

**A LOCAL LAW AMENDING TOWN OF GEDDES TOWN CODE §240-19.2. - I-690
BILLBOARD OVERLAY DISTRICT SUBSECTIONS C.(3)(b) & I.(1)(b) AND
STRIKING SUBSECTION C.(3)(d) TO MODIFY MINIMUM DISTANCE CRITERIA
APPLICABLE TO BILLBOARDS, ILLUMINATED BILLBOARDS, AND DIGITAL
BILLBOARDS**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF GEDDES AS FOLLOWS:

Section I: The Town of Geddes Town Code, being Local Law No.1 of 2001, as has previously been amended, is hereby further amended by striking there from the portion of Code §240-19.2. - I-690 Billboard Overlay District, labeled subsections C.(3)(b), C.(3)(d), & I.(1)(b), and replacing only the stricken subsections C.(3)(b) & I.(1)(b) with new subsections C.(3)(b) & I.(1)(b), respectively, as follows:

New § C.(3)(b) to read as follows:

“(b) The minimum distance from any and all occupied single or multiple family dwelling(s), or occupied dwelling unit(s) within a Residential, Recreational or Senior Citizen Residential Overlay District shall be three-hundred fifty (350) feet. Where the billboard is illuminated, the minimum distance from any and all occupied single or multiple family dwelling(s), or dwelling unit(s) within a Residential, Recreational or Senior Citizen Residential Overlay district shall be four-hundred fifty (450) feet. Under all circumstances, light shall be shielded from such other properties.”

and

New § I.(1)(b) to read as follows:

“(b) The minimum distance of any digital billboard from any and all occupied single or multiple family dwelling(s), or occupied dwelling unit(s) within a Residential, Recreational or Senior Citizen Residential Overlay District shall be seven-hundred fifty (750) feet.”

Section 2: Local law No.: 1 of 2001, as amended, remains in full force and effect except as hereinabove amended.

Section 3: This local law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State.



Joanne M. Mahoney
County Executive

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: January 17, 2018

OCPB Case # Z-18-17

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a TEXT AMENDMENT from the Town of Geddes Town Board at the request of Town of Geddes for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing to amend §240-19.2: I-690 Billboard Overlay District of the Town zoning ordinance, modifying distance criteria in subsections C.(3)(b) and I.(1)(b) and striking subsection C(3)(d) relating to interchanges, intersections, rest stops and information center distance requirements; and
- WHEREAS, in 2015, the Board reviewed a Local Law (Z-15-420) referral proposing to create an I-690 Billboard Overlay District in order to permit the limited construction of billboards on select properties contiguous to I-690 in the Town of Geddes; the referral was determined to be incomplete and comments from the New York State Department of Transportation and Syracuse-Onondaga County Planning Agency (SOCPA) staff were transmitted to the Town Board under a separate cover; the proposal was not referred to the Board a second time; the local law was approved by the town and §240-19.2 of the Town of Geddes zoning ordinance was added in January 2016; and
- WHEREAS, the Board recently recommended No Position With Comment for a Text Amendment referral (Z-17-472) proposing to amend §240-19.2: I-690 Billboard Overlay District of the Town zoning ordinance, and encouraged the Town to consider the use of occupied dwelling units as the determination for a buffer distance, as occupancy status is easily changed and difficult to monitor; and
- WHEREAS, the submitted letter dated January 5, 2018 indicates that the current referral includes further amendments to the I-690 Billboard Overlay District law, including addressing comments received from SOCPA's recent review; and
- WHEREAS, per the Town zoning ordinance, the intent of the overlay district "is to establish size, location and operating standards and regulations for Billboards... in order to minimize the secondary effects that can accompany the unregulated display of these types of signs, preserve the character and repose of adjacent areas (with a principal focus on residential neighborhoods), protect property values in all areas of the Town, and reduce traffic and similar hazards caused by undue distractions"; and
- WHEREAS, the I-690 Billboard Overlay District applies to properties with physical frontage on I-690 that are also in the Highway Commercial (CB), Heavy Commercial (CC), and General Industrial (IA) zoning districts which appears from maps submitted with the original local law referral to be 16 parcels and include areas facing Onondaga Lake, the Onondaga County Amphitheater, and the New York State Fairgrounds; and
- WHEREAS, the Town zoning ordinance (§240-19.2 C) states that billboard locations are

limited by minimum distance requirements between billboards (1,000 feet), buffer requirements from Residential, Recreational, and Senior Citizen Residential Overlay zoning districts (350 feet, or 500 feet if illuminated), maximum distance requirements for proximity to I-690 (no farther than 660 feet), and distance requirements for interchanges, intersections, safety rest stops, or information centers (500 feet); and

WHEREAS, per the Town zoning ordinance (§240-19.2 I), digital billboard locations are limited by minimum distance requirements between billboards (2,000 feet, or 2,500 feet where both billboards are visible at the same time), and buffer requirements from Residential, Recreational, and Senior Citizen Residential Overlay zoning districts (750 feet); and

WHEREAS, the proposed local law will decrease buffer requirements from 500 feet to 450 feet specified in §240-19.2 C.(3)(b) for illuminated billboards and structures within Residential, Recreational, and Senior Citizen Residential Overlay zoning districts; and

