

Article III

District Regulations

~~§ 230-10 Single Family Residential—SFR.~~ **§4-1-Residential District 1 (R-1)**

A.—~~Purpose. Single Family Residential Districts have been designated in the City of Lackawanna to preserve the unique character of the City's homogenous, single family residential areas. The district has been designed to limit the introduction of commercial uses and alternative housing styles in order to preserve single family residential property values.~~

B.—Use regulations:

~~Permitted Uses and Structures~~

~~Single family detached dwellings~~

~~Permitted Accessory Uses (subject to the provisions of this chapter)~~

~~Off street parking and loading facilities~~

~~Private garages with space for no more than three vehicles~~

~~Signs~~

~~Fences, walls and hedges~~

~~Private swimming pools~~

~~Recreation facilities for the exclusive use of the primary use residents~~

~~Satellite receiving antenna~~

~~Alternative energy system apparatus~~

~~Accessory storage buildings~~

~~Site Plan Review Uses~~

~~Houses of worship~~

~~Public buildings and uses~~

~~Cemeteries~~

~~Essential public services where no other site is available~~

C.—Site area requirements:

Lot Dimensions

Minimum lot size	6,000 square feet
Minimum lot frontage	60 feet
Maximum building height	2 1/2 stories or 25 feet

Yard Size

Maximum front yard	25 feet
Minimum side yard	10 feet each side
Minimum rear yard	25 feet

Maximum Coverage

Building	20%
Lot	30%
Minimum landscaping	20% for site plan review uses
Maximum density	7 units per acre

A. Purpose.

The intent of the R-1 District is to permit the construction and/or reconstruction of homes in a manner that generally consists of owner-occupied, detached homes on varied lot sizes, with unobstructed front yards, sidewalks, street trees, and other amenities.

B. Principal and Special Uses

Permitted uses within the R-1 District are listed within the schedule of uses in §230-xx. There shall not be more than one principal residential structure permitted on a lot in the R-1 District.

C. Dimensional Standards

Minimum Lot Size	6000 sf
Minimum Lot Frontage	60 ft
Maximum Building Height	2.5 stories or 25 feet
Minimum Front Yard Setback	25 ft
Rear Yard Setback	25 ft

Side Yard Setback	8 ft each side
Maximum Lot Coverage (including accessory structures)	40%
Minimum Floor Area (Principal Dwelling Only)	
Under 2 Stories	1,000 sf
2 or more stories	1,200 sf

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Detached Garage	
Shed	
Off Street Parking	§230-xx
Accessory Dwelling Unit	§230-xx
Home Occupation	§230-xx
Neighborhood Garden	§230-xx
Private recreational structures and uses	
Fences	§230-xx
Private schools and day cares, accredited when required by NYS, when accessory to a Place of Worship	
Swimming Pools	§230-xx
Signs	§230-xx
Solar energy system	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Minimum Building Separation	5 ft
Minimum from Lot Line	5 ft
Maximum Height	20 ft

F. General Development Standards.

Development in the R-1 District shall comply with the general development standards listed in §230-xx as applicable.

~~§ 230-11 Mixed Residential – MR.~~

~~A. Purpose. Mixed Residential Districts have been designated in the City of Lackawanna to~~

acknowledge the diversity of housing types currently available in the City's residential neighborhoods. The district is designed to allow a variety of housing styles and flexibility in building placement while protecting the appearance and character of residential neighborhoods.

~~B. Use regulations.~~

Permitted Uses and Structures	Single-family detached dwellings
	Two-family detached dwellings
	Private garages with space for no more than three vehicles
	Home occupations
	Off-street parking and loading facilities
	Signs
Permitted Accessory Uses (subject to the provisions of this chapter)	Fences, walls and hedges
	Private swimming pools
	Recreation facilities for the exclusive use of the primary use residents
	Satellite receiving antenna
	Alternative energy system apparatus
	Accessory storage building
	Attached single-family residences
	Multiple dwellings
Site Plan Review Uses	Mobile home parks
	Child care centers
	Houses of worship

~~Public buildings and uses~~

~~Essential public services where no other site is available~~

~~C. Site area requirements.~~

~~**All Uses**~~

~~Maximum Building Height 3 stories or 30 feet~~

~~Minimum Front Yard 25 feet~~

~~Maximum Building Coverage 35%~~

~~Maximum Lot Coverage 50%~~

~~**Single and Two-Family Detached**~~

~~Minimum Lot Size 4,500 square feet~~

~~Minimum Lot Frontage 45 feet~~

~~Minimum Side Yard 5 feet~~

~~Minimum Rear Yard 20 feet~~

~~Maximum Density 20 units per acre~~

~~**Attached Single-Family Residential**~~

~~Minimum Lot Size 7,000 square feet~~

~~Minimum Lot Frontage 70 feet~~

~~Maximum Building Length 160 feet~~

~~Minimum Side Yard 10 feet or 1/2 building height, whichever is greater~~

~~Minimum Rear Yard 30 feet~~

All Uses

Minimum Inter-building Yard	60 feet
Maximum Number of Units per Structure	4
Maximum Density	20 units per acre
Minimum Open Space	500 square feet per dwelling
Minimum Landscaping	20%

Multifamily Dwellings

Minimum Lot Size	8,000 square feet
Minimum Lot Frontage	75
Maximum Building Length	160 feet
Minimum Side Yard	30 feet
Minimum Rear Yard	30 feet
Maximum Density	36 units per acre
Minimum Open Space	500 square feet per dwelling
Minimum Landscaping	20%

§4-3 Residential District 2 (R-2)

A. Purpose.

The intent of the R-2 District is to promote the development of a diversity of housing types including attached and detached residential structures. This district intends to provide flexibility in style, and placement while protecting the value and character of existing neighborhoods.

B. Principal and Special Uses

Permitted uses within the R-2 District are listed within the schedule of uses in **§230-xx**

C. Dimensional Standards

Minimum Lot Size	3,000 sqft
Minimum Lot Frontage	30 ft
Maximum Building Height	2.5 stories or 25 feet
Front Yard Setback	10 ft
Rear Yard Setback	20 ft
Side Yard Setback	5 ft/ 10 ft combined
Maximum Lot Coverage (including accessory structures)	60%

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Detached Garage	
Shed	
Off Street Parking	§230-xx
Accessory Dwelling Unit	§230-xx
Home Occupation	§230-xx
Neighborhood Garden	§230-xx
Fences	§230-xx
Swimming Pools	§230-xx
Solar Energy System	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Minimum Building Separation	5 ft
Minimum from Lot Line	5 ft
Maximum Height	20 ft

F. General Development Standards.

Development in the R-2 District shall comply with the general development standards listed in §230-xx as applicable.

§4-3 Residential District 3 (R-3)

A. Purpose.

The intent of the R-3 District is to provide opportunity for the development of medium density housing where the style, orientation, and character blend into the existing fabric of the neighborhood.

B. Principal and Special Uses

Permitted uses within the R-3 District are listed within the schedule of uses in §230-xx.

C. Dimensional Standards

Minimum Lot Size	7,500
Minimum Lot Frontage	75 ft

Maximum Building Height	4 stories or 45 ft
Minimum Front Yard Setback	20 ft
Rear Yard Setback	20 ft
Side Yard Setback	10 ft
Maximum Lot Coverage (including accessory structures)	60%

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Detached Garage	
Shed	
Off Street Parking	§230-xx
Accessory Dwelling Unit	§230-xx
Home Occupation	§230-xx
Neighborhood Garden	§230-xx
Fences	§230-xx
Private recreational structures and uses	
Swimming Pools	§230-xx
Solar energy System	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Minimum Building Separation	5 ft
Minimum from Lot Line	5 ft
Maximum Height	20 ft

F. General Development Standards.

Development in the R-3 District shall comply with the general development standards listed in §230-xx as applicable.

§ 230-12 Central Business District - CBD.

~~A. Purpose. The Central Business District has been created in the City of Lackawanna to foster the development of the City's commercial, civic and tourism center. The District encourages residential, commercial and public uses to create a vibrant, mixed-use activity center. The scale and design of buildings have been regulated to preserve and enhance the urban character of the corridor.~~

The Central Business District intends to foster the development of the City's commercial, civic and tourism center. The CBD encourages residential, commercial and public uses acting together to create a vibrant, mixed-use activity center. The scale and design of buildings should seek to preserve and enhance the urban character of the corridor.

~~B. Use regulations.~~

Permitted Uses and Structures	None
Permitted Accessory Uses (subject to the provisions of this chapter)	<p>Picnic and transit shelters</p> <p>Off-street parking and loading facilities</p> <p>Signs</p> <p>Fences, walls and hedges</p> <p>Satellite receiving antenna</p> <p>Alternative energy system apparatus</p> <p>Accessory storage buildings</p>
Site Plan Review Uses	<p>Multifamily dwellings which comply with the provisions of § 230-11</p> <p>Pedestrian-oriented commercial uses, including retail and/or personal service establishments, restaurants, hotels, private clubs, and professional offices</p> <p>Health-care facilities</p> <p>Houses of worship</p> <p>Public buildings and uses</p>

~~C. Site area requirements.~~

Lot Dimensions

Minimum Lot Size 4,000 square feet

Minimum Lot Frontage 25 feet

Floor Area

Minimum 2,000 square feet

Maximum 10,000 square feet

Lot Dimensions

Maximum Building Height 4 stories or 40 feet

Yard Size

Maximum Front Yard 5 feet or average of buildings within 100 feet, whichever is less.

Minimum Side Yard 0 feet

Minimum Rear Yard 25 feet

Maximum Coverage

Building 50%

Lot 80%

B. Principal and Special Uses

Permitted uses within the Central Business District are listed within the schedule of uses in §230-xx.

C. Dimensional Standards

Minimum Lot Size	4,000 sf
Minimum Lot Frontage	N/A
Maximum Building Height	5 stories or 55 feet
Maximum Front Yard Setback	10 ft
Rear Yard Setback	10 ft
Side Yard Setback	0 ft
Maximum Lot Coverage (including accessory structures)	80%
Minimum Floor Area (ground story)	1,000 sf

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Shed	
Off Street Parking, Loading, and Stacking Facilities	§230-xx
Fences	§230-xx
Signs	§230-xx
Solar Energy System	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Accessory structures shall meet the dimensional requirements of principal structures.

