

EXHIBIT A



FINAL Scoping Document for a Draft Generic Environmental Impact Statement



**City of Syracuse
Onondaga County, New York**

**SEQRA Lead Agency:
City of Syracuse Common Council**

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Ben Walsh, Mayor

Prepared by:



SYRACUSE - ONONDAGA COUNTY PLANNING AGENCY

City Planning Division & City Zoning Division

**City Hall Commons
201 East Washington Street
Syracuse, NY 13202**

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1.0 INTRODUCTION

The ReZone Syracuse project, which includes the adoption of a new Zoning Ordinance and Map (the “ReZone”), is intended to guide the development, improvement and modification of land in the City of Syracuse to create places of specific character and performance consistent with the City’s [Comprehensive Plan 2040](#).¹ While adoption of a zoning law will not result in immediate physical impacts to the environment, it will have long term impacts to the character and performance of development in the City. These long term impacts are to be considered in a Draft Generic Environmental Impact Statement (DGEIS), to be prepared as part of the environmental review of the ReZone under New York’s State Environmental Quality Review Act (SEQRA) regulations. This final scoping document will define and inform the content of the DGEIS. Future actions reviewed under the proposed zoning regulations will be subject to environmental review under SEQRA.

A DGEIS is able to evaluate impacts of actions that do not result in direct physical impacts, or those impacts that occur over a long period of time. Adoption of the ReZone is intended to improve the environment overall. Any legislation related to land use may also have an undesirable impact. This scoping document will guide the development of a DGEIS that will evaluate the various issues and mitigation measures that are further discussed below.

Pursuant to Article 8 of the Environmental Conservation Law of the State of New York, and consequently the provisions of SEQRA, all agencies are required to “determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment, and, if it is determined that the action may have a significant adverse impact, prepare or request an environmental impact statement.”

1.1 State Environmental Quality Review Act (SEQRA) Process

In accordance with SEQRA, the City of Syracuse Common Council reviewed the full environmental assessment form (FEAF) prepared for the ReZone, and on July 29, 2019, the Common Council determined, pursuant to 6 NYCRR § 617.4, the ReZone was a Type I action and declared its intent to act as Lead Agency for the purpose of conducting a coordinated environmental review under SEQRA. On August 7, 2019, the Common Council distributed a letter to all involved agencies regarding its intent to act as Lead Agency. No involved agencies objected to its Lead Agency designation, and the Common Council subsequently assumed the role of Lead Agency.

On September 9, 2019, the Common Council determined the adoption and implementation of the ReZone may have the potential for an adverse environmental impact and issued a positive declaration under SEQRA. The Common Council further determined that a DGEIS must be prepared.

¹ Available at: <http://www.syr.gov.net/planning.aspx>

1.2 Purpose of Scoping

Scoping is a required part of the SEQRA DGEIS process that ensures preparation of the DGEIS focuses on potentially significant adverse impacts and eliminates consideration of those impacts that are irrelevant or not significant. These issues are determined based on a full review of the FEAF, the Positive Declaration, Project documents and related plans, and relevant comments received from involved and interested agencies and the general public. Pursuant to 6 NYCRR § 617.8 of SEQRA, a scoping document should include a description of the proposed action, potentially significant adverse impacts, necessary information to address each impact, initial identification of mitigation measures, and reasonable alternatives to be considered.

The Common Council previously adopted the draft scoping document concerning the ReZone, distributed the document to all involved agencies, and made the document available for public review on November 16, 2019. The draft scoping document was also posted on the City's website and distributed by email to numerous stakeholder groups for review and comment. Public comments were accepted at a duly noticed public meeting held at City Hall on January 7, 2020, and written comments were accepted until January 17, 2020.

Having received all comments, which are addressed herein in some capacity, the Common Council, with the assistance of the Syracuse-Onondaga County Planning Agency, prepared this final scoping document concerning the ReZone.

2.0 PROJECT DESCRIPTION

The City of Syracuse's first Zoning Ordinance and Map were adopted in 1922, at a time when the concept of regulating land use was first introduced in New York State through its enabling statutes. The City's Zoning Ordinance has been updated several times since then, but updates were typically performed in a piecemeal manner, which has created a document that is not easy to use or administer. The current Zoning Ordinance, with its strict separation of land uses, lack of effective design standards and complex administration, does not reflect the City's vision or current trends in city planning.

As a result, the City undertook a comprehensive project, ReZone Syracuse, to revise and modernize zoning for the entire City and provide the necessary regulatory tools to achieve the community's vision. The end goal of these efforts is a revised Zoning Ordinance and Zoning Map that will facilitate implementation of the City's adopted [Comprehensive Plan 2040](#)² and the [Syracuse Land Use & Development Plan 2040 \(LUP\)](#)³.

The specific objectives of the ReZone Syracuse project are to:

- Ensure the new Zoning Ordinance and Map implement the recommendations of the City's adopted [Comprehensive Plan 2040](#), including the [Syracuse Land Use & Development Plan 2040 \(LUP\)](#);
- Transition from the current use-focused, Euclidean Zoning Ordinance to an updated ordinance that incorporates principles of Form Based Codes, Smart Growth, Traditional Neighborhood Development, and Transit Oriented Development, among other current best practices;
- Develop and/or improve standards regulating urban design, urban agriculture, lighting, signage, landscaping, parking, site design, infill development, and vacant land management;
- Promote and facilitate historic preservation;
- Develop sustainable development provisions regarding: climate adaptation, renewable energy infrastructure, green building materials, and green infrastructure;
- Increase protection of natural resources, including open space, water bodies, steep slopes, and trees;
- Streamline the development review process by creating more predictable zoning regulations;
- Update the format and structure of the Zoning Ordinance to be user friendly and include illustrations and graphics;
- Remove inconsistencies, outdated language, and reduce the complexity of the Zoning Ordinance;

² Available at: <http://www.syr.gov.net/planning.aspx>

³ Available at: http://www.syr.gov.net/land_use_plan.aspx

- Facilitate increased public awareness of, and participation in, zoning review and processes; and
- Increase ways to use technology to provide and receive information from the public.

2.1 Public Outreach

This section will describe and summarize the public outreach efforts that have been undertaken. The project team has held approximately 90 public meetings since the beginning of the project in late 2015. These meetings have been held in churches, schools, hotels, community centers, neighborhood clubs, City Hall, libraries, among other locations. These events have provided information about the ReZone, solicited comments and ideas, and more generally provided the public with opportunities to participate in the development of the ReZone.

3.0 ENVIRONMENTAL SETTING, IMPACT ANALYSIS AND MITIGATION MEASURES

This section of the DGEIS will discuss the environmental setting, the potential significant adverse impacts associated with adoption and implementation of the Project, and any mitigation measures that have been identified to address those potential impacts. All future projects will undertake their own environmental review for individual impacts.

Set forth below are the potential impacts that will be evaluated in the DGEIS, as well as potential mitigation measures identified to date.

3.1 Land

Current Status

The City of Syracuse features a variation of land forms, ranging from rolling drumlins with steep slopes to an extensive flat valley along Onondaga Creek and Onondaga Lake. High resolution land cover data from the Chesapeake Conservancy shows the City's land cover in 2016 was comprised of 38.2% developed land, including structures, roads, and human-constructed surfaces, 30.1% tree canopy, 29.3% low vegetation, and 2.3% open water.

Potential Impact

The DGEIS will evaluate potential impacts to land associated with the adoption and implementation of the ReZone, which is expected to indirectly result in construction on, or physical alteration of, the land surface within the City of Syracuse through future development and redevelopment actions. The DGEIS will take a broader approach to assessing potential land impacts by identifying areas in the City that will likely experience an increase or decrease in land use intensity with the adoption of the proposed ReZone given expected or potential future development or redevelopment of those areas.

Additionally, the DGEIS will evaluate potential impacts concerning the removal of land from development consideration for the purposes of environmental protection of parks and other environmentally sensitive areas.

