



A Preview of Buffalo's New Zoning

MAKING THE CITY A BETTER PLACE TO LIVE, WORK, & INVEST

PREPARED FOR
THE CITY OF BUFFALO
OFFICE OF STRATEGIC PLANNING
MAYOR BYRON W. BROWN
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CAMIROS

"Every increment of construction must be done in such a way as to heal the city."

Christopher Alexander



A Preview of Buffalo's New Zoning

The City of Buffalo is moving forward with a 21st century approach to zoning that will make the city a better place to live, work, and invest.

This report provides a preview of the City of Buffalo's Unified Development Ordinance (UDO). The UDO represents the final phase of the Buffalo Green Code, an economic development strategy driven by smart growth and sustainability principles.

The Green Code will reform the policies and regulations guiding the city's physical development. The project includes the first citywide land use plan since 1977, and the first comprehensive zoning rewrite since 1953. Designed to reinforce the mixed-use, walkable places that give the city its competitive edge, the Green Code is recalibrating Buffalo's development DNA.

This document is a "sneak preview," outlining some core components of the new ordinance, including the new zone structure, permitted building types & frontages, the use table, and approval procedures. Public input will help refine these components as the new ordinance is written.

The Mayor's Office of Strategic Planning and its consultant team are engaging the community in this early conversation—even before the first draft of the UDO is released—to get feedback on how the ordinance can help revitalize every neighborhood in the city.

What will the UDO change?

Today, land use regulations in Buffalo are difficult to understand, reflect views that are out of touch with current lifestyle and development trends, and often prevent quality investment.

Buffalo's current zoning ordinance dates to 1953, its urban renewal plans as far back as 1957, and its subdivision ordinance to 1974. These documents are long—a staggering 1,804 pages. They often contradict each other. They do not embody a contemporary vision for the city's future.

HOW WILL THE NEW CODE BENEFIT BUFFALO?

Some of the primary differences (what's history and what's next) between the current regulatory framework and the forthcoming UDO

WHAT'S HISTORY	WHAT'S NEXT
 Rules do not address what people want to see in their neighborhoods. 	\pm The community's vision is reflected.
 Vague and discretionary requirements make development difficult. 	 Clear, objective requirements bring clarity and predictability.
 Rules focus intensely on separating uses, regardless of their compatibility. 	+ A "form-based" approach makes it easier to adapt to an evolving economy.
 Neighbors fear development because standards and procedures provide inadequate safeguards. 	 Neighbors have certainty about what can and cannot be built next door.
 Developers are required to emulate the suburbs. 	+ Pedestrian-friendly development is allowed.
 Standards are derived from boilerplate zoning templates. 	+ Standards are based on regional character and building traditions.
 The design of streets and open spaces is not addressed. 	+ Transportation choices and a high quality public realm are priorities.
Standards are written in inaccessible legal jargon.	+ Graphics, tables, and simple text make standards easy to understand and apply.

These outmoded regulations will soon be removed and replaced by a single, userfriendly document that combines related regulations so they are easy to understand and enforce. It will embrace Buffalo's walkable, green neighborhoods. It will give Buffalo an advantage in attracting jobs, investment, and talent.

As a form-based code, the new ordinance will emphasize character-of-place as its organizing principle, rather than merely how land and buildings are used. This means that the community's development vision will be communicated directly through the new ordinance. The employment of visuals and layman's language will help ensure that standards are clear and unambiguous.

The new ordinance is being written to respond to assets, challenges, and opportunities identified by neighborhood residents over the past 18 months. More than 2,400 citizens have participated in public input opportunities for the Green Code. The general direction of the ordinance has been updated to facilitate the demands outlined by the public.

How do I read this report?

This report reveals preliminary concepts for core elements of the UDO:

1. Zones. This section (page 4) describes the ordinance's new zones. Illustrative examples and descriptions of each

- zone are provided, depicting the type of development that will be encouraged.
- 2. Use Table. This section (page 18) describes the uses that may be permitted, permitted with a conditional approval permit, or not permitted in each zone.
- 3. Building Types & Frontages. This section (page 20) describes the types of buildings that will be addressed in the neighborhood zones, which are the focus of the new ordinance's form-based standards. When released, the ordinance will contain detailed information about lot widths and areas, lot occupancy, yard requirements, building heights, building disposition, facade transparency, entrance location, parking, and other factors.
- 4. Approvals. This section (page 29) describes each type of approval, whether it will require a public hearing, what type of public notice will be required, and who will make the approval.

