

## Article I: Title and Purpose

### §1-1 Purpose.

- A. The purpose of this chapter is to provide for the orderly and equitable development of the City of Lackawanna in accordance with the goals and land use patterns outlined in the City of Lackawanna Comprehensive Plan. The Zoning Chapter is developed to achieve, among others, the following objectives:
1. Protect the character and values of open space, residential, commercial, industrial and institutional land uses;
  2. Regulate the location and intensity of buildings and uses;
  3. Preserve and protect significant natural resources that contribute to the health and wellness of the local and regional ecosystems,
  4. Preserve and promote the aesthetic values of the City to ensure that structures and land use arrangements are harmonious with surrounding structures and land uses;
  5. Facilitate the provision of adequate transportation and parking facilities to maximize the utility of transportation infrastructure, protect the safety of pedestrians, cyclists, and motorists, and promote the convenience of consumers and employers;
  6. Encourage the efficient use of public infrastructure while preventing the overcrowding of land and excessive concentration of population
  7. Provide adequate open spaces for light, air and outdoor uses;
  8. Protect persons and property from damage and injury due to fire or flood;
  9. To accomplish the specific intents and goals set forth in the introductions to the respective sections,
  10. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.

### §1-2 Authority.

This Zoning Chapter is adopted under the grant of power set forth in §20 of NYS General City Law.

### §1-3 Title.

This chapter shall be known and may be cited as the "City of Lackawanna Zoning Law" for the City of Lackawanna, County of Erie, State of New York.

#### §1-4 Repealer.

The Zoning Chapter of the City of Lackawanna adopted January 22, 2002, the corresponding Zoning Map, together with all subsequent amendments, are repealed on the effective date of this Zoning Chapter.

#### §1-5 Application.

- A. General application. This chapter shall apply on its effective date to all uses that have not commenced and structures that have not been constructed regardless of the status of permits or certificates of occupancy issued pursuant to the New York State Uniform Fire Prevention and Building Code.
- B. Buildings under construction. Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been issued and which the entire building shall be completed within one year from the date of the passage of this chapter.
- C. Future projects. No building, structure or land shall hereafter be used or occupied, and no building or structure shall be erected, relocated, extended, enlarged or altered except in conformity with the regulations hereinafter designated for the district in which such building, structure or land is located.

#### §1-6 Interpretation.

- A. Conflict with other laws and regulations.
  - 1) The provisions of this chapter shall not annul or in any way interfere with existing deed or plat restrictions, easements or other agreements between persons, codes, laws, rules, regulations or permits previously adopted or issued, except those ordinances or sections which are contrary to, or in conflict with, this Zoning Chapter.
  - 2) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements, adopted for the promotion of the public health, safety and welfare. Whenever the requirements of this chapter are inconsistent with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive, or that imposing the highest standards, shall govern.

#### §1-7 Official Record.

The official record of this Zoning Chapter and any amendments thereto is kept by the City of Lackawanna City Clerk, all other representations, digital or otherwise are a reproduction.