Mitigation Measures

The DGEIS will discuss mitigation measures largely pertaining to the proposed zoning regulations that will minimize impacts to land resources, or have a positive impact on the built environment. Such measures include limitations on lot coverage, the inclusion of new Development Standards, and the role the ReZone will have on avoiding environmental hazards or correcting development that has occurred in hazardous areas.

3.2 Flooding

Current Status

There are significant floodplains in the City of Syracuse, especially along Onondaga Creek and within City parks. These areas owned by the City are currently zoned residential. There are other areas of residential development that are also in the floodplain and susceptible to flooding.

Potential Impact

The DGEIS will evaluate potential flooding related impacts associated with the adoption and implementation of the ReZone proposal, specifically with respect to development activities within the floodplain.

Mitigation Measures

The DGEIS will discuss potential mitigation measures and strategies concerning flooding. Such measures include the creation of the Open Space zoning district and protection of those lands from uses other than open space, as well as guiding appropriate development in and around the 100-year floodplain.

3.3 Plants and Animals

Current Status

According to data from the NYS DEC, portions of the City may contain plant and/or animal species, or their associated habitats, which have been identified as threatened or endangered species by New York State or the federal government. These species include Midland Sedge, Reflexed Sedge, Glomerate Sedge, Straight-leaved Pondweed, Lake Sturgeon, Peregrine Falcon, Bald Eagle, Indiana Bat, and Northern Long-eared Bat.

The NYS DEC Environmental Resource Mapper shows generalized locations throughout the City where a threatened or endangered species may be present, with the greatest concentrations occurring within Onondaga Lake and the lakefront area and on the east side of the City.

Potential Impact

Adoption or implementation of the ReZone proposal is expected to indirectly result in the loss of flora or fauna within the City of Syracuse through future development and redevelopment actions. However, most new development is expected to occur on previously developed sites. Given the generalized nature of available data, any adverse impacts on plants and animals are also best considered during a project-specific SEQRA review when a jurisdictional determination can be completed for a subject area. Therefore, the DGEIS will not discuss impacts to these resources.

Mitigation Measures

There are no mitigation measures being considered in the DGEIS, though some of the proposed zoning regulations will help to minimize impacts to plants and animals. For example, the new Open Space district is established in the ordinance to provide adequate lands for recreational use and to protect those lands from being used for purposes other than open space. Park lands, wooded areas, and some lands adjacent to Onondaga Creek are proposed to be zoned as Open Space districts which will continue to provide habitat for plants and animals in the City.

3.4 Aesthetic Resources

Current Status

The City currently has limited building and site design standards, and some are only applied in certain areas. While these regulations do affect the built environment, they are not applied city-wide. Adoption and implementation of the ReZone is expected to indirectly result in changes to the aesthetic resources within the City of Syracuse through future development and redevelopment actions.

Potential Impact

While the aesthetic impacts are expected to be largely positive, the DGEIS will evaluate the potential impact to aesthetic resources, and specifically the character of the built environment. The DGEIS will summarize the projected outcome of the new regulations and the differences in permitted land uses for areas that are likely to experience an increase or decrease in land use intensity.

Mitigation Measures

The DGEIS will discuss mitigation measures largely pertaining to the proposed zoning regulations that will minimize impacts to aesthetic resources, or have a positive impact on the built environment. Such measures include the ReZone's new Development Standards that regulate building and site design, such as placement, orientation, materials, architectural detailing, sign standards, screening and landscaping.

3.5 Historic and Archeological Resources

Current Status

The City contains a number of historic and archeological resources that are either listed, or eligible for listing, on the New York State or National Register of Historic Places. Additionally, the Common Council has designated a number of properties and structures within the City to be of local historic significance as Protected Sites. The DGEIS will include a general discussion of those resources, including a map indicating the general location of such resources.

Potential Impact

Adoption and implementation of the ReZone proposal may indirectly impact historic and archaeological resources within the City of Syracuse through future development and redevelopment actions. The DGEIS will compare current and proposed zoning regulations relating to proposed land uses and related impacts on the preservation of historic and archaeological resources.

Mitigation Measures

The DGEIS will evaluate mitigation measures contained within the ReZone, including standard procedures and rules applicable for the review of all development and/or preservation applications, the purpose of which is to preserve and protect historic and archaeological resources.

3.6 Transportation

Current Status

The transportation structure of the City supports pedestrians, bicyclists, motor vehicles and rail. The DGEIS will describe the City's current transportation infrastructure, including as it relates to infrastructure and services available from public sources.

Potential Impact

The DGEIS will evaluate potential impacts to transportation associated with the adoption and implementation of the ReZone, specifically with respect to changes that may occur to existing developed infrastructure from future development activities to be governed by the ReZone.

Mitigation Measures

The DGEIS will evaluate mitigation measures associated with the adoption and implementation of the ReZone. Such measures include the following: zoning neighborhood business corridors in a manner to promote walkable, mixed-use business corridors adjacent to residential neighborhoods; the ability to reduce onsite parking requirements in some zoning districts; new onsite bike parking requirements; and site design standards to improve site performance and safety for all users.

3.7 Consistency with Community Character

Current Status

The City of Syracuse consists of a diverse array of neighborhoods, business and commercial developments, abundant parks and open space, a rejuvenated downtown, major education and health care institutions, and significant historic architecture, all located in an area with dramatic topographical changes.

Potential Impact

The DGEIS will discuss the potential impact to community character that may result from the adoption and implementation of the ReZone.

Mitigation Measures

The DGEIS will discuss mitigation measures and strategies concerning impacts to community character. Such measures include maintaining a degree of continuity in the ReZone to maintain well established patterns of development for the majority of the City and minimize the number of parcels affected by the ReZone. The DGEIS will discuss proposed new building and site design standards that will positively affect community character and provide guidance on lighting, landscaping, site layout, building placement, storage of refuse, location of parking and loading facilities, and build-to and lot coverage requirements.

4.0 ENVIRONMENTALLY INSIGNIFICANT ISSUES

This section provides a brief summary of the various issues that were evaluated and deemed irrelevant or environmentally insignificant and therefore will not be considered in the DGEIS. Although adoption of the proposed law will not result in adverse environmental impacts with regard to climate change and zoning equality (Sections 4.12 and 4.13 below), those issues will be incorporated into the DGEIS.

4.1 Geological Features

Current Status

The underlying geology in the City of Syracuse varies from deep unconsolidated material to bedrock outcrops. The land form varies as well and includes rolling drumlins with steep slopes to an extensive flat valley along Onondaga Creek and Onondaga Lake. The history of geology and the raw industrial resources mined in the region is interesting and has had a significant impact on land use and the environment. But those industries utilizing salt, salt peter and other minerals are no longer active. Limestone quarries are still active in the region, but not within City limits. There are no geologic features listed as a registered National Natural Landmark within the City limits.

Potential Impact

Adoption or implementation of the ReZone ordinance and zoning map is not anticipated to have an adverse impact on geological features. Therefore, the DGEIS will not discuss impacts to these resources.

Mitigation Measures

There are no mitigation measures being considered. Development projects will consider specific geologic impacts during project review, and a project specific SEQRA review.

4.2 Surface Water

Current Status

The City of Syracuse has numerous small streams and lakefront on Onondaga Lake. Most of the City drains to Onondaga Lake via Harbor Brook, Onondaga Creek and Ley Creek with the exception of a portion of the southeastern part of the City that drains to Meadowbrook, a tributary to Butternut Creek. Butternut Creek is a tributary of Chittenango Creek, which flows into Oneida Lake north of the City. The City of Syracuse is entirely in the Great Lakes watershed, specifically Lake Ontario. Many of the streams in the City are physically altered near Onondaga Lake where development is less residential and more intense. Combined Sewer Overflows along Onondaga Creek have historically caused catastrophic pollution of the creek and Onondaga Lake.

Despite historic pollution, the City operates extensive parkland along Onondaga Creek, and efforts to restore the creek have been succeeding. Harbor Brook, although not visible for long stretches, is fishable and is stocked with trout. Continuing efforts to restore these urban streams will complement new development supported by the ReZone.

