

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE RECORDS

NOV 20 2015

County City Town Village
(Select one.)

of Baldwinsville

DEPARTMENT OF STATE

Local Law No. 2 of the year 20 15

A local law amending Chapter 345 of the Code of the Village of
(Insert Title)
Baldwinsville by adding thereto a new Article XXIV
entitled "Four Corners Overlay District."

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Village of Baldwinsville as follows:

Section 1. Section 345-2 of the Code of the Village of Baldwinsville is hereby amended to read as follows:

345-2 Establishment of Districts

For the purpose of promoting the health, safety, morals and general welfare of the community, the Village of Baldwinsville is hereby divided into the following twelve classes of districts:

- Residential R-1 Districts (R-1)
- Residential R-1A Districts (R-1A)
- Residential R-2 Districts (R-2)
- Business B-1 Districts (B-1)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Business B-2 Districts (B-2)
Commercial District (C)
Industrial Districts (I)
Planned Development Districts (PDD)
Wellhead - Watershed Protection Overlay District
Village Square Overlay District
East Genesee Overlay District
Four Corners Overlay District

Section 2. There is hereby enacted a new Article XXIV of the Code of the Village of Baldwinsville to read as follows:

**FOUR CORNERS
OVERLAY DISTRICT**

345-112 PURPOSE AND INTENT.

The regulations set forth in this Article establish a specialized district for the area of the Village. This historic downtown area has been and continues to be the business hub and meeting place for the Greater Baldwinsville Community and visitors for over one hundred years. It has been home to many types of commercial properties with residential properties often located above the businesses. Some of the buildings date back to the nineteenth century.

The historic Four Corners of Baldwinsville is the heart of our community, where our heritage is preserved and celebrated in a visually attractive main street business district. The Four Corners has been home to diverse businesses including retail, restaurants, and service businesses, as well as village agencies. To this day it remains a place where the community and visitors alike come to meet, dine, shop and be entertained.

The purpose of The Four Corners Overlay District is to promote the preservation and rehabilitation of these historic civic and mixed-use buildings and insure new infill construction is consistent with the historic character of the District. The intent is to also encourage and enhance the principals of "traditional neighborhood design", which calls for a mixture of uses, improved walk-ability/connectivity, enhancement of neighborhood appeal, and preservation of community character.

These standards emphasize the historic and distinctive Village of Baldwinsville Downtown, locally referred to as the Four Corners, in accordance with the Village of Baldwinsville Central Business District Development Plan. They include: building hierarchy, building site relationship, building massing and proportions, building height, roof type, façade patterns, street level facades, window patterns.

345-113 BOUNDARIES AND EFFECT

(a) The zoning map of the Village of Baldwinsville is hereby amended as set forth on the map entitled "Map of the Four Corners Overlay District", dated August 25, 2015, on file with the Village Clerk.

(b) The Four Corners Overlay is described as follows:

North Border-49 Oswego Street Nantucket Cat) and 60 Oswego Street (Tutti and Totts); West Bordet-16 W. Genesee Street (Village Hall)/ 2 Charlotte Street (dentist building across the street) ; East Border-44 Oswego Street Farrell, Martin & Barnell office and 36 Oswego Street Timeless Tattoo (The Key Bank is not included); . South Border-7 Syracuse Street (Basta's)_5 Oswego Street -Brookfield Power

(c) Unless specifically superseded by the provisions and restrictions contained in this Article, all the provisions and restrictions otherwise set forth in the Zoning Rules and Regulations of the Village of Baldwinsville as they relate to the properties within the Overlay District shall be unaffected by this Article. In particular, the specifications of land uses permitted in the underlying Business B-2 District shall be unaffected.

345-114 BASIC STANDARDS

The following basic standards shall be applicable to all properties within the Overlay District

(a) **Build-to line:** Build-to line, as used in this section means the line parallel to the street line that coincides with the location of the front exterior elevation of the existing buildings on the street. All buildings in the district must be placed at the build-to line.