F. General Development Standards.

Development in the CBD District shall comply with the general development standards listed in **§230-xx** as applicable.

§ 230-13 *Neighborhood Commercial - NC.*

A. Purpose. The purpose of the Neighborhood Commercial Districts is to encourage the development of commercial uses serving the day-to-day needs of local residents, to support neighborhood activities and insure the compatibility of commercial development with the surrounding residential districts.

B. ~~Use regulations.~~

~~Permitted Uses and Structures~~ ~~None~~

~~Permitted Accessory Uses (subject to the provisions of this chapter)~~

~~Picnic and transit shelters~~

~~Off-street parking and loading facilities~~

~~Signs~~

~~Private swimming pools~~

~~Fences, walls and hedges~~

~~Satellite television receiving antenna~~

~~Solar collection apparatus~~

~~Accessory storage buildings~~

~~Site Plan Review Uses~~

~~Pedestrian-oriented commercial uses, including small retail and/or personal service establishments, convenience businesses, restaurants, taverns, and professional offices~~

~~Child care centers~~

~~Drive-through commercial facilities~~

~~Automotive service stations~~

Permitted Uses and Structures

None

~~Animal service facilities~~

~~Health care facilities~~

~~Houses of worship~~

~~Public buildings and uses~~

~~Multifamily dwellings or apartment building~~

C. Site area requirements.

Lot Dimensions

~~Minimum Lot Size~~ 4,000 square feet

~~Minimum Lot Frontage~~ 40 feet

~~Floor Area — Maximum~~ 10,000 square feet

~~Maximum Building Height~~ 3 stories or 30 feet

Yard Sizes

~~Maximum Front Yard~~ 10 feet

~~Minimum Side Yard~~ 0 feet

~~Minimum Rear Yard~~ 10 feet

Maximum Coverage

~~Building~~ 50%

~~Lot~~ 80%

~~Minimum Landscaping Coverage~~ 20%

B. Principal and Special Uses

Permitted uses within the Neighborhood Commercial District are listed within the schedule of uses in §230-xx

C. Dimensional Standards

Minimum Lot Size	2,500 sf
Minimum Lot Frontage	30 ft
Maximum Building Height	3 stories or 35 feet
Maximum Front Yard Setback	10 ft
Rear Yard Setback	10 ft
Side Yard Setback	3 ft
Maximum Lot Coverage (including accessory structures)	80%
Minimum Floor Area (ground story)	1,000 sf

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Detached Garage	
Shed	
Off Street Parking	§230-xx
Accessory Dwelling Unit	§230-xx
Home Occupation	§230-xx
Neighborhood Garden	§230-xx
Private recreational structures and uses	
Fences	§230-xx
Private schools and day cares, accredited when required by NYS, when accessory to a Place of Worship	
Swimming Pools	§230-xx
Signs	§230-xx
Solar Energy System	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Accessory structures shall meet the dimensional requirements of principal structures.

F. General Development Standards.

Development in the NC District shall comply with the general development standards listed in §230-xx as applicable.

§ 230-14 Regional Commercial - RC.

~~A. Purpose. Regional Commercial Districts have been designated in the City of Lackawanna to encourage the development of large-scale commercial uses, while protecting surrounding uses from increased traffic, lighting, noise and other~~

encroachments.

A. Purpose.

The Regional Commercial District focuses on the encouragement of large-scale commercial uses, while protecting surrounding uses from increased traffic, lighting, noise and other encroachments.

~~B. Use regulations.~~

~~Permitted Uses and Structures~~ **None**

~~Permitted Accessory Uses
(subject to the provisions of
this chapter)~~

~~Picnic and transit shelters~~

~~Off-street parking and loading facilities~~

~~Signs~~

~~Fences, walls and hedges~~

~~Satellite receiving antenna~~

~~Alternative energy system apparatus~~

~~Accessory storage and maintenance buildings~~

~~Site Plan Review Uses~~

~~Automobile-oriented commercial establishments that
involve retail sales, food services or the stock of goods,
wares or merchandise, including drive-through facilities~~

~~Automotive service stations~~

~~Automobile sales facilities~~

~~Commercial entertainment facilities~~

~~Maritime activities~~

~~Animal service facilities and kennels~~

~~Home and garden supply stores, including nurseries and
lumber yards~~

Permitted Uses and Structures ~~None~~

~~Multifamily dwellings~~

~~Public buildings and uses~~

~~Telecommunications towers~~

~~C. Site area requirements.~~

~~Lot Dimensions~~

~~Minimum Lot Size~~ 5,000 square feet

~~Minimum Lot Frontage~~ 50 feet

~~Floor Area — Minimum~~ 10,000 square feet

~~Maximum Building Height~~ 3 stories or 30 feet

~~Yard Size~~

~~Minimum Front Yard~~ 20 feet

~~Minimum Side Yard~~ 20 feet

~~Minimum Rear Yard~~ 20 feet

~~Maximum Lot Coverage~~ 80%

~~Minimum Landscaping Coverage~~ 20%

~~§ 230-15 Mixed Commercial and Industrial — MCI.~~

~~A. Purpose. A Mixed Commercial and Industrial Use District has been created in the City of Lackawanna's First Ward. The district is designed to accommodate light industrial, office and automobile-oriented retail uses while protecting surrounding residential uses from industrial externalities.~~

~~B. Use regulations.~~

Permitted Uses and Structures ~~None~~

~~Permitted Accessory Uses
(subject to the provisions of
this chapter)~~

- ~~Picnic and transit shelters~~
- ~~Off-street parking and loading facilities~~
- ~~Signs~~
- ~~Fences, walls and hedges~~
- ~~Satellite receiving antenna~~
- ~~Alternative energy system apparatus~~
- ~~Accessory and storage buildings~~

~~Site Plan Review Uses~~

- ~~Light industrial uses~~
- ~~Trade and industrial schools~~
- ~~Automobile-oriented commercial establishments that
involve retail sales, food services or the stock of goods,
wares or merchandise, including drive-through facilities~~
- ~~Automotive service stations~~
- ~~Automobile sales facilities~~
- ~~Commercial entertainment facilities~~
- ~~Maritime activities~~
- ~~Animal service facilities and kennels~~
- ~~Home and garden supply, nurseries and lumber yards~~

~~C. Site area requirements.~~

Lot Dimensions

Minimum Lot Size

1 acre

Lot Dimensions

~~Minimum Road Frontage~~ 50 feet

Floor Area

~~Minimum~~ 10,000 square feet

~~Maximum Building Height~~ 3 stories or 30 feet

Yard Sizes

~~Minimum Front Yard~~ 20 feet

~~Minimum Side Yard~~ 20 feet

~~Minimum Rear Yard~~ 20 feet

~~Maximum Lot Coverage~~ 80%

~~Minimum Landscaping Coverage~~ 20%

~~Minimum Residential Buffer Dimensions~~ 30 feet wide and 8 feet high

B. Principal and Special Uses

Permitted uses within the Regional Commercial District are listed within the schedule of uses in §230-xx

C. Dimensional Standards

Minimum Lot Size	5,000 sf
Minimum Lot Frontage	50 ft
Maximum Building Height	3 stories or 35 feet
Maximum Front Yard Setback	20 ft
Rear Yard Setback	
Adjacent to a residential use	20 ft
Adjacent to a non-residential use	5 ft
Side Yard Setback	
Adjacent to a residential use	20 ft
Adjacent to a non-residential use	5 ft
Maximum Lot Coverage (including accessory structures)	80%

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Off Street Parking	§230-xx
Fences	§230-xx
Signs	§230-xx
Solar energy system	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Accessory structures shall meet the dimensional requirements of principal structures.

F. General Development Standards.

Development in the RC District shall comply with the general development standards listed in §230-xx as applicable.

~~§ 230-16 Industrial~~ — I. **§4-7 Enterprise District (ENT)**

~~A. Purpose. Industrial Districts have been designated in the City of Lackawanna to provide a balanced employment mix and diversified tax base for the City. The district is designed to accommodate light industrial, production and office and accessory uses in the City while protecting surrounding uses from the industrial externalities.~~

A. Purpose.

The Enterprise District within the City of Lackawanna provides a balanced employment mix and diversified tax base for the city. The district is designed to accommodate light industrial, assembly, and office uses while providing the opportunity for large scale warehousing and distribution near major transportation routes. The Enterprise District also aims to protect surrounding uses from industrial externalities.

~~B. Use regulations.~~

~~Permitted Uses and Structures~~

~~None~~

~~Permitted Accessory Uses (subject to the provisions of this chapter)~~

~~Picnic and transit shelters~~

~~Off street parking and loading facilities~~

Signs

Fences, walls and hedges

Satellite receiving antenna

Alternative energy system apparatus

Accessory and storage buildings

Site Plan Review Uses Light industrial uses

Medium industrial uses

Motor freight facilities

Warehouses and storage facilities

Trade and industrial schools

Employee service facilities such as credit unions, restaurants and child care centers which occupy no more than 10% of the developed floor area

Adult uses

Telecommunications towers

C. Site area requirements.

Lot Dimensions

Minimum Lot Size 1 acre

Minimum Road Frontage 100 feet

Floor Area

Lot Dimensions

Minimum	10,000-square feet
Maximum Building Height	4 stories or 40 feet

Yard Sizes

Minimum Front Yard	20 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	25 feet
Minimum Building Coverage	10%
Maximum Lot Coverage	80%
Minimum Landscaping Coverage	20%

B. Principal and Special Uses

Permitted uses within the Regional Commercial District are listed within the schedule of uses in §230-xx

C. Dimensional Standards

Minimum Lot Size	20,000 sf
Minimum Lot Frontage	75 ft
Maximum Building Height	4 stories or 45 feet
Minimum Front Yard Setback	20 ft
Rear Yard Setback	
Adjacent to a residential use	20 ft
Adjacent to a non-residential use	10 ft
Side Yard Setback	
Adjacent to a residential use	20 ft
Adjacent to a non-residential use	10 ft
Maximum Lot Coverage (including accessory structures)	80%

D. Accessory Uses and Structures

Accessory Use/ Structure	Standards
Off Street Parking	§230-xx
Fences	§230-xx

Signs	§230-xx
Solar Energy System	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Accessory structures shall meet the dimensional requirements of principal structures.