Like the City's urban streams, Onondaga Lake has a significant history as a polluted waterbody. The cleanup of the Lake is substantially complete, and new public uses along the lake are significant. New development proposals are anticipated in the southwest corner of the lake in the City, which will be complemented by the lake.

Potential Impact

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on surface water resources. The DGEIS will not discuss impacts to surface water.

Mitigation Measures

There are no mitigation measures being considered in the DGEIS. Development projects will consider specific surface water impacts during project review, and a project specific SEQRA review. Although ReZone does not specifically require stream setbacks, the overall strategy of intensity of development does favor areas generally away from stream corridors.

Other state and local agencies have existing policies that help to minimize surface water impacts of development projects. The Onondaga County Department of Water Environment Protection operates a Save the Rain program, which is not part of zoning, but involves coordination during the project review process. The Save the Rain program seeks to strategically reduce, protect and treat stormwater runoff to streams and Onondaga Lake. The New York State Department of Environmental Conservation (NYS DEC) has additional regulations for stormwater, which would also be considered during the project review process.

4.3 Groundwater

Current Status

The current status of groundwater resources in the City of Syracuse is unclear. The streams that exist are perennial, which means there is clearly a baseflow from groundwater. Because the City is fully served by municipal water with distant Skaneateles Lake as a primary source, there are few if any wells to give an indication of what groundwater resources exist and what their status is.

Potential Impact

Though the City water supply comes from Skaneateles Lake, any primary or principal aquifers underlying the City limits may potentially be impacted by future development or redevelopment actions. However, these future groundwater impacts are best assessed at the time of the proposed action to allow for consideration of project- and site-specific details.

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on groundwater. The DGEIS will not discuss impacts to groundwater. Any development that occurs after adoption will be evaluated individually for groundwater impacts.

Mitigation Measures

There are no mitigation measures being considered in the DGEIS. There are no land uses allowed that are anticipated to have a significant impact on groundwater resources. Much new development is expected to occur on previously developed sites. The ReZone ordinance does include some lot coverage limits which will potentially allow for groundwater recharge, landscaping standards to improve impervious surfaces, and the ability to reduce onsite parking requirements in some zoning districts that may also reduce impervious surfaces in the City.

Additionally, the Onondaga County Department of Water Environment Protection operates the Save the Rain program, which seeks to reduce, protect and treat stormwater runoff to streams and Onondaga Lake, and the NYS DEC regulates other stormwater flow during the development approval process.

4.4 Air

Current Status

Onondaga County is currently in attainment for all standards of the criteria air pollutants. The Clean Air Act (CAA), as amended in 1990, defines non-attainment areas (NAA) as geographic regions that have been designated as not meeting one or more of the U.S. National Ambient Air Quality Standards (NAAQS). NAAQS are set for six common air pollutants, or “criteria air pollutants,” and designate the maximum allowed measurement at which each pollutant may be present in outdoor air.

When an area is designated as non-attainment by the U.S. Environmental Protection Agency (EPA), the state is required to develop and implement a State Implementation Plan (SIP), which delineates how a state plans to achieve air quality that meets the NAAQS under the deadlines established by the CAA, and then maintain attainment status once the area is in attainment.

In 1993, the EPA re-designated the Syracuse area of Onondaga County as a maintenance area for carbon monoxide (CO). The 20-year CO air quality maintenance period for Onondaga County concluded on September 29, 2013.

Potential Impact

Adoption or implementation of the ReZone ordinance and map is not anticipated to have an adverse impact on air. Therefore, the DGEIS will not discuss impacts to these resources.

Mitigation Measures

There are no mitigation measures being considered in the DGEIS, partially because there are no land uses allowed that will exacerbate the City's current impact on air quality. Adoption of the ReZone ordinance and map is expected to have a moderately positive effect on air quality in the City. The Open Space district is established in the new ordinance to provide adequate lands for recreational use and to protect those lands from being used for purposes other than open space. Preservation of park lands and wooded areas in the new Open Space district, along with new development standards that encourage the preservation or addition of trees and shrubs, can help to reduce air pollutant concentrations throughout the City.

Other local efforts, such as ReLeaf Syracuse, provide greater opportunities to mitigate air quality impacts than zoning. The ongoing 2018 initiative, ReLeaf Syracuse, is a collaborative effort by the City's Forestry Division, Onondaga Earth Corps, and a steering committee to develop an urban forest master plan with 5- and 20-year tree canopy goals for the City. Expansions in urban forest cover can remove pollutants from the air and reduce fossil fuel consumption and resultant pollution emissions by shading buildings.

4.5 Agricultural Resources

Current Status

The City of Syracuse is largely developed with minimal land areas currently being used for agriculture. High resolution land cover data from the Chesapeake Conservancy shows the City's land cover in 2016 was comprised of 38.2% developed land, including structures, roads, and human-constructed surfaces, 30.1% tree canopy, 29.3% low vegetation, and 2.3% open water. While the low vegetation class includes areas such as tilled fields, it is far more likely to be dominated by lawns and natural ground cover in the City given the existing pattern of development.

Agricultural resources in the City are more common on a much smaller scale and include a number of community gardens, personal gardens, and even a 6-acre urban farm. The City's current and proposed Zoning Ordinance does not include an agricultural zoning district, and no lands in the City limits are enrolled in a NYS-certified Agricultural District. There are a number of local organizations and programs, such as the Greater Syracuse Land Bank's Green Lots Grant Program, and Syracuse Grows, which work to support urban food production.

Potential Impact

As there are limited agricultural resources within the City limits and in the immediate surrounding area, as well as a limited amount of undeveloped land available for cultivation,

adoption or implementation of the ReZone ordinance and map is not anticipated to have an adverse impact on agricultural resources and will not be discussed in the DGEIS.

However, the proposed Zoning Ordinance includes regulations to encourage urban agriculture which would presumably have a positive impact on agricultural resources by better supporting existing operations and encouraging more small-scale agricultural uses within the City.

Mitigation Measures

There are no mitigation measures being considered.

4.6 Open Space and Recreation

Current Status

The City has many areas of public open space, wooded areas, parks and recreational areas. Many of these areas are currently zoned residential as there is no open space or recreational zoning district in the current zoning ordinance.

Potential Impact

The ReZone proposal designates all City Parks and other publicly owned open space and recreation areas in a new Open Space zone. The purpose of this zone is to create zoning regulations that fit the uses found in these places. The new zone takes into consideration both public and private uses that occur in parks, and the facilities that support them and other open space uses.

Adoption or implementation of the ReZone proposal is not anticipated to result in a loss of recreational opportunities or a reduction of an open space resource due to the creation of a specific Open Space zone. The DGEIS will not discuss impacts to open space and recreation resources.

Mitigation Measures

The DGEIS will not discuss mitigation measures, as the proposed zoning regulations are anticipated to have either no or positive impacts on open space and recreational resources. The Open Space district is established in the ordinance to provide adequate lands for recreational use and to protect those lands from being used for purposes other than open space. Park lands, wooded areas, and some lands adjacent to Onondaga Creek are proposed to be zoned as Open Space districts which will continue to provide recreational areas, habitat for plants and animals, and open space for public use. Zoning neighborhood corridors to continue and enhance a walkable, mixed use environment adjacent to residential neighborhoods should improve public access to recreational opportunities and outdoor spaces.

4.7 Critical Environmental Areas

Current Status

There are no Critical Environmental Areas (CEA) in the City of Syracuse. Critical Environmental Areas are a function of the State Environmental Quality Review Act where a local jurisdiction recommends a mapped area as a CEA to the Director of the NYS DEC. The Director then approves or disapproves the CEA designation.

Potential Impact

Adoption or implementation of the ReZone proposal will not have an adverse impact on any CEAs. Therefore, the DGEIS will not discuss impacts to CEAs.

Mitigation Measures

No mitigation measures are necessary.