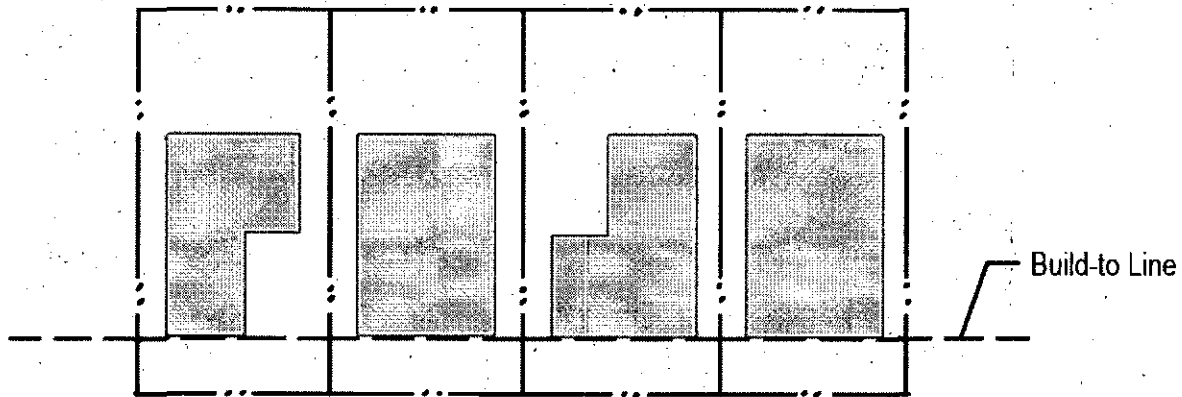
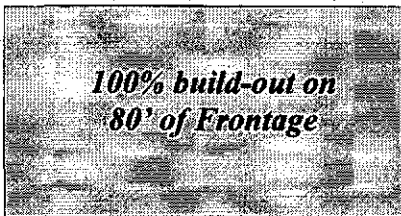


Illustration of Build-to line

(b) **Build-out Requirements for Frontage:** Build-out in this section means the extent of coverage by buildings on a lot, which must occur to the Build-to line. For properties fronting on West Genesee Street, East Genesee, Syracuse and Oswego and Village Square there is a 100% build-out requirement.

1. The Village Planning Board at their discretion may allow for some portions of the building to recede at key locations for architectural features i.e. an entrance way, upon approval of the Village Planning Board.
2. The build-out requirement may be reduced by adding a public use sidewalk or up to 15 feet wide, but not greater than 25% of the lot size, as approved by the Village Planning Board. In order to prevent motor vehicles from using these walkways curb cuts are prohibited. Adjacent public sidewalks between two properties are unacceptable.

Parking

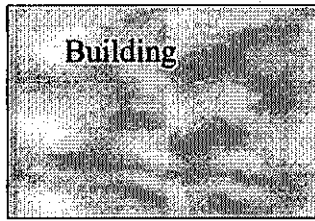
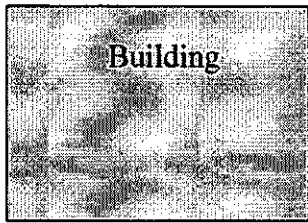