This preview is intended to start the conversation on major topic areas of the UDO. Specific standards continue to be developed and will be included in the first draft of the ordinance.

How do I stay involved?

Everything that is built in Buffalo must follow the City's zoning ordinance. If the rules reflect the community's vision, then great places result. That's why it's important for residents to attend public meetings, ask questions, and give input.

Anyone and everyone is welcome to participate, even if you haven't been involved with the Green Code before. You are invited to review background materials that are available at buffalogreencode.com:

- ▶ Buffalo's Comprehensive Plan. This award-winning plan adopted in 2006 contains the guiding principles for all policy and investment decisions made by the City of Buffalo.
- ▶ Buffalo's Land Use Plan. This document, currently in draft form, translates the goals and objectives of the Comprehensive Plan into detailed policies for the city's physical development over the next 20 years. The plan's "place type" framework is the foundation for the zones of the UDO.
- > Zoning Policy Brief. This document gives a brief overview of the form-based approach of the UDO.
- ▶ A New Zoning Direction for Buffalo. This detailed technical report outlines the proposed structure and approach for the UDO.
- ▶ Green Code FAQ. This two-page document gives a general overview of how the UDO will make Buffalo a better place to live, work, and invest.

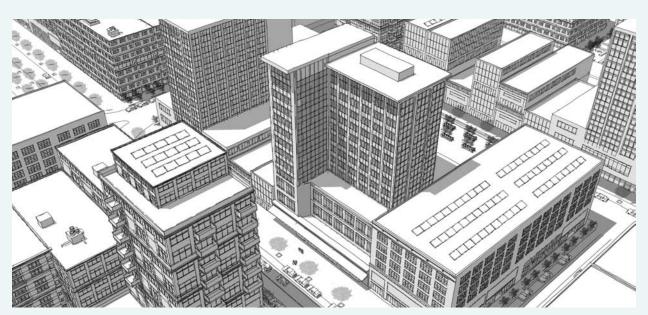
Let us know if we are heading in the right direction by writing to info@buffalogreencode.com or to the Mayor's Office of Strategic Planning, 920 City Hall, Buffalo, NY, 14202.

WHAT ARE THE NEW ZONES OF THE UDO?

The zones of the new Unified Development Ordinance are built around three "place types:" neighborhoods, districts, and corridors. Neighborhoods are mixed-use places where people live and work, ranging in character from most to the least urban. Districts are specialized places serving a single predominant use, such as a college campus or industrial park. Corridors are linear systems of transportation, green space, or waterfront that form the border of and connect the other two place types (the neighborhoods and districts) of the city.

URBAN CORE NEIGHBORHOODS	RETAIL DISTRICTS
 N-1D Downtown/Regional Hub N-1E Downtown Edge N-1S Secondary Employment Center 	D-RC Retail CenterD-RS Retail Strip
URBAN CENTER NEIGHBORHOODS	CAMPUS DISTRICTS
N-2P P-ZoneN-20 OpenN-2R Restricted	D-EC Educational CampusD-MC Medical Campus
GENERAL URBAN NEIGHBORHOODS	INDUSTRIAL DISTRICTS
 N-3P P-Zone N-30 Open N-3R Restricted N-3S Single Family 	D-IO Office CampusD-IL Light IndustrialD-IH Heavy Industrial
URBAN EDGE NEIGHBORHOODS	OPEN SPACE DISTRICTS
N-4-45 VillaN-4-60 Estate	 D-OO Olmsted D-OR Recreational D-OS Square D-OG Green D-ON Natural
CAMPUS NEIGHBORHOODS	CORRIDORS
N-C Residential Campus	 C-W Waterfront C-R Rail C-H Highway C-G Greenway C-M Metro Rail

N-1D Downtown/Regional Hub



The N-1D Zone will address the core of downtown Buffalo and will facilitate development of substantial scale with an intense mix of uses.

N-1E Downtown Edge



The N-1E Zone will address the edges of the downtown core and will facilitate mid-rise development with an intense mix of uses.

N-1S Secondary Employment Center



The N-1S Zone will address mixed-use industrial clusters, such as the Larkin District and Niagara Industrial Corridor, generally defined by mid-rise and large-footprint structures.

N-2P P-Zone



The N-2P Zone will address mixed-use centers in Buffalo's oldest neighborhoods, such as Allentown, Black Rock, and Elmwood Village.