4.8 Energy

Current Status

Energy use in Syracuse is a typically complicated mix of residential, commercial and institutional demand for heating and cooling as well as energy demands for transportation. The electrical grid is owned and managed by National Grid. The region is served by a variety of power generating facilities including a natural gas cogeneration facility in the City, a defunct natural gas cogeneration facility just outside the City in East Syracuse, and nuclear power plants in Oswego. There are a growing number of solar facilities in Onondaga County, but a limited number of passive solar installations related to specific buildings within the City. There are no significant wind energy installations in the City or Onondaga County, but there are large wind energy facilities in the region. Hydropower stations are located in the region most significantly along the Oswego River north of the City. Just over the City border in the Town of Onondaga there is the Onondaga County Resource Recovery Agency which recycles waste and incinerates what cannot be recycled. The incineration process powers steam turbines to generate electricity.

Potential Impact

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on energy resources. The DGEIS will discuss impacts to energy. There are no indications that the region may experience trouble meeting the demand of energy due to the policies represented in the ReZone proposal. Nor are there any anticipated issues with the capacity of transmission facilities that import or export energy to the City and region.

The impacts that the ReZone proposal could have are related to the type of development allowed (mixed-use versus single-use buildings, one-story versus multiple-story buildings etc.) and transportation related to future development patterns (reliance on automobiles, patterns of development that deter transit options, excessive surface parking, etc.).

Mitigation Measures

The proposed zoning ordinance contains regulations that will positively affect energy usage in the City. These include zoning neighborhood business corridors in a manner to promote walkable, mixed use business corridors adjacent to residential neighborhoods, which may reduce vehicle miles traveled and carbon emissions. Further, considering the age of many City buildings, the proposed ordinance encourages energy conservation and the conservation of natural and material resources through the rehabilitation and reuse of the City's existing building stock and infrastructure. The encouragement of multi-story buildings is not only following tradition. Multi-story multiple use buildings are vastly more energy efficient than single story, single use buildings.

4.9 Noise, Odor, and Light

Current Status

The regulation of noise, odor and light is not limited to the zoning ordinance. Generally the City's Noise ordinance would control noise, and light and odor may be controlled by both the NYS building code and the zoning ordinance.

Potential Impact

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on Noise, Odor or Light. The DGEIS will discuss these impacts.

Mitigation Measures

The proposed zoning ordinance includes design standards for site lighting, and other development standards controlling the storage of refuse and separation of incompatible uses. The ReZone proposal also includes extensive design standards which seek to regulate the impact that new buildings have on existing buildings. Individual projects are and will continue to be evaluated for environmental impacts related to Noise, Odor, and Light specific to individual proposals.

4.10 Human Health

Current Status

The urban renewal period had devastating impacts on many upstate cities, especially downtowns. Syracuse is no exception to the substantial impacts of urban renewal and the auto-oriented suburbanization of our cities. Syracuse's downtown is a walkable generally people-friendly environment. This is largely through preservation of the street grid and the many historic buildings in the downtown core. Over time buildings have been taken down with only a surface parking lot to remain, but Syracuse's downtown is overall a very walkable, pleasant and vibrant urban core. The orientation of the buildings to the sidewalk with regular public spaces and parks, well-maintained sidewalks, and street trees maintains a more traditional fabric that is ultimately a benefit to human health, and helps to explain why downtown is experiencing significant residential development.

The other “main street” areas in the City have the same human-scale development that serves nearby neighborhoods, and contributes to a fabric of community in the City that is unique. Eastwood, Westcott, South Ave, South Salina, West Genesee, Tipperary Hill, North Salina, and Butternut all have their own unique character and increase livability in the City.

Potential Impact

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on human health. The DGEIS will discuss impacts to human health.

Because ReZone is intended to be a full replacement of the current zoning ordinance, the potential impact of this legislation on human health should be discussed. A critical evaluation of the mitigation measures included in the law should be examined. The reason this is critical is to recognize the possibility that adoption of a new zoning ordinance can very easily result in impacts to human health. In fact, legally, zoning is considered one of the “police powers” that are necessary to insure the “health, safety, and welfare” of the public and granted to states by the 10th Amendment to the U.S. Constitution.

Mitigation Measures

The proposed zoning ordinance contains regulations that will positively contribute to public health in the City, which will be described more fully in the DGEIS. These include zoning neighborhood business corridors in a manner to promote walkable, mixed use business corridors adjacent to residential neighborhoods. Additionally, the Open Space district is established in the proposed ordinance to provide adequate lands for recreational use and to protect those lands from being used for purposes other than open space. Park lands, wooded areas, and some lands adjacent to Onondaga Creek are proposed to be zoned as Open Space districts which will continue to provide recreational areas, habitat for plants and animals, and open space for public use.

4.11 Consistency with Community Plans

Current Status

The ReZone project was initiated by adoption of the Comprehensive Plan 2040 and has accomplished its project goals to:

- Ensure the new Zoning Ordinance and Map implement the recommendations of the City’s adopted [Comprehensive Plan 2040](#), including the [Syracuse Land Use & Development Plan 2040 \(LUP\)](#);
- Transition from the current use-focused, Euclidean Zoning Ordinance to an updated ordinance that incorporates principles of Form Based Codes, Smart Growth, Traditional Neighborhood Development, and Transit Oriented Development, among other current best practices;
- Develop and/or improve standards regulating urban design, urban agriculture, lighting, signage, landscaping, parking, site design, infill development, and vacant land management;

- Promote and facilitate historic preservation;
- Develop sustainable development provisions regarding: climate adaptation, renewable energy infrastructure, green building materials, and green infrastructure;
- Increase protection of natural resources, including open space, water bodies, steep slopes, and trees;
- Streamline the development review process by creating more predictable zoning regulations;
- Update the format and structure of the Zoning Ordinance to be user friendly and include illustrations and graphics;
- Remove inconsistencies, outdated language, and reduce the complexity of the Zoning Ordinance;
- Facilitate increased public awareness of, and participation in, zoning review and processes; and
- Increase ways to use technology to provide and receive information from the public.

The adoption of the ReZone ordinance and map will further many goals in the community and have a positive impact overall. It is important to view this as one step in achieving a great variety of goals in the City.

Potential Impact

Adoption or implementation of the ReZone proposal is not anticipated to have an adverse impact on the goals set out in various community plans. The DGEIS will not discuss impact to community plans but will discuss the consistency of the document with plans overall.

Mitigation Measures

There are no mitigation measures necessary.

4.12 Climate Change

Current Status

Though climate change is not directly identified within Part 2 of the Environmental Assessment Form, the Lead Agency finds impacts to climate change to be an important item for consideration as part of this scoping document.

The [Sustainability Plan](#)⁴ is one component of the City's adopted [Comprehensive Plan 2040](#),⁵ which "identifies recommendations for improving the sustainability of municipal operations, and for ensuring the resilience of the Syracuse community." The plan was developed as part of a larger sustainability initiative to reduce greenhouse gas (GHG)

⁴ Available at: http://www.syracuse.ny.us/uploadedFiles/Departments/Planning_and_Sustainability/Content/Sustainability%20Plan%209-29-12.pdf

⁵ Available at: <http://www.syr.gov.net/planning.aspx>

emissions and reduce the City's energy consumption in an effort to mitigate the City's impact on the climate.

A greenhouse gas (GHG) emissions inventory was completed by the City in 2010, as part of the larger sustainability initiative, and compared to a previous inventory from 2002. Results of the inventory showed 2% (community) and 20% (municipal operations) reductions in carbon dioxide emissions from 2002 to 2010.

The ReZone Syracuse project is being funded by the New York State Energy Research and Development Authority (NYSERDA). The project will promote and encourage development and appropriate density along existing transportation corridors within the City. This is expected to reduce the vehicle miles traveled in the City, and subsequently reduce GHG emissions in the City.

Potential Impact

No increase in the City's existing impact on climate change is expected with adoption of the ReZone ordinance and map. Moreover, the proposed zoning regulations and resultant pattern of development are anticipated to provide positive benefits to the City, which will help to reduce GHG emissions and energy consumption, and improve the resiliency of the community. The proposed zoning regulations are likely to help minimize the City's impact on climate change and will be described in the DGEIS.

Mitigation Measures

As the ReZone proposal is expected to have a positive impact on climate change, there will be no mitigation measures discussed in the DGEIS. Those attributes of the ReZone that are best practices to reduce GHG emissions will be described.

