

Proposed Amendments to Current Buffalo Zoning Ordinance

The existing City of Buffalo zoning regulations are found in Chapter 29 of the City Code. Portions of the Chapter are 20 or more years old; the language can be confusing, along with the intent. Extra words such as 'herewith' or 'hereinafter' are not necessary, and reference to ordinance citations could be deleted.

A review of the current zoning ordinance was conducted, and it is recommended that a number of amendments be made, including these:

- The definitions of manufactured/modular homes and mobile homes can be edited for more clarity. Reference can be made in the first definition that these homes are built to comply with either U. S. HUD standards or IBC requirements.
- Rather than having the building inspector be responsible for reviewing all manufactured or modular homes in the R-1 district, the City could adopt design standards that automatically apply to these units.
- The Zoning and Planning Commission is also defined as the Board of Adjustment or the Planning Commission. It is also referred to as the Planning and Zoning Commission or the Commission throughout the ordinance. Use one phrase such as Planning and Zoning Commission rather than the interchangeable use of five terms. 'Commission' can be used as a shortened version, if desired.
- Allowing townhouses as a special use in R-1 and R-2 zoning districts seems appropriate. However, the language pertaining to townhouses is very restrictive to the point of not even allowing a home occupation.
- The Clustered Residential Overlay District is an interesting concept. The City should monitor how well it is working in application and may want to consider creating another opportunity for developing a mixed land use subdivision by adopting a Planned Unit Development (PUD) zoning category. The PUD concept encourages innovative lot layout and open space in exchange for greater density. It also allows a mix of land uses, often being residential mixed with neighborhood commercial uses (e.g. dry cleaning service, small restaurants, banks).
- Create a new section for development standards. For example, Sec. 29-1.7 about the mobile home park district refers the reader to the specifications in City Ordinance No. 875. It is easier and more user friendly to have all the information available in one document.
- Consider expanding the mobile home park district so manufactured/modular homes may also locate there.
- Very little sign regulation or guidance is mentioned. This must be addressed as soon as possible, especially with regard to such standards as size, material, or

flashing lights. The best way to handle this is to prepare and adopt an entire section devoted to signs.

- The B-2 business district lists all the exceptions to permitted uses in that zoning district, rather than listing the allowed uses. All of the other district descriptions include the allowed uses rather than listing exceptions, making this variation confusing to the reader.
- Rather than referring readers back to preceding sections to find out what the development regulations are for set backs, height, or parking, it may be more beneficial to list all of these regulations in one place. The logical place would be in a new section for development standards, which would then include 'set backs, height limit, and parking requirements.'
- Uses in the M-1 Industrial district must be approved by the Board of Adjustment. This is just another name for the City Planning and Zoning Commission. That name can be inserted in place of the Board of Adjustment.
- It is not clear why Section 29-1.11 Fire Districts is included in the Zoning Ordinance.
- Section 29-1.12, General Provisions and Exceptions, is written in a more complicated style than necessary. It should be rewritten to be much more straight-forward and clear as to the intent of every item.
- The Conditional Use Permit process should be expanded to outline the responsibilities of the applicant, the staff, and the Commission. It appears that the process ends following the hearing before the Planning and Zoning Commission. Is there any interest in forwarding these permits to the City Council for final approval?
- The Administration Section (29-1.15) is primarily focused on the issuing of building permits. It can be more clearly written. It is also not clear who the Administrative Officer is.
- Replace the Board of Adjustment language in Section 29-1.17 with one describing the Planning and Zoning Commission.
- A section should be included for the hearing of variance requests to the strict interpretation of the Zoning Ordinance.