N-20 Open



The N-20 Zone will address secondary centers, typically at the edges of more intense mixed-use centers, in Buffalo's oldest neighborhoods. These areas are defined by a mix of homes and stores.

N-2R Restricted



The N-2R Zone will address areas adjoining the centers of Buffalo's oldest neighborhoods, generally defined by compact residential blocks with corners that are occasionally mixed use.

N-3P P-Zone



The N-3P Zone will address mixed-use centers in Buffalo's streetcar neighborhoods, such as North Park, Kensington/Bailey, and South Buffalo, that developed in the early 20th century.

N-30 Open



The N-30 Zone will address secondary centers in Buffalo's streetcar neighborhoods, typically located at the edges of more intense mixed-use centers. These areas are defined primarily by a mix of homes and stores.

N-3R Restricted



The N-3R Zone will address areas beyond the centers of Buffalo's streetcar neighborhoods, defined by moderately compact residential blocks with corners that are occasionally mixed-use.

N-3S Single Family



The N-3S Zone will address areas in Buffalo's streetcar neighborhoods defined by moderately compact blocks of primarily single-family homes.

N-4-45 Villa



The N-4-45 Zone will address neighborhoods, such as Central Park and Kensington Heights, that are composed primarily of single-family homes on lots at least 45 ft. in width.

N-4-60 Estate



The N-4-60 Zone will address neighborhoods, such as Park Meadow, that are composed primarily of single-family homes on lots at least 60 ft. in width.

N-C Residential Campus



The N-C Zone will address residential campuses composed of garden apartments or towers in a park, typically organized within large-scale superblocks.

D-RC Retail Center



The D-RC Zone will address retail centers, such as Consumer Square on Delaware Avenue and Wegmans Plaza on Amherst Street, with prominent parking areas centered around one or more "big box" format buildings.

D-RS Retail Strip



The D-RS Zone will address linear retail strips typically located at conventional suburban arterials, highway access points, or adjacent to existing retail center zones.

D-EC Educational Campus



The **D-EC Zone** will address educational campuses, such as Canisius College and Buffalo State College.

D-MC Medical Campus



The D-MC Zone will address medical campuses such as Erie County Medical Center and the Buffalo Niagara Medical Campus.

D-IO Office Campus



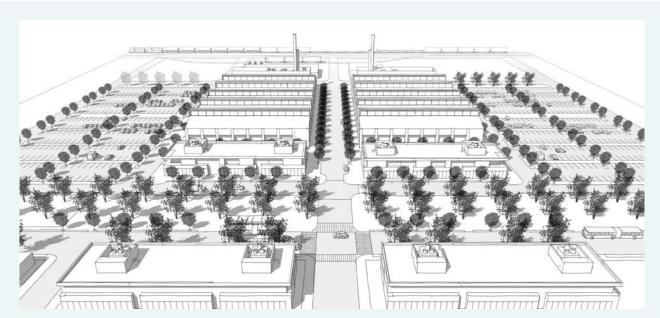
The **D-IO Zone** will address office campuses such as the Buffalo Free Trade Complex.

D-IL Light Industrial



The D-IL Zone will address light industrial sites such as Kelly Island, Lakeside Commerce Park, and the Thruway Industrial Park.

D-IH Heavy Industrial



The D-IH Zone will address heavy industrial sites such as the Outokumpu American Brass Company plant in Black Rock.

D-OO Olmsted



The D-OO Zone will address the parks, parkways, roundabouts, and other public spaces that make up the open space system designed by Frederick Law Olmsted and Calvert Vaux.

D-OR Recreational



The D-OR Zone will address open spaces, such as Johnny B. Wiley Sports Complex, designed primarily to facilitate structured recreational uses, such as sports fields, indoor recreational facilities, and playgrounds.

D-OP Plaza



The **D-OP Zone** will address civic plazas, such as Niagara Square, located at the intersection of important thoroughfares, enclosed by building facades along most of their circumference, and designed for intensive public use.

D-OG Green



The **D-OG Zone** will address civic greens and parks, such as Days Park and Scheu Park, characterized primarily by trees and landscaping, framed by landscape elements or building facades, and designed for passive use.

D-ON Natural



The **D-ON Zone** will address open spaces, such as the Tifft Farm and Times Beach nature preserves, that are maintained in a predominantly natural state.

WHAT USES WILL BE PERMITTED?