4.13 Zoning Equity

Current Status

Like many U.S. cities, the history of the City of Syracuse includes exclusionary policies that displaced poor people and minorities. The era of urban renewal in the 1950s and 1960s altered neighborhoods to make way for urban renewal projects such as Interstate 81. These combined policies are largely attributed to contributing to concentrated poverty in the City of Syracuse. Zoning regulations have often contributed to furthering systematic discrimination nationwide. In short, zoning that excludes multi-family housing projects combined with "redlining" finance policies can inhibit minorities and poor and working poor people from living in specific areas of a community.

Today, the effects of these policies linger in the City of Syracuse. The segregation and concentrated poverty issues created in the past still exist today. The ReZone project in part seeks to provide strategic opportunity throughout the City to address these historical inequities.

Potential Impact

The potential equity related impacts associated with new development in the City of Syracuse, as well as other cities like Syracuse are:

- Gentrification
- Displacement
- Housing Affordability
- Social Justice and Public Engagement

These impacts together, while not an adverse environmental impact in traditional terms, can and have resulted in environmental impacts in the built environment often expressed through high rates of vacancy or underinvestment in property, demolished buildings and an erosion of character and the introduction of blight and suburban development patterns within a traditional city. All of which combined lead eventually to a devaluation of buildings and land as a desirable place to invest.

Mitigation Measures

ReZone includes several provisions that seek to address issues relative to Equity Zoning. Some of these approaches are in the law, and some are in the administration of the law. The following policies are existing provisions in ReZone as proposed, which address, in part, equitable zoning issues:

1. Mixed Use Zoning Districts distributed throughout the City along transit routes.
2. Walkability provisions. Not just sidewalks, but creating human scaled environments rather than auto-oriented environments.
3. Minimum story provisions. This encourages housing in mixed use developments.
4. Improved public notice provisions in the law and accompanying administrative manual.
5. Citywide Development Standards which intend to increase the quality of all development to a minimum standard.
6. Development of the ReZone ordinance and administrative manual to be more accessible and clear.

The DGEIS will explore additional policies related to Equitable Zoning that may be combined with the existing provisions and will further provide a basis for more equitable zoning. Enactment of more equitable provisions will prepare the City of Syracuse for development and refinement of new tools in response to changing development markets and prepare the City for the future.

5.0 REASONABLE ALTERNATIVES

The DGEIS will include a description and evaluation of the range of reasonable alternatives to adoption of the zoning law created from the ReZone project. The following alternatives will be evaluated:

- 1) No action.
- 2) Partial adoption.
- 3) No Zoning.

6.0 CRITERIA FOR FURTHER EVALUATION

The DGEIS will establish criteria for any subsequent SEQRA review of future actions that will be undertaken within the City of Syracuse. Future SEQRA review of a particular project may be restricted to issues that were not assessed or are site specific and which were not fully evaluated in the DGEIS.

7.0 COMMENTS RECEIVED DURING SCOPING PUBLIC COMMENT PERIOD

The following table represents the comments received during the Scoping period either by mail, email, or during the public hearing held on January 7, 2019 in the Council Chambers at 6p.m.

Comments have been paraphrased for clarity and simplification. All efforts have been made to respond to comments made relative to environmental impacts, the draft scoping document, and comments on the law itself. Although the focus of this part of the process is adverse environmental impacts of law adoption, all comments have been vetted and will be taken into consideration moving forward.

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No.	Comment (paraphrased and simplified for clarity and relevance)	Source	Zoning Law or Map Comment	DGEIS Scoping Comment	Adverse Environmental Impact Identified?	Response
1	I like the Public Notice signs.	Public Hearing	Yes	No	No	-
2	Make changes in zoning to promote accessible entrances to buildings.	Public Hearing	Yes	No	Yes – Accessibility, streetscape environment, adaptive reuse of buildings.	In Rezone see, for example, 4.6 D.2. which has such a requirement. Accessibility relative to buildings is addressed in the NYS Building Code. Older buildings are given allowances that new buildings are not. Adaptive reuse of older buildings is important. Streetscape improvements are necessary to address this issue. That is, rebuilding the sidewalk environment to eliminate barriers to older buildings in areas where adaptive reuse has been successful or is proposed. The team will investigate any means or language to further this goal in the zoning document.
3	Include language that buildings will comply with NYS Building Code, ADA requirement Section 504, NYS HRL.	Public Hearing	Yes	No	No	See comment #2.
4	Add accessibility review to review process.	Public Hearing	Yes	No	No	See Comment #2.
5	Add language to Illegal Non-Conformities stating when a business is required to obtain a Business Certificate of Use and hasn't or is in violation of it, all operations should cease.	Public Hearing	Yes	No	No	Because Rezone is an ordinance it is limited in the approach to enforcement. Due process must be followed in any case and it is

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						not possible to "cease operations" at the administrative level, it must be a court order. The City will continue to seek ways to better ensure compliance.
6	Corner stores: not in compliance with sign regulations.	Public Hearing	No	No	Yes – sign clutter	ReZone includes new sign regulations to in part improve compliance.
7	Corner Stores (and fast food): litter in neighborhoods.	Public Hearing	No	No	Yes - Litter	Litter, no matter the source, is a challenging issue not typically controlled or enforced by zoning. The City will look into ways that litter might be addressed especially for uses where it is a known issue.
8	Corner store: add language that if a store has resisted a Certificate of Use for over six months and has violations their business should have to cease.	Public Hearing	Yes	No	No	See Comment #5.
9	Public hearings: require mailings to be sent to all homes within 800 feet, not 400 feet of the establishment.	Public Hearing	Yes	No	No	The City is actively working on developing more effective means of public notification.
10	Formally include a community review process for any project that requires a public hearing.	Public Hearing	Yes	No	No	See Comment #9. Public notifications have been expanded in the ReZone ordinance.
11	I am satisfied with the public engagement for the project with a notable concern regarding the process for granting special permits relative to the finding in the scoping document that adverse impact on the goals set out in various community plans will not be impacted. I disagree because the	Public Hearing	Yes	No	No	See Comments #9,10

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	public engagement process is still not robust enough to ensure the kinds of public engagement in the special permit process.					
12	Given the potential impact of special permits on the neighborhood character the Common Council should enact a far more robust community engagement process.	Public Hearing	Yes	No	No	See Comments #9, 10.
13	4.1 [Scoping Document] Geologic Features. The City has locations with soluble gypsum layers that will collapse and undermine building foundations, compressed peat that should not be built upon.	Public Hearing	Yes	Yes	Yes – Unstable geologic features.	Geotechnical surveys are a regular requirement of buildings for SEQRA review and for building permit compliance. Most projects reviewed under this law will receive a “hard look” through project level SEQRA review.
14	4.6 [Scoping Document] Open Space. Dedicated parks and land is and needs to be treated very differently from open space.	Public Hearing	Yes	Yes	No	It is unclear from the transcript what this comment means. It appears to point to the need for creating land and open space for modernization of City Schools. The City has separate plans and approaches to creating and managing open spaces in the City, but more can always be done.
15	The document [Scoping?] discusses a walkable, livable city, and transportation modes but does not discuss schools. The construction and curb appeal of schools is the truest barometer of the health of the community and the importance of children and public education to that community.	Public Hearing	Yes	Yes	Yes – Neighborhood Quality and Appeal relative to schools.	It is unclear how the Zoning Ordinance can address this issue. Public Schools are governed by New York State through local boards and are not subject to local regulation. There is likely a planning role to play here, but not