F. General Development Standards.

Development in the ENT District shall comply with the general development standards listed in §230-xx as applicable.

~~§ 230-17 Bethlehem Redevelopment Area - BRA.~~

~~[Amended 10-6-2009; 6-16-2014; 9-16-2014; 6-19-2018]~~

~~A. Light Industry District (BRA-LI).~~

~~(1) Purpose.~~

~~(a) The primary purpose of the BRA Light Industry (BRA-LI) District is to create a quality setting to provide for a variety of employment opportunities. The district encourages the development of a mix of uses, such as offices, research and development facilities, wholesale, warehousing/distribution, and light manufacturing uses, with the intent of offering a wide range of job opportunities. This district is also designed to improve the City's tax base.~~

~~(b) Properties in the BRA-LI are visible from New York State Route 5 and/or the Hamburg Turnpike and help establish the image of the area. Development in this district is subject to higher design standards in order to present an attractive setting.~~

~~(2) Use regulations.~~

~~(a) Permitted uses and structures:~~

~~[1] Banking and commercial offices;~~

~~[2] Laboratories, experimental, testing, research and development facilities;~~

~~[3] Offices: corporate/regional headquarters, governmental, administrative and local service centers;~~

~~[4] Office based enterprises such as administrative, back office and telemarketing facilities;~~

~~[5] Professional offices: real estate, insurance, medical and attorneys' offices in individual or common structures of at least 25,000 square feet;~~

~~[6] Public utility service structure or facility;~~

- ~~{7}—Research and development offices and laboratories;~~
- ~~{8}—Trade and industrial schools (postsecondary);~~
- ~~{9}—Training facilities;~~
- ~~{10}—Indoor recreation; and~~
- ~~{11}—Light manufacturing, assembly and fabrication, including:~~
 - ~~{a}—Electronic component and equipment assembly;~~
 - ~~{b}—Food and beverage products;~~
 - ~~{c}—Household items and furniture;~~
 - ~~{d}—Office equipment;~~
 - ~~{e}—Panels, sheets, tubes or rods;~~
 - ~~{f}—Pharmaceutical products, cosmetics or toiletries;~~
 - ~~{g}—Plastic and rubber components and finished products;~~
 - ~~{h}—Printing, publishing and engraving, including newspapers; and~~
 - ~~{i}—Recreation equipment or toys.~~
- ~~(b) Uses allowed with special use permit: [Amended 3-29-2021]~~
 - ~~{1}—Temporary structures for construction purposes;~~
 - ~~{2}—Wholesale home and garden supply, and nurseries;~~
 - ~~{3}—Warehousing, lumberyards, storage and wholesale distribution facilities (no unenclosed outdoor storage of equipment or materials); and~~
 - ~~{4}—Rooftop solar energy system apparatus if visible from a public right of way, if attached to a primary structure and used for on-site operations (not utility scale), and not creating an exceedance of area height restrictions measured from top of apparatus to ground.~~
- ~~(c) Permitted accessory uses and structures:~~
 - ~~{1}—Accessory storage buildings;~~
 - ~~{2}—Communication towers/dishes required for operation of primary use;~~
 - ~~{3}—Employee services, such as cafeterias, credit unions and recreational facilities, which are~~

located within the primary structure and occupy no more than 10% of the developed floor area;

~~{4} Fences, benches, walls and hedges;~~

~~{5} Off street parking and loading facilities in conjunction with primary use (Loading facilities shall be properly screened from view of New York State Route 5.);~~

~~{6} Transit shelters;~~

~~{7} Satellite television receiving antenna;~~

~~{8} Signs (See § 230 41.);~~

~~{9} Truck shipping and delivery facilities accessory to primary operation;~~

~~{10} Warehouse and distribution facilities ancillary to the primary use and limited to a floor area not to exceed 35% of the gross floor area of the primary use; and~~

~~{11} Rooftop solar energy system apparatus, if not visible from a public right of way, and if attached to a primary structure, and if not creating an exceedance of area height restrictions measured from top of apparatus to ground [Amended 3-29-2021]~~

~~(d) Prohibited uses. Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following uses are prohibited in the BRA-LI:~~

~~{1} Residential (all densities);~~

~~{2} Schools;~~

~~{3} Day care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and~~

~~{4} Wells for extraction of water, other than for monitoring, treating or remediation.~~

~~(e) Uses requiring site plan review. All changes in land use or expansion of existing land uses are subject to site plan review in accordance with Article VIII of this chapter.~~

~~(3) Site area requirements. (See Subsection F, Supplemental Regulations.) [Amended 3-29-2021]~~

BRA Light Industry Business (BRA-LI)	
Minimum lot size	5 acres; or 50 acres for PUD
Minimum lot frontage	300 feet

BRA Light Industry Business (BRA-LI)	
Maximum building height	45 feet or 3 stories
Minimum front yard	30 feet/50 foot setback required from New York State Route 5 right-of-way/Hamburg Turnpike right-of-way
Minimum side yard	25 feet
Minimum rear yard	n.a.
Minimum buffer to Smokes Creek Greenway Corridor Overlay District boundary	50 feet
Minimum building coverage	15%
Maximum lot coverage	75%
Minimum landscaping coverage	25%
Minimum setback for parking from right-of-way	10 feet

~~B. Medium Industry District (BRA-MI).~~

~~(1) Purpose.~~

~~(a) The BRA-Medium Industry (BRA-MI) District has been created to establish a transitional zone between the BRA-LI District along New York State Route 5 and the Heavy Industry District (BRA-HI) to the interior of the site. This transitional zone is intended to encourage "nonsmokestack" manufacturing and high employment uses to promote redevelopment, while remaining compatible with both the BRA-HI and BRA-LI Districts.~~

~~(b) The BRA-MI District is intended to utilize the site's size, history, environmental limitations and existing infrastructure to take advantage of one of the region's best-suited locations for developing new medium industrial uses. This district is designed to accommodate compatible industries on medium- to large-sized lots in an organized manner to promote the efficient redevelopment of the property, while providing a transitional zone to separate heavy industrial uses from uses along New York State Route 5. The district is established to encourage the development of a broad range of employment opportunities within the City and to enhance the City's tax base.~~

~~(c) For portions of the BRA-MI that front on New York State Route 5, screening, landscaping~~

~~and/or higher design standards shall be used to promote an attractive image along New York State Route 5.~~

~~(2) Use regulations.~~

~~(a) Permitted uses and structures:~~

~~{1} Laboratories, experimental, testing, research and development facilities;~~

~~{2} Offices: corporate/regional headquarters, governmental, administrative and local service centers;~~

~~{3} Office based enterprises such as administration, back office and telemarketing facilities;~~

~~{4} Public utility service structure or facility;~~

~~{5} Research offices and laboratories;~~

~~{6} Enclosed bulk cargo storage and handling facilities;~~

~~{7} Indoor recycling plants;~~

~~{8} Rooftop solar energy production, if not visible from public right-of-way, and if not exceeding height restrictions for district. [Added 3-29-2021]~~

~~{9} Manufacture, assembly and fabrication of the following and related products:~~

~~{a} Food and beverage products;~~

~~{b} Household items and furniture;~~

~~{c} Office equipment;~~

~~{d} Panels, sheets, tubes or rods;~~

~~{e} Pharmaceutical products, cosmetics or toiletries;~~

~~{f} Plastics and plastic components;~~

~~{g} Printing, publishing and engraving, including newspapers;~~

~~{h} Recreational equipment or toys;~~

~~{i} Aluminum and aluminum products;~~

~~{j} Automobile, marine and heavy equipment;~~

~~{k} Electrical and electronic equipment and appliances;~~

- ~~{i} Extruded products from plastics, metals and ceramics;~~
- ~~{m} Fabrication of metal products;~~
- ~~{n} Household and industrial chemical compounds;~~
- ~~{o} Machinery, including parts and components;~~
- ~~{p} Plastic and rubber components and finished products;~~
- ~~{q} Steel refinishing; and~~
- ~~{r} Alternative energy components and assembly.~~
- ~~{10} Production and handling of fuel sources from organic natural resources.~~
- ~~(b) Uses allowed with special use permit:~~
 - ~~{1} Intermodal (uses allowed in the BRA-INT District);~~
 - ~~{2} Motor freight facilities and depot;~~
 - ~~{3} Outdoor storage and distribution facilities wholly screened from all internal roads and bike paths within the Bethlehem Redevelopment Area, and all roads and bike paths outside the Bethlehem Redevelopment Area; [Amended 3-29-2021]~~
 - ~~{4} Rail yards (limited to BRA-MI area south of Smokes Creek);~~
 - ~~{5} Concrete production (batch plant); precast concrete and aggregate products, provided there is no outdoor storage of raw materials or reclaimed materials visible from the public right of way;~~
 - ~~{6} Telecommunications towers if bases and lower 20 feet of structures are substantially screened from public rights of way and recreational trails by buildings; [Amended 3-29-2021]~~
 - ~~{7} Temporary structures for construction purposes;~~
 - ~~{8} Warehousing, storage and wholesale distribution facilities; noncommercial land filling of on-site remediation material; and~~
 - ~~{9} Rooftop solar energy production visible from public right of way or exceeding height restrictions for the district. [Amended 3-29-2021]~~
- ~~(c) Permitted accessory uses:~~
 - ~~{1} Accessory storage and maintenance buildings;~~

