

Zoning Law Issues for Comprehensive Overhaul –

- Provide clearly defined dimensional requirements where either none existed or gave the discretionary authority to a single person or department staff.
- All definitions will be placed in one section. Definitions section will remove words that are not contained in the law and clearly define those that are, including new definitions for the following:
 - "Family" – To comply with Fair Housing Case Law
 - "Short-term rental" to address Airbnb issues
 - "Medical clinics" vs "hospitals" and remove from smaller scale zones (TND, NB) – ADA compliance
 - Recreational and Medical marijuana provisions – to comply w NYS Law
 - Solid Waste Transfer Station vs. Other Organics Recycling Facility
- One section for landscaping requirements including sustainable development stormwater controls that add provisions for pervious pavement and green roofs. Greenspace and open space protections will be standardized as part of a required landscape plan. Recommended native species list.
- One section for parking requirements with a trigger clause for site plan review upon expansion.
- One section for signs, need to amend to comply with first amendment case law.
- One section for site plan review requirements.
- Remove River Road Overlay District, incorporate some provisions in the existing waterfront zoning districts.
- Provide basic design guidelines – require minimum standards where applicable. Encourage LEED and other energy efficiency standards. Pedestrian compatibility with Complete Streets Policy.
- Incorporate "Plates" into the revised law as graphics in each appropriate section.
- Districts need to be clearly defined into Residential, Commercial, Industrial, and Special Uses (Solar, WECS, Adult Uses, Outdoor Dining, etc...)
- Special use permit enforcement section needs to be re-written.
- A home occupation regulation will be added that better defines what can occur in a residential district.
- Special exception use permit waiver language will be omitted.

Attachment "A"

- Remove section § 215-132.1. Zoning of unzoned areas of Town. And provide a Community Facilities Zoning District to cover the schools, parks and cemeteries.
- Review structural height regulations in all districts paying particular attention to bordering use districts
- Engineering standards will be developed as a reference for architects and engineers designing projects to meet our Code. PIP, Highway Work Permits (sidewalks, aprons, x-walks, access drives, curbing, etc), MS4 requirements.
- All zones should have a similar format although we should also consider form based design in higher density mixed-use zones (TND or NB?):
 - Purpose and intent
 - Permitted uses
 - Accessory uses and structures
 - Prohibited uses
 - Special uses
 - Area requirements – Yards, lot coverage/minimum greenspace, building sq. ft., accessory sq. ft.,
 - District specific design requirements – Kept to a minimum, but for instance - exterior material requirements in TND.
- Transit Oriented Design District or language for areas along Niagara Falls Blvd./Sheridan Drive to accommodate either LRT/BRT or other mass transit.
- Planned Use Development (PUD) District – For commercial/mixed-use redevelopment like NRG-Huntley site.
- Map Amendments should include NRG-Huntley, Aqua Lane Neighborhood, Sheridan-Parkside/Military Road, look at including some allowances for residential and mixed-use as stated in the Waterfront Land Use Plan.
- Fence regulations will be a separate Article or pulled out into a separate ordinance. Both residential and commercial standards will be developed.