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						able to be resolved through zoning.
16	Existing school sites are too small.	Public Hearing	No	No	No	-
17	We express concern in this document for habitat for wildlife but not children.	Public Hearing	No	Yes	Yes – Human environment	The Rezone project has gone to great lengths to create a more human oriented environment. Public health and safety is a complex issue involving land use, community policing, crime reduction, and neighborhood design. Good design, reinvestment in the community, and public participation in review processes are all critical to creating a healthy environment and the City will continue to find ways to improve the environment for all residents. See Comment #15
18	Would like to see an approach that sets aside land for future schools that meet state standards with regard to indoor but also outdoor facilities.	Public Hearing	No	No	No	See Comment #15
19	Where is the walkable neighborhood anchored by a school in this document [Scoping]?	Public Hearing	No	Yes	Yes – Neighborhood Environment/Walkability	See Comment #15
20	Any acceptable zoning must include language and measures that will combat the potential for gentrification. In particular land available to the south of downtown.	Public Hearing	Yes	No	No	Zoning Equity, including gentrification, displacement, and inclusive zoning and planning will be added as an Environmentally Insignificant Issue and discussed in

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						the GEIS. Edits to Rezone will be considered in this section and evaluated with possible final edits made to the Rezone law and map.
21	Syracuse should be working to repair the harms of red-lining and the urban renewal construction of I-81.	Public Hearing	No	No	No	See Response #20
22	We would like to see more inclusionary zoning in the new plan.	Public Hearing	Yes	No	No	See Response #20
23	Three specific requests of the new zoning: engage in a racial equity impact analysis, create an inclusionary zoning plan, and extend the final comment period beyond January 17 th .	Public Hearing	Yes	Yes	No	See Response #20
24	Special permits should be reviewed for maximum compliance with the intent of each zoning district. Suggest a rating system for staff to indicate the degree of compliance and to further the intent to implement the best practices of the Rezone process.	Public Hearing	Yes	No	No	An Administrative Manual is being prepared to compliment the Rezone legal document. This will include new evaluation processes which will be transparent to developers and the community.
25	We believe that Rezone is going to have a positive impact on the City.	Public Hearing	No	No	No	-
26	Rezone will be easier for the private sector to use.	Public Hearing	No	No	No	-
27	We appreciate that Rezone has allowed the public to freely comment on it.	Public Hearing	No	No	No	Public input is imperative to any successful policy initiative.
28	Recommend that Climate Change be moved from section 4.0 Environmentally Insignificant Issues to 3.0 Environmental Setting, Impact Analysis and Mitigation Measures.	Public Hearing	No	Yes	No	The section on climate change will remain in its current position. The City will consider adding a mitigation discussion to the DGEIS with regard to land use.

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No.	Comment (paraphrased and simplified for clarity and relevance)	Source	Zoning Law or Map Comment	DGEIS Scoping Comment	Adverse Environmental Impact Identified?	Response
29	The team is concluding that the adoption of ReZone will have no significant impact on climate change.	Public Hearing	Yes	Yes	Yes - Climate Change	The City is not concluding that ReZone will have no significant impact on climate change. The City has concluded that compared to the reasonable alternatives, or for that matter no zoning, the ReZone will have no Adverse Environmental Impact with regard to climate change. The City chose to include climate change because it is important to the City, and the residents of the City, and land use does have a part to play in potentially reducing greenhouse gas emissions.
30	With regard to climate change and in light of recently announced statewide priorities, no adverse environmental impact is probably no longer good enough.	Public Hearing	No	Yes	Climate Change	SEQRA review materials do not include climate change. SEQRA only considers adverse environmental impacts relative to alternative course of action, including no action. The City considered the issue important enough to the community relative to long term land use decisions to include it.
31	In Section 3.4D(5) up to 10 percent of the required number of off-street vehicle parking spaces may be used and designated as electric vehicle charging stations. ... the Office of Zoning Administration shall have the authority to approve... ..additional.... ...	Public Hearing				Parking requirements have been a concern in the City and ReZone seeks to balance the culturally perceived need for parking, the actual need, and the overall best

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	<p>electric vehicle charging stations, ... will only count as one-half a parking space when computing the minimum number of spaces required.” In essence imposing a penalty on the developer who may have to add more parking spaces, while the state is encouraging the use of electric vehicles.</p>					<p>use for limited property in the City and maximizing development potential with aesthetics and a critical mass of commercial activity. Add to that providing for the adequate amount of charging stations on private property for vehicles whose future specifications may eclipse the need for such facilities. In the end, any parking lot can include more recharging stations, before, during or after zoning review. The current perceived need is akin to providing refueling (gasoline) stations in every major parking lot. The trend is for recharging at home, or at a faster recharging station due to ever increasing range of electric vehicles.</p>
32	<p>Setting a minimum ground clearance of 15 feet for wind, or banning them from over parking or public rights of way is an unnecessary restriction on new technologies.</p>	Public Hearing	Yes	No	Yes – mitigation of wind energy conversion systems.	<p>The City will investigate ways these devices may be more appropriately accommodated in the law.</p>
33	<p>Keeping up with technology will be a challenge for ReZone as it has been for other zoning ordinances.</p>	Public Hearing	Yes	No	No	
34	<p>Flooding: while ReZone has correctly established the opportunity to create higher density development at the same time we’re going to also</p>	Public Hearing	Yes	Yes	Yes – flooding, stormwater runoff.	<p>Higher density does not necessarily mean larger footprint. That is one reason the ReZone</p>

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	have to deal with increased stormwater runoff that is going to limit some of those.					indicates the need for multiple stories in many cases in order to accommodate a smaller footprint. In other cases, green roofs and other mitigation measures are more likely implemented on a building that has higher density.
35	More thought on how ReZone might be used as a means to protect the City from the impacts of climate change.	Public Hearing	Yes	Yes	Yes – Climate Change	See Response #s 28-31
36	Efforts to speed approvals may be at the expense of public engagement.	Public Hearing	Yes	No	No	See Response #9 and #20
37	One of the best features of the ReZone is the incorporation of the mixed use zoning categories.	Public Hearing	Yes	No	No	-
38	What you want is a more walkable city where daily needs are within walking distance.	Public Hearing	Yes	No	No	-
39	By adding more mixed use development we should be able to increase the use of walking, biking, and other ways of getting around other than cars.	Public Hearing	Yes	No	No	-
40	Too many mixed use districts may be too much of a good thing, and I have noticed that the distribution of mixed use has been brought back a bit. Larger apartment projects with commercial space are still vacant, and there are vacancies in our existing mixed use districts like Westcott and Eastwood.	Public Hearing	Yes	No	Yes – Commercial Vacancy and Mixed Use Requirements	One of the challenges of the Rezone project is how to accommodate existing uses and trends while at the same time building momentum in specific neighborhoods, especially smaller commercial districts. More work is likely necessary, but the Rezone establishes a better template for that work. Empty commercial space is desirable to an extent, but

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						a glut is a sign of too much. Even with higher density mixed use, retail commercial in general is struggling. This dynamic will not be solved in the Rezone but rather needs an iterative planning approach to find ways of filling those spaces, or limiting them.
41	Why do we want to increase commercial space in mixed use areas where commercial uses are not succeeding? Why encroach on the nearby neighborhood like Westcott at Genesee and at Euclid?	Public Hearing	Yes	No	Yes -- Neighborhood Character	See Response #40.
42	Think very carefully how much of mixed use we want to have and where we want to have it.	Public Hearing	Yes	No	Yes -- Neighborhood Character	See Response #40
43	There is no evidence the proposed zoning classifications as applied to the draft zoning map are based on any objective economic or demographic data to support the extensive development that is implied, or the notable changes in land use patterns which are illustrated.	Written	Yes	No	No	The zoning map balances the extensive vacant land of various types, legacy properties which are desired to be adaptively reused, and the provision of local walkable services to neighborhoods through mixed use development. It is true growth trends in the City do not necessarily justify the acreage dedicated to a proposed zoning district. However, this is also true of most zoning laws in upstate New York.
44	New zoning should consolidate such	Written	Yes	No	No	See Response #40