- ~~[2]—Communication towers/dishes required for operation of primary use;~~
- ~~[3]—Employee services such as cafeterias, credit unions and recreational facilities, which are located within the primary structure and occupy no more than 10% of the developed floor area;~~
- ~~[4]—Fences, benches, walls and hedges;~~
- ~~[5]—Off street parking and loading facilities in conjunction with primary use (Loading facilities shall be properly screened from view of New York State Route 5.);~~
- ~~[6]—Outdoor storage of finished goods produced on site (limited to 50% of site) and screened from all internal roads and bike paths and public recreational amenities, Route 5, and all external roads to the Bethlehem Redevelopment Area; [Amended 3-29-2021]~~
- ~~[7]—Rail sidings and service;~~
- ~~[8]—Satellite television receiving antenna, if attached to the primary structure;~~
- ~~[9]—Signs (See § 230-41.);~~
- ~~[10]—Truck shipping and delivery accessory to primary operation;~~
- ~~[11]—Warehouse and distribution facilities ancillary to the primary use and limited to a floor area not to exceed 35% of the gross floor area of the primary use; and~~
- ~~(d) Prohibited uses. Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following land uses are prohibited in the BRA-MI:~~
 - ~~[1]—Residential (all densities);~~
 - ~~[2]—Schools;~~
 - ~~[3]—Day care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and~~
 - ~~[4]—Wells for extraction of water, other than for monitoring, treating or remediation.~~
- ~~(e) Uses requiring site plan approval. All new development projects, changes in land use, expansion of existing facilities and applications for special use permit are subject to site plan review in accordance with Article VIII of this chapter.~~
- ~~(3) Site area requirements. (See Subsection F, Supplemental regulations.)~~

BRA-Medium Industry (BRA-MI)

Minimum lot size	8 acres, or 50 acres for PUD
Minimum lot frontage	500 feet
Maximum building height	60 feet
Minimum front yard	50 feet
Minimum side yard	50 feet
Minimum rear yard	50 feet
Minimum buffer to Smokes Creek Greenway Corridor Overlay District boundary	50 feet
Minimum building coverage	18%
Maximum lot coverage (including parking)	80%
Minimum landscaping coverage	20%

~~(4) Supplemental requirements.~~

~~(a) Outdoor storage and screening.~~

~~[1] Screening or enclosures shall be of sufficient height and density to obstruct the view of the component or finished products stored on site from New York State Route 5 and interior public roadways, and all external roadways to the site, and recreational trails. [Amended 3-29-2021]~~

~~[2] Bulk materials stored outdoors must be contained or controlled in such a manner as to not allow fugitive dust, blowing of bulk materials or odors migrating off premises and negatively affecting neighboring properties.~~

~~[3] There shall be no outdoor storage of raw materials or reclaimed aggregate materials associated with concrete production.~~

~~C. Heavy Industry District (BRA-HI).~~

~~(1) Purpose.~~

~~(a) The BRA Heavy Industry (BRA-HI) District has been designated to accommodate the redevelopment of the site for wind power, heavy industry and general manufacturing and~~

production uses. The BRA-HI District allows for a continuation of uses that have shaped Lackawanna's industrial past. The intent is to utilize the site's size, history, environmental limitations and existing infrastructure to take advantage of one of the region's best suited sites for developing new heavy industry.

~~(b) This district is intended to co-locate compatible industries on large lots in an organized manner to ensure the efficient development of the interior of the site. The district is established to encourage the development of a broad range of employment opportunities within the City and to enhance the City's tax base.~~

~~(2) Use regulations.~~

~~(a) Permitted uses and structures:~~

~~[1] All uses permitted by right in the BRA-MI District;~~

~~[2] Noncommercial land treatment and land filling of on-site remediation material under consent order or permit as issued by the New York State Department of Environmental Conservation (NYSDEC) or the United States Environmental Protection Agency (USEPA); and~~

~~[3] Slag reclamation under "beneficial use" designation issued by the NYSDEC.~~

~~[4] Bulk materials stored outdoors must be contained or controlled in such a manner as to not allow fugitive dust, blowing of bulk materials or odors migrating off premises and negatively affecting neighboring properties, and all such material must be fully screened from an elevation from all on-site bike paths, internal or external roads to the Bethlehem Redevelopment Area, and all on-site recreational amenities, including Smokes Creek. [Amended 3-29-2021]~~

~~(b) Uses allowed with special use permit:~~

~~[1] Commercial solid waste management facilities under permit or license issued by the NYSDEC;~~

~~[2] Coal and coke handling;~~

~~[3] Concrete production (batch plant), precast concrete and aggregate products;~~

~~[4] Electrical and power production and power facilities;~~

~~[5] Energy and fuel production, including but not limited to biomass; ethanol; and biodiesel;~~

~~[6] Extraction industries related to the mining of on-site materials;~~

~~[7] Manufacture and assembly of the following and related products:~~

- ~~{a}—Cement, lime, gypsum, plaster of paris, and abrasives;~~
- ~~{b}—Fabrication and finishing of steel or other metal products;~~
- ~~{c}—Fertilizer, glue, gelatin, grain drying and feed; and~~
- ~~{d}—Steel production.~~

- ~~{8}—Manufacture or production of gases with approval of the Fire Department;~~
- ~~{9}—Motor freight facilities and depot;~~
- ~~{10}—Production or refining of petroleum-related products;~~
- ~~{11}—Production of biomass-derived fuels;~~
- ~~{12}—Warehouse, storage and distribution facilities;~~
- ~~{13}—Solar energy collection apparatus and power facilities, provided the aggregate of the land usage of solar energy collection facilities does not exceed 5% of the gross surface area within the Bethlehem Redevelopment Area Heavy Industry District; [Amended 3-29-2021]~~
- ~~{14}—Telecommunications facilities: towers, dishes and ancillary equipment; and~~
- ~~{15}—Wind energy conversion systems and wind farms [in accordance with Article XI, Wind Energy Conversion Systems (WECS), establishing WECS Overlay District].~~

- ~~(c)—Permitted accessory uses:~~
 - ~~{1}—Accessory storage and maintenance buildings;~~
 - ~~{2}—Rooftop energy system apparatus for on-site operations, if attached to a primary structure; [Amended 3-29-2021]~~
 - ~~{3}—Employee services such as cafeterias, credit unions and recreation facilities, which occupy no more than 10% of the developed floor area;~~
 - ~~{4}—Fences, benches, walls and hedges;~~
 - ~~{5}—Off-street parking and loading facilities;~~
 - ~~{6}—Outdoor storage of equipment and bulk materials, provided all such material must be fully screened from an elevation from all on-site bike paths, internal and external roads to the Bethlehem Redevelopment Area, and all on-site recreational amenities, including Smokes Creek; [Amended 3-29-2021]~~
 - ~~{7}—Rail sidings and service;~~

~~[8]— Satellite receiving antenna if attached to the primary structure; and~~

~~[9]— Signs. (See § 230-41.)~~

~~(d) Prohibited uses. Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following land uses are prohibited in the BRA-HI:~~

~~[1]— Residential (all densities);~~

~~[2]— Schools;~~

~~[3]— Day care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and~~

~~[4]— Wells for extraction of water, other than for monitoring, treating or remediation.~~

~~(e) Uses requiring site plan approval. All changes in land use or expansion of existing land uses are subject to site plan review in accordance with Article VIII of this chapter.~~

~~(3) Site area requirements.~~

BRA Heavy Industry (BRA-HI)

Minimum lot size	20 acres individual site or 50 acres for PUD development
Minimum lot frontage	500 feet
Maximum building height	100 feet
Minimum front yard (landscaped)	50 feet
Minimum side yard	50 feet
Minimum rear yard	50 feet
Minimum buffer to Smokes Creek Greenway Corridor Overlay District boundary	50 feet
Minimum building setback to the canal	75 feet
Minimum building coverage	10%
Maximum lot coverage	85%

~~BRA Heavy Industry (BRA-HI)~~

~~Minimum open space 15%~~

~~D. Intermodal District (BRA-INT).~~

~~(1) Purpose.~~

~~(a) The intent of the BRA Intermodal (BRA-INT) District is to encourage continued use and expansion of the BRA's existing shipping and rail infrastructure. The area within this district uniquely benefits from the location of the Gateway Trade Center, the Lackawanna Ship Canal and an extensive network of rail lines and open areas to move, temporarily store and transfer goods between ship, rail and truck transport.~~

~~(b) Activities permitted in this district shall facilitate the continuation of traditional water-related industrial uses and promote water-based and rail-based materials handling facilities on both sides of the Lackawanna Ship Canal.~~

~~(2) Use regulations.~~

~~(a) Permitted uses and structures:~~

~~[1] Bulk cargo storage and handling facilities and loading/unloading equipment, including cranes, conveyors, and hoppers, provided all material stored outside must be fully screened from an elevation from all on-site bike paths, internal roads to the Bethlehem Redevelopment Area, and external roads and all on-site recreational amenities, including Smokes Creek; [Amended 3-29-2021]~~

~~[2] Coal and coke handling, provided all such material must be fully screened from an elevation from all on-site bike paths, internal or external roads to the Bethlehem Redevelopment Area, and all on-site recreational amenities, including Smokes Creek; [Amended 3-29-2021]~~

~~[3] Intermodal facilities;~~

~~[4] Maritime terminals and activities related to the shipping industry;~~

~~[5] Motor freight facilities and operations;~~

~~[6] Rail yards; and~~

~~[7] Warehouse, storage and distribution facilities.~~

~~(b) Permitted accessory uses:~~

~~[1] Motor freight facilities for loading and unloading;~~

~~[2]—Offices related to operations;~~

~~[3]—Rail service lines and extensions.~~

~~(c) Prohibited uses. Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following land uses are prohibited in the BRA-INT District:~~

~~[1]—Residential (all densities);~~

~~[2]—Schools;~~

~~[3]—Day care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and~~

~~[4]—Wells for extraction of water, other than for monitoring, treating or remediation.~~

~~(d) Uses requiring site plan approval. All changes in land use or expansion of existing land uses are subject to site plan review in accordance with § 230-71 of this chapter.~~

~~(3) Site area requirements.~~

BRA-Intermodal (BRA-INT)

Minimum lot size	1 acre
Minimum setback to canal (for structures)	n.a.
Minimum lot frontage	n.a.
Maximum building height	100 feet
Minimum front yard	50 feet
Minimum side yard (buildings and outdoor storage of bulk materials)	50 feet
Minimum rear yard (buildings and outdoor storage of bulk materials)	50 feet
Minimum building coverage	n.a.
Maximum lot coverage	n.a.
Minimum landscaping coverage	n.a.

