

Exhibit 2

Zone Change Petition Standards of Review Analysis

White Pine Commerce Park
Zone Change Petition – Standards of Review Analysis

Onondaga County Industrial Development Agency (“OCIDA”) owns 64 parcels (over 1,200 acres) in the Town of Clay’s White Pine Commerce Park (“Park”). The Park was created to support a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large-scale or small-scale manufacturing or assembly, warehousing, data management, material processing, and distribution facilities, all in a campus-like setting. To enhance the viability of large-scale developments, OCIDA has expanded the Park’s footprint, and to ensure the Park can achieve its purpose, the underlying zoning of OCIDA’s properties within the Park must be changed. OCIDA petitions the Town Board to adopt a resolution changing the zoning of 55 (out of its 64) parcels to I-2 (“Petition”). Parcels in the Park already zoned I-2, any parcel part of the Park but not under OCIDA ownership, or parcels outside of the Town of Clay, are not part the Petition request.

Pursuant to Town of Clay Zoning Code (“Zoning Code”) § 230-24.C(2)(a) – (c), the Town Board adoption of a zone change is subject to three listed “Standards of Review.” For consideration by the Town Board as part of its decision and the Planning Board pursuant to its recommendation, please find the below responses to each standard of review set forth in the Zoning Code.

§ 230-24.C(2)(a) Compliance to Town planning.

All zoning amendments shall be considered with respect to the Town’s planning actions, programs, studies, and/or any planning documents that are consistent with the provisions of NYS Town Law § 272-a. All zoning amendments shall seek to further the policies of these programs and plans.

OCIDA Response: The Town of Clay does not have a Comprehensive Plan. The Purpose of the Town’s Zoning Code is to “promote and protect, to the fullest extent reasonable, the environment of the Town and its public health, safety and general welfare.” Zoning Code § 230-3. “The purpose of the I-2 District is to promote and accommodate processes that primarily operate in a clean and orderly manner that may involve exterior activities sensitive to environmental features and available public services.” Zoning Code § 230-17.D(1).

The rezoning request achieves the purpose of Town zoning because it promotes the general welfare of the Town. An I-2 zoning classification makes the Park more viable, accelerating economic growth, increasing the tax base, and enhancing the feasibility of developments that achieve the purpose of the Park. A developed Park also equates to thousands of new jobs and spin-off developments that offer an opportunity to introduce new, varied commercial and residential developments to the Town or surrounding areas—which can help achieve planning goals locally and regionally.

Further, development and expansion of the Park, “promote[s] and protect[s], to the fullest extent reasonable, the environment of the Town.” Development and expansion of the Park has been thoroughly evaluated and reviewed by OCIDA, as lead agency, during its environmental review pursuant to the State Environmental Quality Review Act

("SEQRA"). OCIDA, taking a hard look at the environmental impacts, issued a Finding Statement in July 2021 as a supplement to its 2013 Final Generic Environmental Impact Statement and 2013 Finding Statement. The 2021 Findings Statement is enclosed as Exhibit 6 to this Petition and its conclusions are fully incorporated in this Petition.

The Finding Statement reviewed and incorporated into its determination, prior Town of Clay and other governmental agency studies like the 2010 Syracuse Metropolitan Transportation Council Clay-Cicero Route 31 Transpiration Study, the Town of Clay Northern Land Use Study, and the 2012 Development Guide for Onondaga County. Ex. 6 pp. 3, 10. The Park is strategically located at the northwestern edge of the Town, adjacent to the border with the Town of Cicero and Interstate-81 to enhance connectivity and minimize traffic/commute times.

As set forth more fully in the 2021 Finding Statement, consistent with social, economic and other essential considerations, the Park expansion and development avoids, and this corresponding Petition request, minimizes or mitigates to the maximum extent practicable all significant adverse environmental impacts. Ex. 6 p. 10.

§ 230-24.C(2)(b) Community well-being.

All zoning amendments shall, in the judgment of the Town Board, enhance the health, safety and welfare of the entire Town and promote land development that furthers the community interests of the Town.

OCIDA Response: In further to the response above, OCIDA submits that the proposed zoning amendment enhances, the health, safety, and welfare of the entire Town and promotes subsequent land development that furthers the community interests of the Town. Additionally, the zoning amendment has been thoroughly and critically evaluated for environmental impacts. "Environment" for purposes of SEQRA includes not only traditional natural elements of environment (land, air, water, flora, fauna, resources, etc.), but also neighborhood and other planning concerns like noise, traffic, patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health. 6 NYCRR § 617.2(l). In finding the Park expansion, rezoning, and development avoids, minimizes or mitigates to the maximum extent practicable all significant adverse environmental impacts, the 2021 Findings Statement found the zoning amendment also enhances the community well-being.

For example, subsequent Park development can result in induction of new, varied, and diverse housing options that can stabilize and increase population as well as fortify the tax base. In turn, additional dollars available to a municipality can lead to more public investment into recreation, parks, schools, libraries, and other public services. The Park expansion will not cause the loss of any land in an agricultural district. The Park development is also expected to reduce poverty based on studies done in similar areas of the State following similar developments. The expected increase in high-paying, permanent jobs, can result in increased commercial opportunity throughout the region like

restaurant patronage, attendance at concerts and entertainment venues, and charitable support along with support of civic and cultural organizations. *See* Ex. 6 p. 9

§ 230-24.C(2)(c) Districts.

Districts with separate and distinct regulations for land uses and structures may be established and applied when they further Town-wide objectives, respond to general conditions within an area and will uniformly treat land uses and structures within the district.

OCIDA Response: While the zoning amendment covers an approximate 861.58 acres, the request will align those acres with the immediately adjacent 339.41 acres also under OCIDA ownership and already zoned I-2. The zoning map amendment uniformly treats the entirety of the OCIDA owned parcels with the same zoning regulations, and a uniform zoning enhances the probability of development of the OCIDA owned parcels.