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	future growth to maximize its positive effects, and not promote dispersing and thereby diminishing it.					
45	It is doubtful that Syracuse--or Onondaga County-- will realize sufficient population growth in the coming decades to justify the expansive use and full build-out of the high number and physical size of proposed MX districts	Written				See Response #43
46	It is unlikely that all the MX-4 districts would see 50%, let alone full, build-out.	Written	Yes	No	No	See Response #43
47	The outcome will instead be a limited number of solitary "big" projects throughout the city rather than multiple, truly dense mixed-use areas that could generate the social and economic synergy intended.	Written	Yes	No	No	See Response #43 "Big" projects, however measured, are generally confined to the city core. Exceptions to this incorporate existing projects rather than create a non-conforming use.
48	The DGEIS must evaluate the potential negative environmental impacts of substantial development per the ReZone and the negative impacts resulting from isolated development.	Written	Yes	Yes	No	The DGEIS will consider any adverse environmental impacts with regard to adoption of the law. If "isolated development" were also considered, those projects would not be subject to more detailed scrutiny in the future which is not the intention of this GEIS process. Nor is it clear what those projects will be or where.
49	Land: the proposed zoning classifications would allow fairly intense development virtually anywhere in the city.	Written	Yes	No	Yes - Land	The Rezone implements a variety of regulations to manage development intensity throughout the City including new height

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50	Land: areas of extreme topography and dense tree canopy are likely to be adversely affected.	Written	No	Yes	Yes - Land	limitations and residential compatibility standards to minimize the potential impact of new development. The Rezone does not add intensity to any sensitive areas in comparison to current zoning, or the absence of zoning. Each development project will have an appropriate SEQRA review to evaluate these impacts which are not appropriate to be evaluated in a GEIS concerned with adoption of a zoning ordinance.
51	The ReZone document does not specifically address how topography or tree canopy impacts will be considered during required review processes.	Written	Yes	Yes	Yes - Land	These impacts will be evaluated during project specific SEQRA reviews. The Rezone document does consider topography in the Article 4 Development Standards 4.6 E.7.b.9.vii.
52	The DGEIS must adequately examine the wide range of probable negative impacts to both natural topography and current canopy cover, and call for necessary revisions to the ordinance/map as well as provide commensurate mitigation measures.	Written	Yes	Yes	Yes - Land	See Response #51
53	Flooding: given the substantial amount of vacant land available for development throughout the community, as well as climate change concerns, it is irresponsible to encourage any development	Written	Yes	Yes	Yes - Flood Prone Areas	The Rezone does not "encourage" development in flood prone areas. Care was taken to consider areas prone to flooding. The approach is

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	within flood zones.					in some cases to allow for development that is able, physically and financially, to ameliorate impacts associated with development in areas that may be subject to flooding. This generally includes larger developments which have the resources to elevate a building. This may seem counterintuitive to those not familiar with the legal dynamics of zoning and development.
54	Flood prone areas: The DGEIS should call for necessary revisions to the ordinance/map, and evaluate why development in flood prone areas is defensible and whether any mitigation measures have merit given the vast opportunities for investment outside these environmentally sensitive areas.	Written	Yes	Yes	Yes - Flood Prone Areas	Development within flood prone areas is likely not defensible from a strictly environmental perspective. It is regularly allowed with mitigation. Because of this, without the appropriate policy tools, simply zoning out privately owned parcels creates the threat of a taking. The long term approach is to purchase those parcels for flood mitigation purposes. This has and is happening in the City as reflected by extensive parkland along Onondaga Creek. It is an ongoing process based upon a plan. Someday these park areas will

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						likely be attractive for adjacent development, and the City's zoning will have to consider appropriate development along these areas.
55	Aesthetic Resources: It is inappropriate to assume impacts in this category will be largely positive.	Written	Yes	Yes	Yes – Aesthetic Resources	It is not assumed. The current zoning does not include any citywide development standards. Therefore any standards will result in a positive environmental benefit.
56	The new Development Standards provide general guidance and not strict prescriptions.	Written	Yes	No	No	The development standards, as opposed to guidelines, are numerical and subject to either a variance or equivalent standard as determined by the reviewing board and are therefore not "general guidance."
57	The Standards would be applied primarily to "big" projects—allowing for many smaller undertakings to have significant adverse effects on aesthetic quality of adjacent properties and immediate surroundings.	Written	Yes	Yes	Yes - Aesthetic	The standards are widely applicable to development projects. A project that might not be subject to all of the standards will not necessarily be negative. That is a prejudice that zoning cannot entertain. Currently there are no standards and projects built in the City are often very attractive. Impacts to surrounding areas will be evaluated at the time of project review through

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58	Without evaluating existing conditions, it is impossible to insure that most new development will be "largely positive." The DGEIS must evaluate the impacts the proposed standards will have on current aesthetic resources in each proposed zoning district, not each zoning classification-- because aesthetic resources are unique to a location. Similarly, mitigation measures must correlate to individual zoning districts [i.e., physical places], not classifications [i.e., regulatory definitions].	Written	Yes	Yes	Yes - Aesthetic	Applying zoning citywide is a difficult endeavor. It is true a more detailed approach would start at the neighborhood level and possibly be more specific. The goals for the Rezone project are to modernize the zoning ordinance, and make it more accessible. It is not necessarily an end, but rather a beginning and more detail analysis can occur to further customize the zoning approach to fit neighborhood needs. The current law is unworkable in this regard. This is why review of projects by a board, and the public is so important.
59	Several proposed zoning districts would allow new development of a size, scale and/or character inconsistent with designated/nominated historic	Written	Yes	Yes	Yes - Neighborhood Character	It is unclear what the specific impacts are to character relative to historic properties being

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60	<p>resources--actually codifying the acceptance of negative impacts within the zoning ordinance, which in turn will truncate effective mitigation options during subsequent SEQRA reviews. Similarly, many properties eligible for such recognition would face the same fate. The DGEIS must call for necessary revisions to the ordinance/map to eliminate the de facto acceptance of inherent negative impacts on designated/nominated historic resources, and provide commensurate mitigation measures for eligible properties.</p> <p>Reduced off-street parking requirements could lead to negative impacts regarding on-street parking, particularly by generating new or exacerbating existing competition and conflict between residents and business patrons in many of the proposed residential and MX districts. The DGEIS must evaluate these impacts and identify effective mitigation measures as necessary.</p>	Written	Yes	Yes	Yes – Neighborhood Character	<p>referred to. The Rezone introduces many new tools, not currently in place, to attempt to provide consistency in character of new development. Zoning cannot prejudice against new development as being negative. This is why review of projects by a board, and the public is so important.</p> <p>Amenity zoning could address this type of issue, but requires further policy and planning work. This will be considered in the DGEIS. Adoption of Rezone will provide a more accessible and amenable law with which to develop and implement any new strategies.</p>
61	<p>It is inappropriate to assume character impacts will be largely positive. In areas where there is little or no evidence of the city's traditional development patterns, such new investment might have beneficial effects.</p>	Written	Yes	Yes	Yes - Neighborhood Character	<p>Reinvestment citywide is desired. Other comments accuse Rezone of creating investment inequity. Creating harmony between existing character and new development is a constant challenge in all cities and is dependent less on the law, and more on the process and empowerment of the reviewing</p>

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						boards and active neighborhoods. A more accessible and readable zoning law is an important improvement to ensure better participation.
62	The proposed Development Standards are sufficiently broad to still allow for new development that is inconsistent with existing character.	Written	Yes	Yes	Yes - Character	At some point, all buildings were new development and may or may not have been consistent with existing character. A community must be able to evolve while still serving the public interest and creating places of value by appealing to a variety of values.
63	Most areas proposed for MX classifications have character generally considered worth retaining and enhancing.	Written	Yes	Yes	Yes - Character	The intent of this comment is understood even if it is generally overstated. Not all MX areas currently have entirely desirable characteristics, and no MX districts are entirely desirable.
64	The Standards would allow development of a size, scale and/or character substantially incongruent with current conditions.	Written	Yes	Yes	Yes - Character	The Development Standards have many specific provisions to protect character. The Rezone specifically seeks to create opportunities in existing larger structures specifically in order to allow for appropriate redevelopment of buildings that lend character to a neighborhood.
65	Most negative impacts could be avoided through significant changes to the proposed zoning map.	Written	Yes	No	No	-