~~(4) Supplemental requirements.~~

~~(a) Outdoor storage and screening.~~

~~{1} Screening or enclosures shall be of sufficient height and density to obstruct the view of the component or finished products stored on site from New York State Route 5, Bethlehem Redevelopment Area interior public roadways, all public bike paths, and all recreational amenities, including Smokes Creek and all exterior roads. [Amended 3-29-2021]~~

~~{2} Bulk materials stored outdoors must be contained or controlled in such a manner as to not allow fugitive dust or blowing of bulk materials or odors migrating off premises and negatively affecting neighboring properties.~~

~~E. Lakefront Open Space District (BRA-LOS):~~

~~(1) Purpose. The intent of the BRA Lakefront Open Space District (BRA-LOS) is to provide for habitat restoration and limited opportunities for passive public open space within the constraints of the site. This area shall include the establishment of a 100-foot vegetative buffer along the top of the bluff. Site conditions preclude public access along most of the shoreline, but scenic overlooks may be feasible near Smokes Creek.~~

~~(2) Use regulations.~~

~~(a) Permitted uses and structures:~~

~~{1} Trails;~~

~~{2} Open space; overlooks; and~~

~~{3} Parking areas to service the recreational trail and associated uses.~~

~~(b) Nonpermitted uses. Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following land uses are prohibited in the Lakefront Open Space District:~~

~~{1} Permanent structures;~~

~~{2} Residential (all densities);~~

~~{3} Schools;~~

~~{4} Day-care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and~~

~~{5} Wells for extraction of water, other than for monitoring, treating or remediation.~~

~~(3) Supplemental requirements: A 100-foot setback from the top of the bluff shall be established. No uses or structures may be placed within the setback area.~~

~~F. Supplemental regulations: design standards.~~

- ~~(1) Purpose. These supplemental regulations are intended to establish design standards for all development occurring in the portions of the Bethlehem Redevelopment Area immediately adjacent to New York State Route 5 and/or the Hamburg Turnpike (which are both segments of the Great Lakes Seaway Trail and National Scenic Byway). Properties visible from these roadways are part of the gateway into the City of Lackawanna and should be held to a higher design standard to maintain a quality image of this part of the City. It is the intent of this section to guide site development as it relates to building and parking orientation, general building design, landscaping, site lighting, signage and outdoor storage for all development that occurs in this area of the BRA.~~
- ~~(2) Applicability. The following supplemental regulations and design guidelines shall apply to development sites located within the BRA that have property boundaries adjoining New York State Route 5 and/or the Hamburg Turnpike rights of way. These regulations apply to all areas zoned BRA-LI, and some property zoned BRA-MI.~~
- ~~(3) Building and lot orientation. Unless otherwise specified, the following provisions are supplemental to the applicable regulations outlined in § 230-28, Building, siting, massing and form.~~
- ~~(a) All lots shall have primary frontage along the internal public roadway, with access to buildings and their associated parking lots provided from the internal roadway.~~
- ~~(b) For lots situated along New York State Route 5 or the Hamburg Turnpike, the portion of the building facing these roadways shall be considered a secondary frontage. No driveway access will be allowed onto New York State Route 5 or the Hamburg Turnpike with the issuance of a special use permit.~~
- ~~(c) The rear facades and side walls of buildings that face the Hamburg Turnpike shall be designed in a manner that is in keeping with an aesthetic image for this gateway area. Properties shall abide by design standards established in § 230-20.~~
- ~~(d) Primary building entrances shall be oriented towards the internal roadway with secondary entrances on the side or rear facing the parking area.~~
- ~~(e) The subdivision of any BRA lots situated along New York State Route 5 shall result in sublots that are symmetrical in layout (square or rectangle); the creation of oddly shaped lots is discouraged.~~
- ~~(f) Loading docks shall have access to the internal public roadway and shall be properly screened from view.~~
- ~~(4) Parking and circulation. Unless otherwise specified, the following provisions are supplemental to the applicable existing regulations of § 230-36, Parking, loading and stacking:~~
- ~~(a) Parking and pedestrian circulation.~~

- ~~[1] Minimum off-street parking requirements for site development shall be as established pursuant to § 230-36B. Off-street parking requirements for uses not listed in § 230-36B shall be determined during site plan review.~~
 - ~~[2] All parking areas shall be paved and striped with the surfaces in good condition and designed for proper drainage.~~
 - ~~[3] No parking shall be permitted within eight feet of any portion of a building other than for loading area and access to the loading dock.~~
 - ~~[4] The eight foot area between parking lots and buildings shall be used for sidewalks, foundation plantings and other site amenities, such as benches, bike racks and lighting.~~
 - ~~[5] Shared parking and shared access between parking lots is encouraged in order to reduce the total area dedicated to parking.~~
 - ~~[6] Where parking areas abut parking areas on adjacent lots, a minimum five-foot vegetative buffer strip shall be installed to break up the monotony of the paved areas.~~
 - ~~[7] Clearly marked pedestrian pathways shall be provided within the interior of parking lots to avoid large expanses of asphalt and to enhance pedestrian safety.~~
 - ~~[8] As per § 230-34B(10), shade trees shall be provided in parking lots to ensure that within 15 years after the establishment of the lot at least 40% of the lot, calculated by using the diameter of the tree crown at 15 years, will be shaded. This can be accomplished with center islands and plantings along the parking lot edges.~~
 - ~~[9] Areas that will be utilized by trucks shall be built to a standard that can effectively support the anticipated weight.~~
- ~~(b) Sidewalks. Unless otherwise specified, the following provisions are supplemental to the applicable regulations of § 230-37, Pedestrian and bicycle facilities:~~
- ~~[1] Sidewalks measuring six feet in width shall be provided along the internal public roadway in the BRA-LI District.~~
 - ~~[2] Interior sidewalks or striped crosswalks shall be provided to ensure safe pedestrian travel between building and the sidewalk along the internal public roadway.~~
 - ~~[3] Sidewalks shall be provided to connect parking areas located to the sides and rear of buildings with the front entrance.~~
 - ~~[4] Pedestrian amenities such as benches and trash receptacles shall be provided where appropriate.~~
 - ~~(5) Building character and materials.~~

~~(a) Building scale and design.~~

~~[1] Diversity in architectural style is encouraged; however, multiple buildings on the same site shall be designed to present a coordinated or compatible visual relationship.~~

~~[2] Exterior building design features shall be encouraged to provide individual character to buildings. Such features may include decorative cornices, pilasters, columns, relief, medallions, dormers and eave breaks.~~

~~[3] No building facade that faces a street shall have a blank, uninterrupted wall of more than 20 linear feet (40 feet for buildings greater than 120 feet in length). This can be achieved through the use of a combination of divisions or breaks in the materials, separate entrances and entry treatments, windows, vegetation or other visual design elements, colors and textures.~~

~~[4] In multistory buildings, the ground floor shall be distinguished from the floors above. This can be achieved through a combination of an intermediate cornice line, a difference in building materials or detailing, an awning, trellis or arcade, special window lintels or brick corbels or quoins.~~

~~[5] Architectural elements and features should be designed at a scale to be visible from the street.~~

~~[6] Buildings that front more than one street shall have a front facade facing each street.~~

~~[7] Rooftop screening shall be incorporated in the design of buildings to shield vents and rooftop mounted equipment from view of the street.~~

~~[8] Equipment that emits noise shall be appropriately screened to prevent sound from traveling beyond the property line.~~

~~(b) Accessory structures.~~

~~[1] Mobile office trailers, truck trailers, shipping containers or other storage trailers shall not be permitted for permanent use as office or production space, or for storage purposes.~~

~~(c) Building materials.~~

~~[1] No fewer than two exterior materials shall be utilized for building facades.~~

~~[2] Building materials shall be comprised of materials of high quality and durability. Walls shall be clad in a mix of stone, brick, marble, metal paneling, cast concrete, vinyl siding, Dryvit® and Hardie board, cement paneling or similar material.~~

~~[3] All walls visible from a public right of way shall be clad with the same material required for the front facade of the building.~~

~~[4] Roofing systems shall be comprised of materials appropriate to the architectural style and color palette of the building.~~

~~[5] Deteriorated or damaged exterior building materials shall be repaired or replaced using appropriate materials.~~

~~(d) Landscaping.~~

~~[1] The entrance points to any site shall be well designed and landscaped as a unique element of each business.~~

~~[2] Foundation landscaping shall consist of trees, shrubs, and flower beds.~~

~~[3] Trees shall be planted along the street frontage every 30 feet on center.~~

~~[4] Trees shall be provided in setback areas to ensure that within 15 years of establishment at least 60% of the setback, calculated as the diameter of the tree crown, will be shaded.~~

~~[5] Landscaped islands, planted with trees and shrubs, shall be provided within parking areas for more than 30 vehicles to break up the monotony of pavement and provide shaded areas. One island shall be placed between every 15 parking spaces.~~

~~[6] Landscaping shall be protected from impacts of snow clearance and storage.~~

~~[7] All on-site landscaping shall comply with additional standards found in § 230-34.~~

~~[8] All landscape features identified for site development as part of an approved site plan shall be properly maintained and, as necessary, replaced to ensure compliance with this approval.~~

~~(6) Screening and outdoor storage.~~

~~(a) Screening. Unless otherwise specified, the following provisions are supplemental to the applicable regulations outlined in § 230-40, Screening:~~

~~[1] Parking areas situated between buildings and the New York State Route 5 corridor shall utilize a combination of berms, shrubs and trees to effectively screen these areas from view.~~

~~[2] Loading docks shall be effectively screened from view from both Route 5 and primary interior roadways through the use of fencing, partitions constructed of brick or other acceptable materials, berming, vegetation or any combination thereof.~~

~~[3] Dumpsters shall be properly screened from view with fencing or a masonry enclosure that exceeds the height of the trash receptacles contained therein.~~

~~[4] Dumpster enclosures shall be gated and gates shall be kept closed when not in use.~~

~~{5} Trash compactors and recycling bins shall be properly screened with dense vegetation, wood fencing or masonry enclosures that match the design of the building.~~

~~(b) Mechanical and utility equipment.~~

~~{1} Ground mounted mechanical and utility equipment shall be properly screened from view with vegetative plantings or other measures to not be visible from New York State Route 5 and the interior public roadway.~~

~~{2} Roof mounted mechanical equipment shall be screened with parapet walls or other appropriate measures to not be visible from New York State Route 5 or the interior public roadway.~~

~~(c) Outdoor storage. Outdoor storage or display of bulk materials, equipment, component products or finished products shall not be allowed in the BRA-LI District or portions of the BRA-MI District located along Route 5.~~

