read City Planning Commission**] accepts a landscaping-only alternative, a decorative street wall or fence shall be constructed and maintained within the space between the street and the parking area. Such wall or fence shall be at least three (3) feet in height and shall be consistent with the materials of buildings established on-site and on immediately adjacent properties.

Landscaped areas, which do not include a street wall or fence, shall include curbing four (4) to six (6) inches in height along all parking area margins, except for driveway/access points. Shrubs and groundcover shall be no more than three (3) feet at maintained height. Tree branching habit shall be maintained at least ten (10) feet above the finished grade.

In deciding whether a landscaping-only alternative should be accepted, the Design Review Board [**read City Planning Commission**] must weigh the practical difficulties of building a fence or wall against the community need for such amenity. The Board must also make a finding that the absence of a wall or fence will be consistent with the architectural nature of the site and its abutting properties.

In addition to treatment along the street lines, effective visual barriers shall be established along all portions of the side and rear property lines where parking areas would otherwise be visible to residential uses. Such visual barriers shall consist of a solid fence, wall or evergreen hedge. Fences and walls along side and rear property lines shall be constructed at least three and one-half (3½) feet high, but no higher than six (6) feet. Evergreen hedges shall have individual plantings no less than three (3) feet on center and initially no less than three and one-half (3½) feet in height, with a permanently maintained height of no more than six (6) feet.

(The James Street Eastwood Design Guidelines as duly adopted and amended should be consulted for specifics on landscaping and visual barriers.)

5. Exceptions:

The Design Review Board **[read City Planning Commission]** shall have the authority to grant Exceptions for properties within the James Street Overlay District. In approving any Exception the Board must find that practical difficulties would occur with respect to the economic and functional utilization of the property under consideration and that reasonable alternatives otherwise permitted do not exist. Practical difficulties affecting the property under consideration must be weighed against the impact the Exception would have on the character of the Overlay District. All Exception requests shall be subject to duly noticed public hearings.

6. Site Plan Reviews:

Where specified the Design Review Board **[read City Planning Commission]** shall review all plans for property development and improvement within the James Street Overlay District. In approving such plans the Board must make the findings set forth in the applicable paragraphs of this Article. The Board shall also be guided in its findings by the James Street Eastwood Design Guidelines as duly adopted and amended. Public hearings on Site Plan Reviews shall be at the discretion of the Board.

7. Special Permit Uses: **[Editing note: other provisions in the Zoning Rules and Regulations restore the requirements for Special Permits pursuant to Part C, Section IV, Article 2.]**

~~Within the James Street Overlay District all uses which would otherwise be allowed by Special Permit shall be allowed subject to Site Plan Review by the Design Review Board. Such uses shall not be reviewed under Special Permit procedures.~~

8. Board of Zoning Appeals:

Appeals for use variances, variances of residential density requirements, and variances of required amounts of parking shall be made to the Board of Zoning Appeals. If appropriate findings are made under State Law, the Board of Zoning Appeals may grant the requested variances, provided the development and maintenance of the properties in question adhere to the Basic Standards and the Standards for Design and Site Amenities specified in this Article. The Board of Zoning Appeals shall not have the authority to waive those Standards or grant Exceptions as reserved for review by the Design Review Board **[read City Planning Commission]**. (Variances approved by the Board of Zoning Appeals shall not include conditions allowing adjustments to building or parking layouts. Such adjustments must be taken up separately by the Design Review Board **[read City Planning Commission]**.) The Board of Zoning Appeals shall have no authority to review sign proposals or grant any waivers applicable thereto. The Board of Zoning Appeals shall have no authority to review appeals from the Design Review Board **[Editing Note: the Board of Zoning Appeals does not have the authority to review appeals from the City Planning Commission decisions affected by this paragraph]**.

9. Zoning Administrator:

The Zoning Administrator shall have no authority to review sign proposals or grant any waivers related to signs within the Overlay District. The Zoning Administrator shall have no authority to review appeals from the Design Review Board **[read City Planning Commission]** or to grant waivers within the Overlay District that would otherwise fall under the jurisdiction of the Zoning Administrator.

10. Design Review Board: **[Editing Note: this board's functions now belong to the City Planning Commission]**

a. ~~Membership:~~

~~The Board shall consist of a total of seven (7) members who each reside in the City of Syracuse and who shall be appointed to the Board by the Mayor. Membership shall be constituted as follows:~~

~~(1) One (1) member who is a licensed architect and who shall serve an initial term of five (5) years upon establishment of this Board, with all subsequent terms being three (3) years. The Central New York Chapter of the American Institute of Architects may offer to the Mayor its recommendations of individuals to serve in this position.~~

~~(2) Two (2) members who are residents of the Eastwood area as defined by the Tomorrow's Neighborhoods Today (TNT) program, who are active members with the TNT Planning Council of Eastwood, and who will sit for three (3) year terms;~~

~~(3) Two (2) members who own businesses within the Overlay District. Initial terms of these members upon establishment of this Board shall be two (2) years, with all subsequent terms being three (3) years. The Eastwood Chamber of Commerce may offer to the Mayor its recommendations of individuals to serve in these positions.~~

~~(4) One (1) member who is a licensed landscape architect and who shall serve an initial term of five (5) years upon establishment of this Board, with all subsequent terms being three (3) years. The Central New York Chapter of the American Society of Landscape Architects may offer to the Mayor its recommendations of individuals to serve in this position.~~

~~(5) One (1) ex-officio member (the Director of the Neighborhood Planning Office or similar city office or his or her designee) with the same voting authorization as the other members, for three (3) year renewable terms.~~

~~There shall be no limit on the number of times terms may be renewed.~~

b. ~~Quorums and Voting:~~

~~(1) A quorum necessary to decide matters pursuant to this Article shall consist of at least five (5) members of the Design Review Board.~~

~~(2) Decisions to approve applications made pursuant to this Article shall require the affirmative vote of at least four (4) members of the Design Review Board.~~

c. ~~Jurisdiction:~~

~~The Design Review Board shall have jurisdiction only on matters specified in this Article within the James Street Overlay District.~~

~~\_\_\_\_\_~~ d. ~~Rules of Procedure:~~

~~\_\_\_\_\_~~ ~~The Design Review Board shall duly adopt Rules of Procedure specifying the provision for election of chairperson and vice chairperson, setting times for meetings which shall be of such frequency to give timely response to applications, and specifying other matters regarding the conduct its meetings. All meetings of the Board shall be subject to the Open Meetings Law and shall be conducted according to parliamentary procedures with appropriate minutes being compiled and adopted for each meeting.~~

e. Design Guidelines:

The Design Review Board [**read City Planning Commission**] shall be guided in its deliberations by guidelines to be referred to as the James Street Eastwood Design Guidelines. These guidelines shall be duly adopted by the Board, following notice and conduct of a public hearing. The guidelines, as an aid to the public and the Board, shall not supersede the provisions contained in this Article nor set forth standards which conflict with the intent or provisions of this Article.

f. Applications and Files:

The Office of Zoning Administration shall be the location for filing all applications to the Design Review Board [**read City Planning Commission**] and shall be the official location for the filing of all decisions made by the Board. Application forms shall be established by the Office of Zoning Administration in consultation with the Design Review Board [**read City Planning Commission**].

Adopted 9/11/00

Effectuated by passage of the Project Site Review procedures (C-I-10-VIII) 9/22/03