



VILLAGE OF BALDWINSVILLE

Codes Enforcement Office



16 West Genesee Street

BALDWINSVILLE, NY 13027

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ARTICLE XXI

EAST GENESEE BUSINESS OVERLAY DISTRICT

[Added 4-21-2011 by L.L. No. 1-2011; amended 8-2-2012 by L.L. No. 2-2012]

§ 345-70. Purpose and intent.

- A. The regulations set forth in this article establish a specialized district for the area of the Village by amending Chapter **345** of the Code of the Village of Baldwinsville by amending Article **XXI** entitled "East Genesee Business Overlay District." The article enlarges a specialized zoning district which overlays the existing Business District for that area of the Village, including properties located East Genesee Street: 3, 5, 9, 11, 13, 15, 19, 21, 33, 35, 36, 38, 39, 39 1/2, 41, 42, 43, 46, 48, 49, 51, 53, 54, 57, 61 1/2, 63, 64, 65, 69, 70, 72, 73, 74, 75, 76, 82, 85, 85 1/2, 86, 87, 88, 89, 90, 91, 92, 94, 96, 98, 100 and 104; on Elizabeth Street: 2, 4, 6, 8, 10, 11, 14, 16, 18, 20, 28, 30, 32, 52, 56 and 60; on Virginia Street: 6, 8, 9, 10, 11, 12, 13 and 14; on Albert Palmer Lane: 11; on Mechanic Street: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16; on Spruce Street: 4, 6, 8 and 10; on Lock Street: 3, 5 and 7; on Salina Street: 7 and 9 and CSX properties: a portion of 78 East Genesee Street and a portion of Tax Map ID No. 010.-04-06.0 fronting on East Genesee Street. The overlay district does not alter or change existing laws concerning occupancy and use of properties located within the district but rather it modifies in some measure the existing property site development and design zoning regulations for property development within the designated overlay area.
- B. This area is a unique blend of residential and commercial properties. The goal of this area is to maximize the efficiency of infrastructure, parking, and sidewalks in such a way that there will be more infill, thus more density. This area will make use of existing municipal parking and encourage pedestrian travel with sidewalks and street crossings. This will allow people to move easily from one area in the Village to another.
- C. A large part of the East Genesee District is residential. It is crucial that the business entities and the residential entities of this district compliment and benefit each other. Care will be given to preserve the quality of life necessary for all shareholders.
- D. This will sustain the unique character that is our historic Village's downtown. This overlay will promote a sense of order and safety for residents and guests of the Village.

§ 345-71. 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 East Genesee Business Overlay District," on file with the Village Clerk.
- B. Starting at a point where the southerly projection of the western boundary of Tax Map parcel 010.-07-19.1 intersects the center line of East Genesee Street; thence easterly along the center line of East Genesee Street to a point where the center line of East Genesee Street is intersected by the center line of Lock Street; thence southerly along the center line of Lock Street to a point where the westerly projection of the south line of Tax Map parcel 009.-02-01 intersects with the center line of Lock Street; thence easterly along the projected south line to the southwest corner Tax Map parcel 009.-02-01; thence easterly along the south line of Tax Map parcels 009.-02-01, 009.-02-02, 009.-02-03.1 and 009.-02-03.2; thence northerly and southeasterly along the southwest line of Tax Map parcel 009.-02-04; thence southeasterly along the west line of Tax Map parcels 009.-02-05, 009.-02-06, 009.-02-07, 009.-02-08, 009.-02-09, 009.-02-10 and 009.-02-11 to the south corner 009.-02-11; thence northeasterly along the southeast line of 009.-02-11 to the west corner of 009.-02-12; thence southeasterly along the southwest line of 009.-02-12, 009.-02-13 and the projection of the southwest line of