~~(7) Utilities. All on-site utilities shall be designed and constructed in compliance with the provisions of § 230-44.~~

~~(8) Lighting and signage.~~

~~(a) Lighting.~~

~~{1} All site lighting, both freestanding and fixtures attached to structures, shall be properly screened to prevent glare, uplighting and spill off the property.~~

~~{2} Night lighting must be provided for all pedestrian facilities.~~

~~{3} Bollard lighting can be used as accent lighting along pedestrian paths and to highlight pedestrian crossings in parking lots and across streets.~~

~~{4} Lighting within industrial sites for security and nighttime operation shall be limited and properly screened.~~

~~{5} Lighting on buildings to highlight architectural detail is permissible.~~

~~{6} Lighting shall comply with additional standards found in § 230-35.~~

~~(b) Signage. Unless otherwise specified, the following guidelines are supplemental to the applicable existing regulations § 230-41, Signs:~~

~~{1} The size and color of signs shall complement the facade, scale and architectural style of the building.~~

~~{2} Street numbers shall be prominently displayed at the main entrance to every business and be clearly visible from the street.~~

~~[3] Exterior signs shall be limited to business identification and description; signs advertising products shall be prohibited.~~

~~[4] External signage that is illuminated shall be properly controlled to prohibit excessive light that spills outward or upward.~~

~~[5] Rooftop signs and billboards on buildings shall be prohibited.~~

~~[6] Directional signage may be provided at key locations within a site that has more than one primary structure for wayfinding purposes.~~

~~[7] No off premises signs are permitted.~~

§4-9 Bethlehem Redevelopment Area (BRA)

- A. **Purpose.** The purpose of the Bethlehem Redevelopment Area is to redevelop the former industrial site into a driver of economic activity for Lackawanna and Western New York.
- B. **Principal and Special Uses.** The Permitted principal uses within this overlay district are listed in the use schedule in §XXXX.
- C. **Dimensional Standards.** The dimensional standards of the Bethlehem Redevelopment Area are vested within the Light Industrial, Medium Industrial, Heavy Industrial, Intermodal, and Lakefront Open Space Overlay Districts.
- D. **Permitted Accessory Uses and Structures.**

Accessory Use/ Structure	Standards
Accessory storage buildings	
Fences, benches, walls and hedges	§230-xx
Off-street parking and loading facilities	§230-xx
Transit Shelters	
Signs	§230-xx
Other uses and structures that are customarily incidental to the principal use	

- E. **Prohibited Uses.** Per deed restrictions placed on the former Bethlehem Steel Corporation property, the following land uses are prohibited in the BRA:
 - i. Residential (all densities)
 - ii. Schools

- iii. Day-care facilities and nursery schools, or other facilities primarily used for multiple numbers of persons under the age of 18 years; and
 - iv. Wells for extraction of water, other than for monitoring, treating or remediation.
- F. **Site Plan Review.** All changes in land use or expansion of existing land uses are subject to site plan review in accordance with **Article VIII** of this chapter.
- G. **Design Standards.**
- i. **Intent.** These supplemental regulations are intended to establish design standards for all development occurring in the portions of the Bethlehem Redevelopment Area immediately adjacent to New York State Route 5 and/or the Hamburg Turnpike (which are both segments of the Great Lakes Seaway Trail and National Scenic Byway). Properties visible from these roadways are part of the gateway into the City of Lackawanna and should be held to a higher design standard to maintain a quality image of this part of the City. It is the intent of this section to guide site development as it relates to building and parking orientation, general building design, landscaping, site lighting, signage and outdoor storage for all development that occurs in this area of the BRA.
 - ii. **Applicability.** The following supplemental regulations and design guidelines shall apply to development sites located within the BRA that have property boundaries adjoining New York State Route 5 and/or the Hamburg Turnpike rights-of-way. These regulations apply to all areas zoned BRA-LI, and some property zoned BRA-MI.
 - iii. **Building and lot orientation.** Unless otherwise specified, the following provisions are supplemental to the applicable regulations outlined in **§230-XX**.
 - a) All lots shall have primary frontage along the internal public roadway, with access to buildings and their associated parking lots provided from the internal roadway.
 - b) For lots situated along New York State Route 5 or the Hamburg Turnpike, the portion of the building facing these roadways shall be considered a secondary frontage. No driveway access will be allowed onto New York State Route 5 or the Hamburg Turnpike with the issuance of a Special Use Permit pursuant to **§230-XX**.

- c) The rear facades and side walls of buildings that face the Hamburg Turnpike shall be designed in a manner that is in keeping with an aesthetic image for this gateway area. Properties shall abide by design standards established in §230-XX.
 - d) Primary building entrances shall be oriented towards the internal roadway with secondary entrances on the side or rear facing the parking area.
 - e) The subdivision of any BRA lots situated along New York State Route 5 shall result in sublots that are symmetrical in layout (square or rectangle); the creation of oddly shaped lots is discouraged.
 - f) Loading docks shall have access to the internal public roadway and shall be properly screened from view.
- iv. Parking and circulation. Unless otherwise specified, the following provisions are supplemental to the applicable existing regulations of §230-XX:
- a) Parking and pedestrian circulation.
 1. Minimum off-street parking requirements for site development shall be as established pursuant to §230-36B. Off-street parking requirements for uses not listed in §230-36B shall be determined during site plan review.
 2. All parking areas shall be paved and striped with the surfaces in good condition and designed for proper drainage.
 3. No parking shall be permitted within eight feet of any portion of a building other than for loading area and access to the loading dock.
 4. The eight-foot area between parking lots and buildings shall be used for sidewalks, foundation plantings and other site amenities, such as benches, bike racks and lighting.
 5. Shared parking and shared access between parking lots is encouraged in order to reduce the total area dedicated to parking.

6. Where parking areas abut parking areas on adjacent lots, a minimum five-foot vegetative buffer strip shall be installed to break up the monotony of the paved areas.
 7. Clearly marked pedestrian pathways shall be provided within the interior of parking lots to avoid large expanses of asphalt and to enhance pedestrian safety.
 8. As per §230-34B(10), shade trees shall be provided in parking lots to ensure that within 15 years after the establishment of the lot at least 40% of the lot, calculated by using the diameter of the tree crown at 15 years, will be shaded. This can be accomplished with center islands and plantings along the parking lot edges.
 9. Areas that will be utilized by trucks shall be built to a standard that can effectively support the anticipated weight.
- b) Sidewalks. Unless otherwise specified, the following provisions are supplemental to the applicable regulations of §230-37.:
1. Sidewalks measuring six feet in width shall be provided along the internal public roadway in the BRA-LI District.
 2. Interior sidewalks or striped crosswalks shall be provided to ensure safe pedestrian travel between building and the sidewalk along the internal public roadway.
 3. Sidewalks shall be provided to connect parking areas located to the sides and rear of buildings with the front entrance.
 4. Pedestrian amenities such as benches and trash receptacles shall be provided where appropriate.
 5. Building character and materials.
 - a. Building scale and design.
 - i. Diversity in architectural style is encouraged; however, multiple buildings on the same site shall

be designed to present a coordinated or compatible visual relationship.

- ii. Exterior building design features shall be encouraged to provide individual character to buildings. Such features may include decorative cornices, pilasters, columns, relief, medallions, dormers and eave breaks.
- iii. No building facade that faces a street shall have a blank, uninterrupted wall of more than 20 linear feet (40 feet for buildings greater than 120 feet in length). This can be achieved through the use of a combination of divisions or breaks in the materials, separate entrances and entry treatments, windows, vegetation or other visual design elements, colors and textures.
- iv. In multistory buildings, the ground floor shall be distinguished from the floors above. This can be achieved through a combination of an intermediate cornice line, a difference in building materials or detailing, an awning, trellis or arcade, special window lintels or brick corbels or quoins.
- v. Architectural elements and features should be designed at a scale to be visible from the street.
- vi. Buildings that front more than one street shall have a front facade facing each street.
- vii. Rooftop screening shall be incorporated in the design of buildings to shield vents and rooftop-mounted equipment from view of the street.
- viii. Equipment that emits noise shall be appropriately screened to prevent sound from traveling beyond the property line.

b. Accessory Structures

- i. Mobile office trailers, truck trailers, shipping containers or other storage trailers shall not be permitted for permanent use as office or production space, or for storage purposes.**

c. Building Materials

- i. No fewer than two exterior materials shall be utilized for building facades.**
- ii. Building materials shall be comprised of materials of high quality and durability. Walls shall be clad in a mix of stone, brick, marble, metal paneling, cast concrete, vinyl siding, Dryvit® and Hardie board, cement paneling or similar material.**
- iii. All walls visible from a public right-of-way shall be clad with the same material required for the front facade of the building.**
- iv. Roofing systems shall be comprised of materials appropriate to the architectural style and color palette of the building.**
- v. Deteriorated or damaged exterior building materials shall be repaired or replaced using appropriate materials.**

d. Landscaping

- i. The entrance points to any site shall be well designed and landscaped as a unique element of each business.**
- ii. Foundation landscaping shall consist of trees, shrubs, and flower beds.**
- iii. Trees shall be planted along the street frontage every 30 feet on center.**

- iv. Trees shall be provided in setback areas to ensure that within 15 years of establishment at least 60% of the setback, calculated as the diameter of the tree crown, will be shaded.
- v. Landscaped islands, planted with trees and shrubs, shall be provided within parking areas for more than 30 vehicles to break up the monotony of pavement and provide shaded areas. One island shall be placed between every 15 parking spaces.
- vi. Landscaping shall be protected from impacts of snow clearance and storage.
- vii. All on-site landscaping shall comply with additional standards found in § 230-34.
- viii. All landscape features identified for site development as part of an approved site plan shall be properly maintained and, as necessary, replaced to ensure compliance with this approval.

6. Screening and Outdoor Storage

- a. Screening. Unless otherwise specified, the following provisions are supplemental to the applicable regulations outlined in §230-40:
 - i. Parking areas situated between buildings and the New York State Route 5 corridor shall utilize a combination of berms, shrubs and trees to effectively screen these areas from view.
 - ii. Loading docks shall be effectively screened from view from both Route 5 and primary interior roadways through the use of fencing, partitions constructed of brick or other acceptable materials, berming, vegetation or any combination thereof.