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66	At a minimum the DGEIS must evaluate the impacts the proposed standards will have on current conditions/character in each proposed zoning district, not each zoning classification--because character is place specific. Similarly, mitigation measures must correlate to individual zoning districts [i.e., physical places], not classifications [i.e., regulatory definitions]	Written	Yes	Yes	Yes	Future efforts may address neighborhood level needs and limits. Each proposal under the law will be evaluated with regard to site specific, neighborhood and citywide impacts.
67	We are concerned that the ReZone plan relies heavily on zoning provisions that will harm low-income Syracuse residents and people of color.	Written	Yes	No	No	This concern is certainly understandable given both the history of Syracuse, and the uncertainty surrounding any change.
68	The ReZone can either entrench existing levels of segregation and lack of affordable housing or create opening to rebuild Syracuse along racially and socioeconomically integrated lines.	Written	Yes	No	No	The ways that ReZone addresses this issue will be described in the GEIS.
69	It is critical that city officials prioritize the health and welfare of Syracuse's residents, neighborhoods and schools at every step of their decision making process.	Written	No	No	No	Zoning in general is authorized by the "police powers" to ensure the health, safety and general welfare of the public.
70	The planning process must include meticulous and deliberate efforts to educate impacted residents about the potential positive and negative impacts of Rezone and get real feedback from community members.	Written	No	No	No	The Rezone process has included dozens of public meetings throughout the City over several years in an effort to communicate potential impacts of a new zoning law. This engagement has largely been positive. The details of outreach and engagement will be included in the DGEIS. Every

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71	Engage in a racial equity analysis of ReZone and make adjustments to protect communities of color.	Written	No	No		<p>planning process has limits to engagement and more can always be done. Resetting the zoning law for an entire community at once is a challenging engagement endeavor, and the limit in this case has been on how much change is necessary and possible when trying to accomplish a wholesale update of the law.</p> <p>A racial equity analysis is neither proposed nor required. However, the DGEIS will evaluate equity zoning considerations as noted above in section 4.13.</p>
72	Extend the comment period 45 days and the Common Council should not take a vote on Rezone until at least 45 days have passed.	Written	No	Yes		<p>The comments generated herein are relative to the GEIS Scoping process. The Common Council will vote to approve, or not, the Final Scoping Document by resolution. The Common Council will not vote on the law itself until SEQRA review is completed, and they will vote on the Draft GEIS and the Final GEIS before then. It is unclear what vote is being referred to in this comment. However, the Common Council will hold a public hearing on the law with at least the statutory</p>

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73	The Rezone does nothing to promote investment in low opportunity areas or create pathways to build affordable housing or subsidized housing in its high opportunity neighborhoods.	Written	Yes	No	No	legal notice and other procedures. It is not possible to respond to this comment without specifically identifying where high and low opportunity neighborhoods are thought to occur. It is true there are no minimum percentage affordable housing requirements in the law or similar techniques. However, the law does not do "nothing." There are several strategies that may not be obvious which will be explained in the DGEIS.
74	Rezone may have the unintended consequence of further limiting the provision of fair and affordable housing, concentrating affordable housing in low opportunity census tracts, and limiting investment in high poverty neighborhoods.	Written	Yes	No	No	Rezone has, overall, increased the potential for investment in all appropriate areas of the City, especially with regard to those areas served by transit, and in proximity to employment centers. In the end, zoning is just one part of an overall strategy for urban revitalization.
75	Rezone should include mechanisms to promote investment in high-poverty neighborhoods as sustainable solutions to de-concentrating poverty while furthering fair housing.	Written	Yes	No	No	Balancing investment, poverty reduction, displacement and managing gentrification cannot be achieved through zoning alone. The Rezone has attempted to balance the immediate and future needs of the City. However it is a

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						beginning as much as it is an end to a project. The Rezone will enable further refinement of zoning and land use policy by establishing a more accessible law that deregulates the development environment. This topic will be explored in the GEIS.
76	Rezone should include inclusionary zoning by requiring affordable housing minimums as a percentage of units.	Written	Yes	No	No	See Response #73
77	Rezone should create a racial equity plan and land use plan for historically disenfranchised and disinvested neighborhoods.	Written	Yes	No	No	See Response #71
78	Rezone areas that have traditionally excluded affordable housing in high opportunity areas.	Written	Yes	No	No	See Response #73
79	Increasing the number of stories in the MX-4 from 2 to 3 will impede many projects on constrained sites where surface parking is desirable.	Written	Yes	No	No	If a site is so constrained the applicant may pursue an area variance which will consider the factors. The preference is for minimum 3 story buildings in the MX-4 to maximize density and commercial opportunity.
80	Current zoning discourages parking along the waterfront (T5-1 zone), how is this handled in the proposed MX-4?	Written	Yes	No	No	The waterfront in the Inner Harbor is largely bordered by public parks and the Creekwalk. This type of detail will be resolved through Site Plan Review.
81	Consider eliminating the internal parking requirement for an additional story and evaluate	Written	Yes	No	No	The intent is to incentivize minimizing surface parking by

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	requests for additional stories on a case by case basis.					incorporating parking into larger projects where appropriate and thereby balance issues with neighborhood character and compatibility, stormwater runoff, etc. One cannot simply “request” additional stories, it would require an area variance, and the policy shift in Rezone is to approve more projects by right than by negotiation where possible.
82	Where are the current proposed overlay districts identified?	Written	Yes	No	No	There are currently no overlay districts included in the Rezone law, although the City’s historic preservation districts will remain.
83	What relief is there to allow a reduced % windows or transparency on buildings?	Written	Yes	No	No	The applicant may seek to reduce through an area variance.
84	Consider deleting the requirement for bike parking to be located on private property, and allow for various types of bike parking.	Written	Yes	No	No	This and other bike parking modifications will be considered.
85	Focus on quality materials rather than create a shopping list of allowable products.	Written	Yes	No	No	In the ReZone ordinance 4.2 D Modification to Development Standards allows for the reviewing board to make adjustments within limits. “Quality materials” is a subjective term that creates confusion and uncertainty. The City has include a comprehensive list of allowable materials that help to create predictability during

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						the approval process, a primary goal of this project. Zoning regulations must strike a balance between promoting a desired Aesthetic character without stifling innovation.
86	The maximum length of 180 feet for a multi-family building is not necessary due to other architectural requirements and could impact the ability to internally park a project.	Written	Yes	No	No	This will be considered. Note: This provision does not apply to mixed use projects. And an adjustment can be sought from the reviewing board for a minor adjustment, and a variance for a more significant adjustment.
87	Is there a path to allow for flexibility?	Written	Yes	No	No	In the ReZone ordinance 4.2 D Modification to Development Standards allows for the reviewing board to make adjustments within limits.
88	Could larger projects request a longer period within which to meet all conditions?	Written	Yes	No	No	ReZone ordinance 5.3 H(3) Zoning Administrator may grant 1 year extensions.
89	Can a waiver be sought for relief from the architectural requirements?	Written	Yes	No	No	Yes. An adjustment can be made. See comment #87



Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

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February 28, 2020

Heather Lamendola
Zoning Administrator

Mr. John P. Copanas
City Clerk
Room 231, City Hall
Syracuse, New York 13202

Re: Legislation Request for the Common Council to Accept the Final Scoping Document for ReZone Syracuse-A Citywide Zoning Update pursuant to SEQRA.

Dear Mr. Copanas;

Please prepare legislation authorizing the Common Council to finalize scoping which was conducted to solicit comments on the potential environmental impact of a new comprehensive Zoning Ordinance pursuant to the State Environmental Quality Review Act (SEQRA).

Attached please find a final Scoping document to be released to the public and interested agencies. This is a required action for development of a Draft Generic Environmental Impact Statement (GEIS) to evaluate the potential impact of the ordinance.

The SEQRA action in summary:

The City of Syracuse is proposing to adopt a new Zoning Ordinance and map to replace, in its entirety, the existing City of Syracuse Zoning Rules and Regulations, as amended, and its accompanying map.

If you should have any questions, please feel free to contact me.

Sincerely,

Heather A. Lamendola
Zoning Administrator

Office of Zoning
Administration
201 E. Washington St.
Room 500
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syr.gov.net

www.syr.gov.net

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