Side walk to Rear Parking



Acceptable

Side walk to Rear Parking

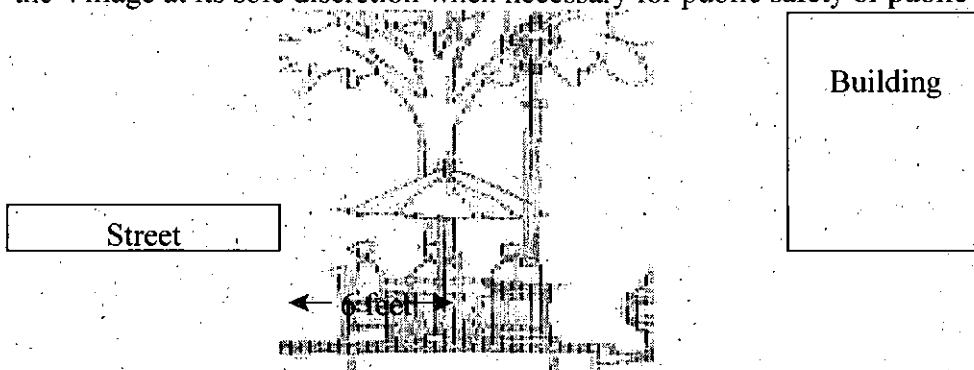


Unacceptable

Illustration of Build-out Scenarios

(c) There are no set back requirements for side or back yards, except those buildings that have frontage on Baldwin Square, in which case the build-to and build-out required in article 3(a) and (b) for frontage will be required for both Oswego Street and Baldwin Square.

(d) Encroachments: Awnings, tables, chairs, umbrellas, bollards and other temporary furnishings for outside dining or decoration, may encroach onto and over the public sidewalk, provided that a 6 foot unobstructed corridor is maintained for pedestrians. Such encroachments must be granted by site plan approval of the Village Planning Board. They may be approved upon a finding that such encroachments shall not impair pedestrian movement or public safety. Such encroachments shall be deemed to be licenses (not property rights) to use the public right-of-way, revocable by the Village at its sole discretion when necessary for public safety or public improvement.



(e) Building Alignment and Configuration: Buildings shall have a consistent pattern to adjacent structures. There shall be a repetitive scale, massing, materials, relationship to the street, and style to other buildings along the street.

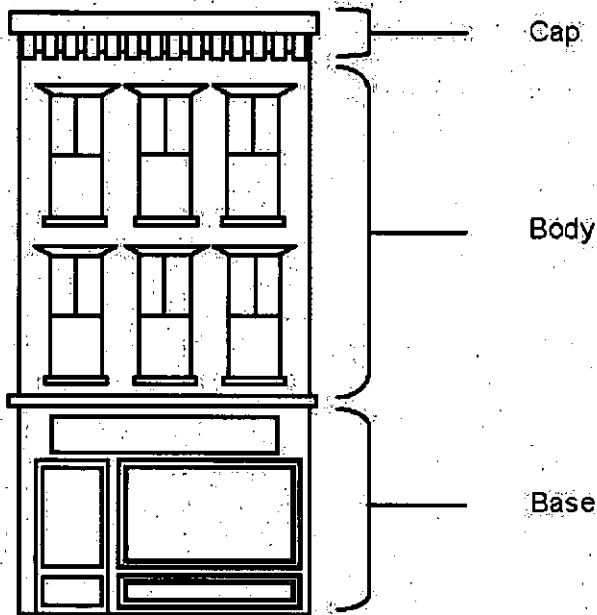


Building Does Not Conform

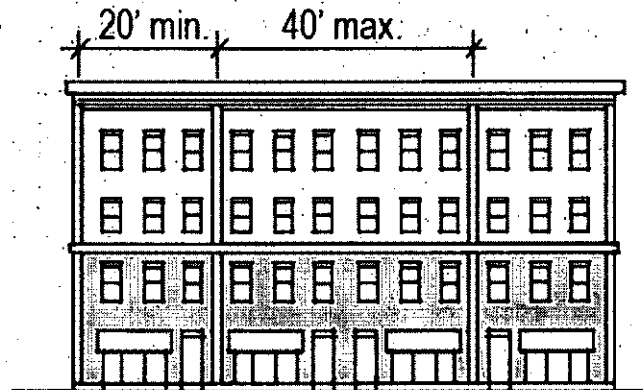
(f) Building Height: All buildings shall be between two (approximately 20') and four (approximately 45') stories high and within one story height of the neighboring property's structures.

(g) Building Façade

1. All buildings shall maintain similar architectural features on all visible sides of the building, not just the front.
2. All buildings have an identifiable base, body and cap with horizontal elements separating these components.