- iii. Dumpsters shall be properly screened from view with fencing or a masonry enclosure that exceeds the height of the trash receptacles contained therein.
- iv. Dumpster enclosures shall be gated and gates shall be kept closed when not in use.
- v. Trash compactors and recycling bins shall be properly screened with dense vegetation, wood fencing or masonry enclosures that match the design of the building.

b. Mechanical and Utility Equipment

- i. Ground-mounted mechanical and utility equipment shall be properly screened from view with vegetative plantings or other measures to not be visible from New York State Route 5 and the interior public roadway.
- ii. Roof-mounted mechanical equipment shall be screened with parapet walls or other appropriate measures to not be visible from New York State Route 5 or the interior public roadway.

- c. Outdoor Storage.** Outdoor storage or display of bulk materials, equipment, component products or finished products shall not be allowed in the BRA-LI District or portions of the BRA-MI District located along Route 5.

7. Utilities. All on-site utilities shall be designed and constructed in compliance with the provisions of **§230-44**.

8. Lighting and Signage.

a. Lighting

- i. All site lighting, both freestanding and fixtures attached to structures, shall be properly screened

to prevent glare, uplighting and spill off the property.

- ii. Night lighting must be provided for all pedestrian facilities.
- iii. Bollard lighting can be used as accent lighting along pedestrian paths and to highlight pedestrian crossings in parking lots and across streets.
- iv. Lighting within industrial sites for security and nighttime operation shall be limited and properly screened.
- v. Lighting on buildings to highlight architectural detail is permissible.
- vi. Lighting shall comply with additional standards found in §230-35.

b. Signage. Unless otherwise specified, the following guidelines are supplemental to the applicable existing regulations §230-41:

- i. The size and color of signs shall complement the facade, scale and architectural style of the building.
- ii. Street numbers shall be prominently displayed at the main entrance to every business and be clearly visible from the street.
- iii. Exterior signs shall be limited to business identification and description; signs advertising products shall be prohibited.
- iv. External signage that is illuminated shall be properly controlled to prohibit excessive light that spills outward or upward.

- v. Rooftop signs and billboards on buildings shall be prohibited.
- vi. Directional signage may be provided at key locations within a site that has more than one primary structure for wayfinding purposes.
- vii. No off-premises signs are permitted.

§4-10 Light Industry Overlay (LI)

- A. Purpose. The primary purpose of the Light Industry Overlay District is to encourage the development of a mix of uses, such as offices, research and development facilities, wholesale, warehousing/distribution, and light manufacturing uses, with the intent of offering a wide range of job opportunities with a focus on contributing to the City’s tax base. Properties in the BRA-LI are visible from New York State Route 5 and/or the Hamburg Turnpike and help establish the image of the area. Development in this district is subject to higher design standards in order to present an attractive setting.
- B. Principal and Special Uses. The Permitted principal uses within this overlay district are listed in the use schedule in **Section XXXX**.
- C. Dimensional Standards

Minimum lot size	5 acres; or 50 acres for PUD
Minimum lot frontage	300 feet
Maximum building height	45 feet or 3 stories
Minimum front yard	30 feet/50-foot setback required from New York State Route 5 right-of-way/Hamburg Turnpike right- of-way
Minimum side yard	25 feet
Minimum rear yard	N.A.
Minimum building coverage	15%
Maximum lot coverage	75%
Minimum landscaping coverage	25%
Minimum setback for parking from right-of-way	10 feet

D. **Accessory Uses and Structures.** In addition to the permitted accessory uses and structures listed in **Section XXX**, the following are permitted in the Light Industry Overlay District;

- i. **Communication towers/dishes required for operation of primary use;**
- ii. **Employee services, such as cafeterias, credit unions and recreational facilities, which are located within the primary structure and occupy no more than 10% of the developed floor area;**
- iii. **Satellite television receiving antenna;**
- iv. **Truck shipping and delivery facilities accessory to primary operation;**
- v. **Warehouse and distribution facilities ancillary to the primary use and limited to a floor area not to exceed 35% of the gross floor area of the primary use; and**
- vi. **Rooftop solar energy system apparatus, if not visible from a public right-of-way, and if attached to a primary structure, and if not creating an exceedance of area height restrictions measured from top of apparatus to ground [Amended 3-29-2021]**

E. **Accessory Use and Structure Dimensional Standards.** Accessory use and structures shall meet the minimum dimensional requirements of the principal uses and structures of the Light Industrial Overlay District.

§4-11 Medium Industry Overlay (MI)

- A. **Purpose.** The Medium Industry (MI) Overlay has been created to establish a transitional zone between the Light Industry Overlay (LI) District along New York State Route 5 and the Heavy Industry Overlay District (HI) to the interior of the site. This transitional zone is intended to encourage "non-smokestack" manufacturing and high employment uses to promote redevelopment, while remaining compatible with both the HI and LI Districts
- B. **Principal and Special Uses.** The Permitted principal uses within this overlay district are listed in the use schedule in **Section XXXX**.
- C. **Dimensional Standards**

Minimum lot size	8 acres, or 50 acres for PUD
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Minimum lot frontage	500 feet
Maximum building height	60 feet
Minimum front yard	50 feet
Minimum side yard	50 feet
Minimum rear yard	50 feet
Minimum building coverage	18%
Maximum lot coverage (including parking)	80%
Minimum landscaping coverage	20%

D. Accessory Uses and Structures. In addition to the permitted accessory uses and structures listed in **Section XXX**, the following are permitted in the Medium Industry Overlay District;

- i. Communication towers/dishes required for operation of primary use;
- ii. Employee services such as cafeterias, credit unions and recreational facilities, which are located within the primary structure and occupy no more than 10% of the developed floor area;
- iii. Outdoor storage of finished goods produced on-site (limited to 50% of site) and screened from all internal roads and bike paths and public recreational amenities, Route 5, and all external roads to the Bethlehem Redevelopment Area; [Amended 3-29-2021]
- iv. Rail sidings and service;
- v. Satellite television receiving antenna, if attached to the primary structure;
- vi. Truck shipping and delivery accessory to primary operation;
- vii. Warehouse and distribution facilities ancillary to the primary use and limited to a floor area not to exceed 35% of the gross floor area of the primary use;

E. Accessory Use and Structure Dimensional Standards. Accessory use and structures shall meet the minimum dimensional requirements of the principal uses and structures of the Medium Industrial Overlay District.

§4-12 Heavy Industry Overlay (HI)

- A. **Purpose.** The Heavy Industry (HI) Overlay District has been designated to accommodate the redevelopment of the site for wind power, heavy industry and general manufacturing and production uses. The HI District allows for a continuation of uses that have shaped Lackawanna's industrial past. The intent is to utilize the site's size, history, environmental limitations and existing infrastructure to take advantage of one of the region's best-suited sites for developing new heavy industry. This district is intended to co-locate compatible industries on large lots in an organized manner to ensure the efficient development of the interior of the site. The district is established to encourage the development of a broad range of employment opportunities within the City and to enhance the City's tax base.
- B. **Principal and Special Uses.** The Permitted principal uses within this overlay district are listed in the use schedule in **Section XXXX**.
- C. **Dimensional Standards**

Minimum lot size	20 acres individual site or 50 acres for PUD development
Minimum lot frontage	500 feet
Maximum building height	100 feet
Minimum front yard (landscaped)	50 feet
Minimum side yard	50 feet
Minimum rear yard	50 feet
Minimum building setback to the canal	75 feet
Minimum building coverage	10%
Maximum lot coverage	85%
Minimum open space	15%

- D. **Accessory Uses and Structures.** In addition to the permitted accessory uses and structures listed in **Section XXX**, the following are permitted in the Heavy Industry Overlay District;
 - i. **Rooftop energy system apparatus for on-site operations, if attached to a primary structure; [Amended 3-29-2021]**

- ii. Employee services such as cafeterias, credit unions and recreational facilities, which are located within the primary structure and occupy no more than 10% of the developed floor area;
 - iii. Outdoor storage of equipment and bulk materials, provided all such material must be fully screened from an elevation from all on-site bike paths, internal and external roads to the Bethlehem Redevelopment Area, and all on-site recreational amenities, including Smokes Creek; [Amended 3-29-2021]
 - iv. Rail sidings and service;
 - v. Satellite television receiving antenna, if attached to the primary structure;
- E. Accessory Use and Structure Dimensional Standards. Accessory use and structures shall meet the minimum dimensional requirements of the principal uses and structures of the Heavy Industrial Overlay District.

§4-13 Intermodal Overlay (INT)

- A. Purpose. The intent of the Intermodal (INT) Overlay District is to encourage continued use and expansion of the BRA's existing shipping and rail infrastructure. The area within this district uniquely benefits from the location of the Gateway Trade Center, the Lackawanna Ship Canal and an extensive network of rail lines and open areas to move, temporarily store and transfer goods between ship, rail and truck transport. Activities permitted in this district shall facilitate the continuation of traditional water-related industrial uses and promote water-based and rail-based materials handling facilities on both sides of the Lackawanna Ship Canal.
- B. Principal and Special Uses. The Permitted principal uses within this overlay district are listed in the use schedule in **Section XXXX**.
- C. Dimensional Standards

Minimum setback to canal (for structures)	N/A
Minimum lot frontage	N/A
Maximum building height	100 feet
Minimum front yard	50 feet
Minimum side yard (buildings and outdoor storage of bulk materials)	50 feet
Minimum rear yard (buildings and outdoor	50 feet

storage of bulk materials)	
Minimum building coverage	N/A
Maximum lot coverage	N/A
Minimum landscaping coverage	N/A

D. **Accessory Uses and Structures.** Notwithstanding the permitted accessory uses and structures listed in **Section XXX**, the following are permitted in the Heavy Industry Overlay District;

- i. Motor freight facilities for loading and unloading
- ii. Rail service lines and extensions
- iii. Offices related to operations

E. **Accessory Use and Structure Dimensional Standards.** Accessory use and structures shall meet the minimum dimensional requirements of the principal uses and structures of the Heavy Industrial Overlay District.