WHEREAS, the proposed local law will also edit the existing text in sections §240-19.2 C.(3)(b) and I.(1)(b) to state that the specified buffer requirements are for “any and all occupied single or multiple family dwelling(s), or occupied dwelling unit(s) within a Residential, Recreational or Senior Citizen Residential Overlay zoning district”; the proposed text has been edited to further define dwelling units as being “occupied”; the submitted letter indicates this edit is in deference to SOCPA’s comments for the previous version of the text amendment; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 5, 2018, the previous text amendment has also been updated to strike subsection §240-19.2 C.(3)(d) stating “Billboards shall not be erected within 500 feet of an interchange, intersection, safety rest stop, or information center”; the submitted letter states that this change is proposed because these distance requirements are already governed through the permit process of the New York State Department of Transportation; and

WHEREAS, in July 2016, the Town adopted an amendment to §240-19.2, however, it was rejected for filing by the Secretary of State due to errors made in the timing of the filing; the proposed text amendment currently under review is congruous with the attempted amendment of July 2016 and differs only in that structures from which distances are to be measured for setback purposes are now more clearly defined; the Board did not review a referral for the proposed text amendment from 2016; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.



Douglas B. Morris, Chairman
Onondaga County Planning Board
Transmittal Date: 01-17-2018

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | |
|---|--------------|--|--|
| Part 1 - Project and Sponsor Information | | | |
| TOWN OF GEDDES | | | |
| Name of Action or Project: AMENDMENT OF I-690 BILLBOARD OVERLAY LOCAL LAW | | | |
| Project Location (describe, and attach a location map): ALONG I-690, TOWN OF GEDDES | | | |
| Brief Description of Proposed Action: AMENDMENT OF THE I-690 BILLBOARD OVERLAY LAW TO MODIFY DISTANCE CRITERIA AS SET FORTH IN TOWN CODE SECTIONS 240-19.2 SUBSECTIONS C.(3)(B) AND I.(1)(B). BY CHANGING THE SET BACK FOR ILLUMINATED BILLBOARDS IN C.(3)(B) FROM 500 FEET TO 450 FEET, AND TO CHANGE IN BOTH SECTIONS THE MEASUREMENT FOR SET BACK PURPOSES FROM ZONE BOUNDARIES TO READ OCCUPIED SINGLE OR MULTIPLE FAMILY DWELLING UNIT(S) OR DWELLING UNITS(S) WITHIN RESIDENTIAL, RECREATIONAL OR SENIOR CITIZEN RESIDENTIAL OVERLAY DISTRICT, AND TO CORRECT AN ERROR IN FILING OF THE ORIGINAL AMENDMENT WHICH RESULTED IN ITS BEING REJECTED BY THE SECRETARY OF STATE. THE AMENDMENT PROPOSED HEREIN IS CONGRUENT WITH THE AMENDMENT PREVIOUSLY ADOPTED AND APPROVED BY SOCPA. and striking subsection 3C(D) dealing with intersection/interchange/rest stop and information center distance requirements. | | | |
| Name of Applicant or Sponsor: TOWN OF GEDDES | | Telephone: 315 468-3600 E-Mail: C/O DAVID@CERIALAWOFFICES.COM | |
| Address: 1000 WOODS ROAD, | | | |
| City/PO: SOLVAY | State: NY | Zip Code: 13209 | |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: SOCPA | | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | _____ 15 acres | |
| b. Total acreage to be physically disturbed? | | _____ 0 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | _____ 0 acres | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland | | | |

| | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | NO | YES | N/A |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the proposed action located in an archeological sensitive area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 16. Is the project site located in the 100 year flood plain? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

| | | |
|--|----|-----|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> | NO | YES |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> | NO | YES |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> | NO | YES |
| <p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Town of Gedden</u> Date: <u>4/5/18</u></p> <p>Signature: <u>[Signature]</u></p> | | |

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form
Part 2 - Impact Assessment*

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

| | No, or small impact may occur | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

PRINT FORM

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

THERE ARE NO IDENTIFIED LONG OR SHORT TERM SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THIS ACTION. THIS ACTION IS THE ADOPTION OF AN AMENDMENT TO AN EXISTING ZONING OVERLAY DISTRICT TO MODIFY THE MEASUREMENT CRITERIA FOR SET BACKS. THIS AMENDMENT IS CONGRUOUS WITH A PREVIOUSLY ADOPTED AMENDMENT WHICH WAS APPROVED BY THE TOWN BOARD AND SOCPA BUT WHICH WAS REJECTED FOR FILIGN PURPOSES DUE TO TECHNICAL ERRORS ASSOCIATED WITH THE TIMING OF THE ATTEMPT TO FILE THE PRIOR LOCAL LAW WITH THE SECRETARY OF STATE.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Gaddor _____ Date _____
 Name of Lead Agency

Jerry Albano _____
 Print or Type Name of Responsible Officer in Lead Agency

Superior _____
 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

[Signature] _____
 Signature of Preparer (if different from Responsible Officer)