009.-02-13 to the point where the projection intersects the center line of Margaret Street; thence northerly and easterly along the center line of Margaret Street crossing Salina Street to a point where the southeasterly projection of the northeasterly line of Tax Map parcel 007.-01-07 intersects with the center line of Margaret Street; thence northwesterly along the projected northeast line and the northeast line of Tax Map parcel 007.-01-07 to the north corner of 007.-01-07; thence northeasterly along the southeasterly line of Tax Map parcel 007.-01-08 to the east corner of Tax Map parcel 007.-01-08; thence northwesterly along the northeast line of Tax Map parcel 007.-01-08 to the north corner of Tax Map parcel 007.-01-08; thence northerly and easterly along the southeast line of Tax Map parcel 007.-01-09 to the east corner of 007.-01-09; thence northwesterly along the northeast line of Tax Map parcels 007.-01-09, 007.-01-10 to the south corner of Tax Map parcel 007.-01-14; thence northeasterly along the southeast line of Tax Map parcels 007.-01-14, 007.-01-15, 007.-01-16, 007.-01-17.1, 007.-01-18.1 to the southeast corner of Tax Map parcel 007.-01-18.1; thence northeasterly along the projection of the southeast line of Tax Map parcel 007.-01-18.1 crossing Tax Map parcel 007.-03-41 and Tax Map parcel 007.-03-01.1 to the south corner of Tax Map parcel 007.-03-02; thence northeasterly along the southeasterly line of Tax Map parcels 007.-03-02, 007.-03, 007.-03-04, 007.-03-06, 007.-03-07, 007.-03-08, 007.-03-09, 007.-03-10 to the east corner of Tax Map parcel 007.-03-10, thence northeasterly along the projected southeasterly line of Tax Map parcel 007.-03-10 to a point in the center line of Curtis Avenue; thence northwesterly along the center line of Curtis Avenue to a point in the center line of East Genesee Street; thence southwestly along the center line of East Genesee Street to that point which is the intersection with the center line of Pine Street; thence northerly along the center line of Pine Street to a point where the center line is intersected by the easterly projection of the north line of Tax Map parcel 006.-01-11; thence westerly along the projected north line of Tax Map parcel 006.-01-11 to the northeast corner of Tax Map parcel 006.-01-11; thence westerly along the north line of 006.-01-11 to the northwest corner of Tax Map parcel 006.-01-11; thence northerly along the east line of Tax Map parcel 006.-01-12 to the northeast corner of Tax Map parcel 006.-01-12; thence westerly along the south line of Tax Map parcel 006.-01-09 to the southwest corner of 006.-01-09; thence northerly along the east line of Tax Map parcels 006.-01-17, 006.-01-18 and 006.-01-19 to the east corner of 006.-01-19; thence westerly along the north line of Tax Map parcel 006.-01-19 to the northwest corner of Tax Map parcel 006.-01-19; thence diagonally across Spruce Street to the northeast corner of Tax Map parcel 010.-04-13; thence westerly along the north line of Tax Map parcel 010.-04-13 to the northwest corner of Tax Map parcel 010.-04-13; thence westerly along the projected north line of 010.-04-13 to the east line of Tax Map parcel 010.-04-34; thence southerly then easterly and then southerly along the east line of 010.-04-34 and Tax Map parcel 010.-04-15.1 to a point where the easterly projection of the center line of Elizabeth Street intersects the east line of Tax Map parcel 010.-04-15.1; thence westerly along the easterly projection of the center line of Elizabeth Street to a point where the center line of Elizabeth Street intersects the east line of Elizabeth Street; thence westerly along the center line of Elizabeth Street to a point where the center line of Elizabeth Street is intersected by the northerly projection of the western boundary of Tax Map parcel 010.-07-02; thence southerly along the northerly projection of the western boundary of Tax Map parcel 010.-07-02 to a point being the northwest corner of Tax Map parcel 010.-07-02; thence southerly along the west boundary of Tax Map parcel 010.-07-02 to a point being the southwest corner of Tax Map parcel 010.-07-02, said point being located along the northerly boundary of Tax Map parcel 010.-07-25; thence easterly along the northern boundary of Tax Map parcel 010.-07-25 to a point being the northeast corner of Tax Map parcel 010.-07-25, said point being located along the westerly boundary of Tax Map parcel 010.-07-03; thence southerly along the west boundary of Tax Map parcel 010.-07-03 to a point being the southwest corner of Tax Map parcel 010.-07-03, said point being located along the north boundary of Tax Map parcel 010.-07-23.1; thence easterly along the north boundary of Tax Map parcel 010.-07-23.1 to a point being the northeast corner of Tax Map parcel 010.-07-23.1; thence southerly along the east boundary of Tax Map parcel 010.-07-23.1 to a point being the southeast corner of Tax Map parcel 010.-07-23.1, said point being the northeast corner of Tax Map parcel 010.-07-18.1; thence westerly along the north boundary of Tax Map parcel 010.-07-18.1 to the northwest corner of Tax Map 010.-07-18.1; thence southerly then westerly then southerly then westerly then southerly along the west boundary of Tax Map

parcel 010-.07-18.1 to a point where said boundary intersects with the north boundary of Tax Map parcel 010-.07-19.1; thence westerly along the north boundary of Tax Map parcel 010-.07-19.1 to the northwest corner of Tax Map parcel 010-.07-19.1; thence southerly along the west boundary of Tax Map parcel 010-.07-19.1 to a point being the southwest corner of Tax Map parcel 010-.07-19.1; thence southerly along a projection of the west boundary of Tax Map parcel 010-.07-19.1 to the point or place of beginning.

- 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 B-1 and B-2 Districts and R-1, R-1a and R-2 Districts shall be unaffected.

§ 345-72. Basic standards.