3. Facades shall be vertically architecturally subdivided into increments of 20 to 40 feet maximum at both ground and upper stories. Individual storefronts should be located in these subdivisions. Storefronts longer than 40 feet shall also be subdivided. Common methods to accomplish horizontal subdivision include columns, pilasters, or piers between the facades.

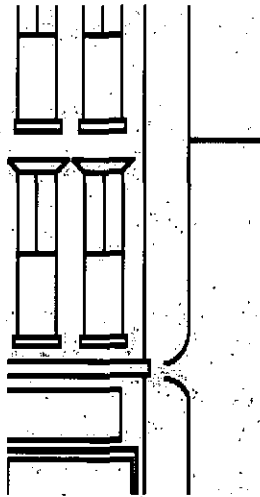


4. The original materials used for wall facings and ornamentation such as brick, sheet metal, cast iron, and the colors themselves, give buildings their special character and identity. Cosmetic "face-lifts" which cover and/or obliterate the original architectural character of a facade are prohibited. Refurbishing such architectural details with similar materials is acceptable, upon approval of the Village Planning Board and Architectural Review Board.
 5. Primary building materials shall include stone, brick, wood framing, and composite board. Stucco detailing to provide visual interest and variation is acceptable; the use of stucco (or like product) as the primary facade surface is discouraged. Building rhythm, design and materials should reflect that of the existing historic buildings and the established character of the Four Corners area. The use of special materials (brass, stone, bronze, etc.) for storefront ornamentation shall be encouraged, particularly around windows and entries and at the base of building walls. As long as the materials are comparable and compatible that of the surrounding buildings. Vinyl and metal panel systems are prohibited..
- (h) Windows:
1. Repair of windows that are original to the structure, is recommended as a priority to property owners.
 2. New windows should be compatible with the style, size, materials, color and detail of the original windows on the building.

3. Whenever possible the windows on the upper floor should align vertically with the windows and entrances on the first floor.
4. The rhythm of windows and decorative trim should be consistent with that of the original building.
5. Air conditioning units are prohibited in all windows facing the street.
6. A minimum of Thirty (30%) percent of the street level façade area shall be transparent. Upper floors shall have a minimum of twenty (20%) percent of transparency for the façade area.
7. Maximum amount of tinting of glass should be 10 percent. Mirrored glass is prohibited. Should federal or state energy code requirements prohibit the use of these requirements, the maximum amount of allowable transparency shall be used.

The drawing on the left, is of a building with windows covering 30% of the ground floor and 20% of the upper floors.

8. Large expanses of glass should not be used except at ground floor storefront windows. Replacement window should be avoided whenever possible. In cases where that is not an option replacement windows shall be designed to fit the original opening.



Large expanses of glass at ground floor storefront window

(i) Roofs: All roofs will have parapets with low sloped roofs behind, to hide mechanicals and provide firewall protection.

