

Summary of Text Changes

Article 1: Title and Purpose

The changes to this section were largely for clarity purposes. Edits to the purpose statement puts more emphasis on the alignment of ideas in the zoning chapter to the Comprehensive Plan.

The Repealer (§1-4) was updated to reflect the repeal of the current ordinance in anticipation of the adoption of the new zoning language.

The Interpretation section (§1-6) was edited to remove redundant language in the Minimum requirements clause (same idea was stated twice and worded slightly differently).

A clause was added (§1-7) to clarify that the official record of the zoning code will be on file with the City Clerk. This will provide clarity as to which code prevails as the code is amended intermittently between hard copy and digital.

Article 10: Administration

The changes to this section allow for an expanded role of the Zoning Officer (Director of Development) to expedite the review process and clarify the responsibilities for certain types of review. The changes within this section also provide each board with responsibilities during the review process to send a clear message to the development community about the City's expectations.

The Zoning Officer's responsibilities are called out by type (Review, Final, and Enforcement) and given specific application types that fit into these categories. This section also allows the Zoning Officer to delegate their authority to whomever they chose (most likely a code enforcement officer, City Staff or a consultant).

Similarly, the Planning Board and Zoning Boards are organized in the same fashion to provide clear roles and responsibilities for each board. All procedures for the appointment of members and the organization of the boards have remained the same.

Article 11: Permit and Site Plan Procedures; Enforcement and Penalties

The regulation of floodplains and their procedures, as well as the building permit requirements, have remained the same.

The Zoning Permits section was expanded to increase formality of the permit process. A zoning permit allows for an expedited review of minor development applications. Minimum submittal requirements and a procedure are added to provide clarity.

The largest change within this section is the introduction of thresholds for site plan review. In the existing zoning, site plan review is determined by what land use is proposed regardless of the size of development. In the new zoning code, the size of development and its proximity to residential uses will be the driving factor of whether the Planning Board will review the application. The thresholds established are aimed to expedite the review of residential projects while being cognizant that development can impact neighboring properties. Those applications that do not meet the threshold for Planning Board review will ultimately be reviewed and approved by the Zoning Officer or their designee.

The site plan submittal requirement for the consideration of tentative budgeting and financial sources was removed. This should not be considered by the Planning Board during their review and does not reflect the merits of the project being reviewed.

A Special Use Permit procedure was added so that uses that the city might consider having a potential detrimental effect based on their placement will require an additional review. This review is subject to more criteria so that there is another level of review and consideration for these uses. This review will be conducted by the Zoning Board of Appeals, with the exception of Solar Energy Systems, which will be reviewed by the City Council for a Special Use Permit. These Special Use Permits will ensure that the proposed uses align as closely as possible with goals of the City of Lackawanna.