The following basic standards shall be applicable to all B-1 and B-2 properties within this overlay district unless exceptions are granted in accordance with the requirements specified herein:

- A. Build-to line applicable to buildings and structures on East Genesee Street. The build-to line shall be a minimum of 13 and a maximum 15 feet from curblines. Sidewalks must extend across all frontage on East Genesee Street and span from building to street curb. Openings in the sidewalk for landscaping will be allowed, as approved by the Planning Board.
- B. Build-to line applicable to buildings and structures on Virginia Street, Albert Palmer Lane, Elizabeth Street, Mechanic Street, Lock Street, Spruce Street, and Curtis Street. The build-to line shall be consistent with the character of the street. Due to the mixture of residential and business, the build-to line will be at the discretion of the Planning Board. All new construction shall include sixty-inch-wide sidewalks across the width of the lot.
- C. Building on corner lots will adhere to the build-to lines on East Genesee Street and Virginia Street, Albert Palmer Lane, Mechanic Street, Lock Street, Spruce Street and Curtis Avenue. At least one public entrance to corner lot buildings will be placed on East Genesee Street.
- D. Build-out requirements for frontage. For properties fronting on East Genesee Street, there shall be a seventy-five-percent minimum build-out requirement on the build-to line, where either the building, wall or ornamental fence would comprise that area. Maximum width of any wall or ornamental fence shall be no more than 25% of the East Genesee Street frontage.
 - (1) The build-out requirement may be reduced by adding a public use sidewalk or alleyway up to 20 feet wide connecting other walkways for pedestrian movement. This sidewalk or alleyway shall be included in the seventy-five-percent build out requirement.
 - (2) When a wall or ornamental fence defines the build-out, this wall or fence shall have a minimum height of three feet, not to exceed four feet.
- E. Minor encroachments. Awnings, tables, chairs, umbrellas, and related temporary structures for outside dining may encroach onto and over the public sidewalk up to a maximum of 10 feet or half the sidewalk's width, whichever is less. Such encroachments must be granted site plan approval from the Village Planning Board. They may be approved upon a determination 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.
- F. Building alignment and configuration. All buildings shall be placed so that their facades are parallel to the street line.
- G. Building height: three-story maximum building height and within one story of neighboring building and shall not exceed a height of 45 feet.
- H. Parking. Parking shall be positioned to the rear of the primary building located on the property.

- I. Mechanical/electrical systems. All mechanical/electrical systems for rooftops shall not exceed maximum height requirements for the district and should be adequately screened and set back from the building facade. All mechanical systems at ground level shall be adequately screened, with high-quality screening, from the public right-of-way, as approved by the Planning Board and Architectural Review Board. Whenever possible, utility transmission lines shall be underground.
- J. Trash collection/storage. Utility, trash, recycling, food waste, service equipment and other storage containers shall be located away from public rights-of-way and be enclosed or screened from view with high quality screening. Trash facilities and recycling containers shall be located within opaque structural enclosures, as approved by the Planning Board and Architectural Review Board.
- K. Additional screening is required where a nonresidential property abuts a residential property. A solid wooden fence should screen the view of commercial property from residential property. Other materials allowable for such fencing will be at the discretion of the Village Planning Board. Height of the fence shall be a minimum of eight feet tall.

§ 345-73. Standards for site design and development.

- A. All property development and improvement within the overlay district shall be subject to site plan review by the Planning Board as specified under Article **XIII** of this chapter and on matters identified under Article **XXII** of this chapter by the Architectural Review Board of the Village.
- B. In addition to those matters of consideration relevant to site plan review as specified in § **345-34B** of this chapter by the Village Planning Board, the following matters shall be considered:
 - (1) Pedestrian access. One of the objectives of the overlay district is to improve pedestrian access within the downtown core of the Village. As such, site plans should include sidewalks and plans for pedestrian access to and through parking areas and connecting to all building entrances.
 - (2) Reduction of curb cuts. Existing curb cuts along the commercial parts of East Genesee Street, Virginia Street, Albert Palmer Lane, Mechanic Street, Lock Street, Spruce Street, and Curtis Avenue shall be eliminated when possible.
 - (3) Lighting. Lighting plans should consider parking areas and all access areas. Care shall be given to reduce lighting spilling onto the residential part of the district, while still providing a suitable level for public safety.

§ 345-74. Board of Zoning Appeals.

Appeals for use and variance densities 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 site design and development specified in this chapter. The Board of Zoning Appeals shall not have the authority to waive those standards or grant exceptions as reserved for review by the Village Planning Board or Architectural Review Board. (Variances approved by the Board of Zoning Appeals shall not include conditions allowing adjustments to building or parking layouts.) The Board of Zoning Appeals shall have no authority to review sign proposals or grant any waivers applicable thereto.