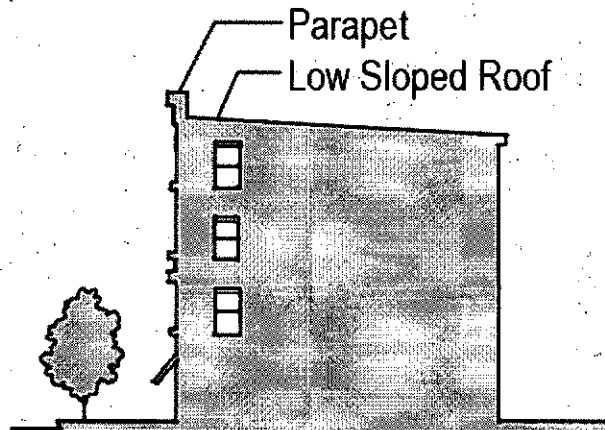
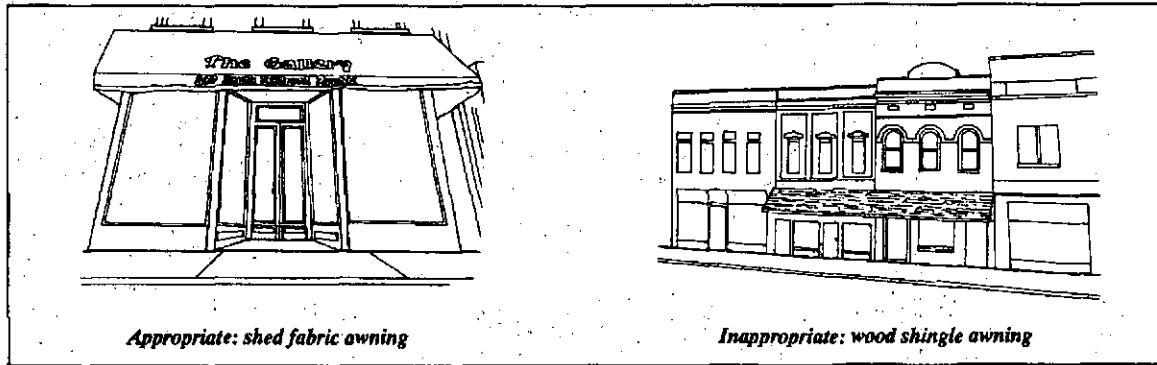


Illustration of a low sloped roof with parapet.

(j) Entrances: All primary entrances must be located on the building facade that faces the primary street. They shall be readily distinctive and be architecturally treated in a manner complimentary to the building style. Walls and entrances shall be designed to encourage and complement pedestrian-scale activity.

1. Building that front multiple streets or Baldwin Square will be considered to have two facade frontages and are required to have two primary entrances, one on each street. Commercial entries are encouraged to have windows adjacent to the entry door. Recessed entries are also encouraged.
2. Entrances to residential, office or other upper story that are not shared shall be clearly distinguishable in form from first story commercial entrances.

(k) Awnings: Awnings over-hanging the sidewalk are also encouraged to further enhance the life and variety of the street. Awning covers shall be made of a weather resistant fabric product. Awnings shall be carefully designed to complement the overall façade design. Storefront awnings shall be installed at least 9 feet above the sidewalk and should not be higher than 14 feet above the sidewalk or project more than 5 feet from the building facade.



345-115 SITE STANDARDS

The following site standards shall be applicable to all properties within the Overlay District unless exceptions are granted in accordance with the requirements specified herein:

- A. Parking: No parking or minimum parking requirements. All parking lots should be located behind buildings.
- B. Mechanical/Electrical Systems: All Mechanical/Electrical systems should be located on rooftops and should be adequately screened from pedestrian views.
- C. Utilities: Utilities should be underground whenever possible. Care should be taken when using a weather heads or other connections to utilities to minimize visual impact. If underground connection is not viable it is preferred that the connections are on the roof and screened from the street, preferably by a parapet.
- D. Sidewalks: Sidewalks should extend from building to curb of road.
- E. Trash Collection/Storage: Utility, trash, recycling, food waste, service equipment and other storage containers shall be located away from public right-of-ways and be enclosed or screened from view with high quality screening. Trash facilities and recycling containers shall be located within opaque structural enclosures, when feasible, as approved by the Planning Board and Architectural Review Board
- F. Lighting: Lighting plans should consider all parking areas; all access areas, as well as pedestrian lighting on Oswego and West Genesee Streets.

Any change in use, site improvements, additions to existing buildings and new construction within the Overlay District shall be subject to site plan review as specified under Article XIII of

the Village Code and on matters identified under Article XXII of the Village Code by the Architectural Review Board and all of the standards set forth herein.

Section 3.

The invalidity of any provision of this Local law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 4.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 20 15 of the ~~(County)(City)(Town)~~(Village) of Baldwinsville was duly passed by the Board of Trustees on October 15, 2015, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

Maureen A. Butler
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Maureen Butler, Village Clerk

Date: October 14, 2015

(Seal)