F. **Outdoor Storage and Screening Requirements.**

- i. Screening or enclosures shall be of sufficient height and density to obstruct the view of the component or finished products stored on-site from New York State Route 5, Bethlehem Redevelopment Area interior public roadways, all public bike paths, and all recreational amenities, including Smokes Creek and all exterior roads. [Amended 3-29-2021]
- ii. Bulk materials stored outdoors must be contained or controlled in such a manner as to not allow fugitive dust or blowing of bulk materials or odors migrating off premises and negatively affecting neighboring properties.

§4-14 Lakefront Open Space Overlay (LOS)

A. **Purpose.** The intent of the Lakefront Open Space Overlay (LOS) is to provide for habitat restoration and limited opportunities for passive public open space within the constraints of the site. This area shall include the establishment of a 100-foot vegetative buffer along the top of the bluff. Site conditions preclude public access along most of the shoreline, but scenic overlooks may be feasible near Smokes Creek

- B. Principal and Special Uses. The Permitted principal uses within this overlay district are listed in the use schedule in Section XXXX.**
- C. Setback Requirement. A 100-foot setback from the top of the bluff shall be established. No uses or structures may be placed within the setback area.**

§ 230-18 Open Space - OS.

A. Purpose. An Open Space District has been designated in the City of Lackawanna to preserve and protect natural and open space resources in the City of Lackawanna while allowing for the placement of essential public services, utilization of property for recreation and open space uses.

~~B.—Use regulations.~~

~~Permitted Uses None
and Structures~~

~~Permitted Accessory Uses
(subject to the provisions of
this chapter)~~

~~Picnic and transit shelters
Off-street parking and loading facilities~~

~~Signs~~

~~Fences and hedges~~

~~Alternative energy system apparatus~~

~~No more than one accessory storage building~~

~~Site Plan Review Uses~~

~~Recreation and open space facilities, including, but not limited to, playing fields, swimming pools, trails, cemeteries and gardens~~

~~Nature interpretation facilities such as visitors centers, kiosks, lodges~~

~~Essential public service facilities~~

~~C.—Site area requirements.~~

Lot Dimensions

Minimum Lot Size	Not applicable
Minimum Lot Frontage	Not applicable
Floor Area — Maximum	5,000 square feet
Maximum Building Height	2 1/2 stories or 25 feet

Yard Sizes

Minimum Front Yard	As determined through site plan review
Minimum Side Yard	As determined through site plan review
Minimum Rear Yard	As determined through site plan review
Maximum Building Coverage	As determined through site plan review
Maximum Lot Coverage	As determined through site plan review
Minimum Landscaping Coverage	As determined through site plan review

B. Principal and Special Uses.

The permitted principal uses within this district are listed in the use schedule in **Section XXXX**.

C. Dimensional Standards.

Minimum Lot Size	N/A
Minimum Lot Frontage	N/A
Floor Area — Maximum	5,000 square feet
Maximum Building Height	2.5 stories or 25 feet
Minimum Front Yard	As determined through site plan review
Minimum Side Yard	As determined through site plan review
Minimum Rear Yard	As determined through site plan review
Maximum Building Coverage	As determined through site plan review

Maximum Lot Coverage	As determined through site plan review
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D. Permitted Accessory Uses and Structures

Accessory Use/ Structure	Standards
Accessory storage buildings	
Alternative energy system apparatus	§230-xx
Fences, benches, walls and hedges	§230-xx
Off-street parking and loading facilities	§230-xx
Picnic and Transit shelters	
Signs	§230-xx
Other uses and structures that are customarily incidental to the principal use	

E. Accessory Use Dimensional Standards

Accessory structures shall meet the dimensional requirements of principal structures.

F. General Development Standards.

Development in the OS District shall comply with the general development standards listed in §230-xx as applicable.

~~§ 230-19 McKinley Parkway Overlay – MPO.~~

~~A. Purpose. The McKinley Parkway Overlay District is hereby established in recognition of the historic character of the route as an Olmsted Parkway. The district is designed to protect the architectural and urban design features of the roadway as a regional cultural tourism asset.~~

~~B. Design standards. Along McKinley Avenue, from McKinley Circle to South Park Avenue, the following regulations shall apply in addition to those regulations of the underlying zone:~~

~~(1) Buildings shall be set back at least 50 feet from the street right-of-way.~~

~~(2) New construction shall incorporate architectural design features as represented in the Buffalo Flat and Bungalow styles.~~

~~(3) The use of the following high canopy street tree species is encouraged:~~

~~(a) Acer plananoides Cleveland – Norway Maple cultivar.~~

~~(b) Acer rubrim Autumn Blaze or Karpick – Red Maple cultivar.~~

~~(c) Fraxinux excelsior Empire – European Ash cultivar.~~

- ~~(d) Quercus rubrum — Northern Red Oak.~~
- ~~(e) Tilia cordata Crimean, Glen Haven, Greenspire or Redmuond — Littleleaf Linden Cultivar.~~
- ~~(f) Ulmus Delaware, Homestead, or Liberty — Elm cultivar.~~
- ~~(4) Sign design.~~
 - ~~(a) Signposts and signs shall be finished in a dark color, preferably black with green in it, so as to be visually recessive and provide a parklike image.~~
 - ~~(b) Sign lettering and graphics should be white, silver or gold.~~
- ~~(5) Paving materials.~~
 - ~~(a) Where slope, durability or reduced maintenance is required, asphalt or a dark pigmented concrete should be used.~~
 - ~~(b) The use of unit pavers such as brick should be limited to areas of special importance such as entrances.~~

~~§ 230-20 Seaway Trail Overlay — STO.~~

- ~~A. Purpose. The Seaway Trail Overlay District is hereby established to highlight the unique nature of U.S. Route 5 as a segment of the Seaway Trail, a National Scenic Byway. The district regulates development along U.S. Route 5 to maintain views of Lake Erie and the visual quality of the corridor.~~
- ~~B. Design standards. Where a property abuts Route 5/Seaway Trail it shall comply with the following design guidelines in addition to those regulations of the underlying zone:~~
 - ~~(1) A public view of Lake Erie shall not be obstructed for more than 400 feet.~~
 - ~~(2) Where a building obstructs a public view of Lake Erie, side yards shall be a minimum of 100 feet in width.~~

Typical Building Arrangement

~~[Image]~~

- ~~(3) Parking lots shall be screened from view on the Seaway Trail through the use of dense vegetation.~~
- ~~(4) No fences, walls or hedges greater than four feet shall be erected, placed or maintained between the waters of Lake Erie and the nearest point of the principal building located on the premises.~~

- ~~(5) Seaway Trail, Inc., logo shall be incorporated in signs visible from Route 5.~~
- ~~(6) Daffodils should be incorporated in landscaped areas along Route 5.~~
- ~~(7) Pedestrian and bicycle facilities shall be provided along the entire length of Route 5 with pedestrian overlooks on bridges where possible.~~

Typical Pedestrian Overlook

[Image]

~~§ 230-21 Smokes Creek Overlay - SCO.~~

~~A. Purpose. The Smokes Creek Overlay District has been designated along Smokes Creek in the City of Lackawanna to protect and enhance the corridor's ecological quality while allowing public recreation access. The development of a vegetative buffer is encouraged to promote non-point source pollution abatement, the stabilization of stream banks and water quality enhancement. The development of structures and impervious surfaces within the District is limited to allow maximum stormwater recharge and limit damages associated with creek flooding.~~

~~B. Design standards.~~

~~(1) Within 15 feet of the mean water line of Smokes Creek, an undisturbed buffer of native or naturalized vegetation shall be established through the natural succession of existing plant materials. Within this buffer area no more than 10% of vegetation may be cleared to provide creek access.~~

~~(2) Within 50 feet of the mean water line of Smokes Creek the following uses shall be permitted:~~

~~(a) Trailways, overlooks, picnic shelters and other structures appropriate to passive recreational uses.~~

~~(b) Access for water related activities.~~

~~(c) Stormwater detention/retention.~~

~~(3) Within 50 feet of the mean water line of Smokes Creek the following uses shall be prohibited:~~

~~(a) Sand and gravel excavations;~~

~~(b) Dumping of snow or ice containing deicing agents;~~

~~(c) Bulk storage of salt, chemicals or petroleum products; and~~

~~(d) Parking lots.~~

~~Typical Development along
Smokes Creek~~

~~[Image]~~

§4-15 Historic Property Overlay (HPO)

- A. Purpose.** The Historic Property Overlay (HPO) District is meant to provide additional protections to buildings, properties, and features that are deemed architecturally and/or culturally significant to the City of Lackawanna. Development that occurs within the Historic Property Overlay District must be consistent with the style of existing buildings and features on site and other buildings and features within the district. This district is intended to:
- i. Promote the protection and enhancement of the historic buildings, sites and districts which represent distinctive elements of Lackawanna’s historic, architectural and cultural heritage as well as archaeological sites;**
 - ii. Foster civic pride in the accomplishments of the past; and**
 - iii. Protect and enhance Lackawanna’s attractiveness to visitors and the support and stimulus to the economy thereby provided.**
- B. The Historic Preservation Overlay District regulations and procedures are intended to be imposed in addition to those of the underlying zoning district**
- C. Principal and Special Uses.** The Permitted principal uses within this overlay district are listed in the use schedule in **Section XXXX**, with the exception of:
- i. Pedestrian-oriented commercial uses, including retail and/or personal service establishments, restaurants, hotels, private clubs**
- D. Dimensional Standards.** The dimensional requirements of the base zoning district shall be met for all properties within the Historic Property Overlay District
- E. Accessory Uses and Structures.** All accessory uses permitted within the underlying zoning district are permitted within the Historic Property Overlay District.

Additionally, the following uses are permitted as subordinate to a permitted principal use:

- i. Public Parking**
- ii. Uses that are customarily incidental to the principal use**

F. Design Standards.

- i. Exterior wall surfaces of principal buildings shall be of masonry, brick, metal or a combination thereof. Exterior building walls shall not include Exterior Insulation Finish Systems (EFIS), vinyl siding, glass block, or vertical aluminum or metal siding.**
- ii. Side or rear walls of principal buildings facing a street right shall be comprised of the same exterior finish materials as the building front.**

G. Signs. Signs within the Historic Property Overlay District shall follow the requirements of §230-XX. The following sign types are prohibited within the Historic Property Overlay District:

- i. Pole sign**
- ii. Window sign**