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Permitted

Conditional

Conditional, Corner Lots Only

* Overlay (Use standards of base zone apply.)

WHAT USES WILL BE PERMITTED? (CONTINUED)

* Overlay (Use standards of base zone apply.)

	N-1D	N-1E	N-1S	N-2P	N-20	N-2R	N-3P	N-30	N-3R	N-3S	N-4-45	N-4-60	N-C	D-RC	D-RS	D-MC	D-EC	O-IO	D-IL	D-IH	D-00	D-OR	D-0P	D-0G	D-ON	C-W*	C-R	C-H	O-0	°-₩
RETAIL & SERVICE (CONT.)																				•										
Self-Storage Facility		•	•			•			•					•				•	•	•										
Tavern				•									•									•		•						
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Wind Farm																														
Wireless Telecommunications																														

Conditional, Corner Lots Only

Conditional

Permitted

WHAT TYPES OF BUILDINGS WILL BE ALLOWED?

BUILDING TYPE	≣	N1-D	N-1E	N-1S	N-2P	N-20	N-2R	N-3P	N-30	N-3R	N-3S	N-4-45	N-4-60
	Carriage House		•		•	•	•	•	•	•	•		
	Cottage					•	•						
	Detached House					•	•		•	•	•	•	•
Tribula in the fall of the fal	Attached House		•			•	•						
	Estate House											•	•
	Stacked Units	•	•	•		•	•		•	•			
	Shopfront			•				•	•				
	Shopfront House				•	•	•	•	•	•			
	Commercial Block	•	•	•	•	•	•	•	•	•			
	Tower	•											
	Industrial Shed			•									
	Loft Building			•									
	Civic Building	•	•	•	•	•	•	•	•	•	•	•	•

Carriage House



A carriage house is a dwelling or live/work space located along an alley or at the rear of a principal dwelling. It is typically one or two stories and may integrate a garage at the ground level.

Cottage



A **cottage** is a dwelling on a narrow lot (15 to 30 ft.) ranging in height from one to three stories.

Detached House



A detached house is a dwelling on a typical urban lot (30 to 75 ft.) ranging in height from one to three stories.

Attached House



An attached house is a dwelling on a narrow lot (15 to 45 ft.) that shares a party wall with a structure on an adjoining lot, typically ranging in height from two to four stories.

Estate House



An **estate house** is a detached dwelling on a large lot (75 ft. or more) ranging in height from one to three stories.

Stacked Units



Stacked units are structures of two or more stories that facilitate multiple units connected with one or more shared entries.

Shopfront



A shopfront is a one-story building typically used for retail or employment uses, located adjacent to the front or corner lot lines and containing a highly transparent principal facade.

Shopfront House



A **shopfront house** is a house with an attached shopfront.

Commercial Block



A commercial block is a structure of two or more stories designed to facilitate pedestrian-oriented retail or office uses on the ground floor, with upper floors typically designed for residential, hospitality, or employment uses.

Tower



A tower is a stacked unit or commercial block structure of substantial height, typically limited to downtown or regional hub areas.

Loft Building



A loft building is a multistory structure with large footprints, often designed with tall ceilings, expansive windows, and light wells to allow maximum penetration of natural light.

Industrial Shed



An industrial shed is a single-story structure with a large footprint, often naturally lit with monitor or sawtooth roofs. Such structures are typically designed for industrial, office, or "big box" retail uses.

Civic Building



A civic building is a structure designed to stand apart from its surroundings due to the special nature of its use as a public facility. They are often the most prominently sited and architecturally significant structures in a community.

HOW CAN BUILDINGS BE EMBELLISHED?

FRONTAGE TYF	PΕ	CARRIAGE HOUSE	COTTAGE	DETACHED HOUSE	ATTACHED HOUSE	ESTATE HOUSE	STACKED UNITS	SHOPFRONT	SHOPFRONT HOUSE	COMMERCIAL BLOCK	TOWER	INDUSTRIAL SHED	LOFT BUILDING	CIVIC BUILDING
	Porch	•	•	•	•	•	•							
	Stoop	•	•	•	•	•	•							
	Arcade									•	•	•	•	•
	Plaza						•			•	•	•	•	•
	Courtyard						•			•	•	•	•	•
	Balcony	•	•	•	•	•	•		•	•	•		•	•
	Awning	•	•	•	•	•	•	•	•	•	•	•	•	•
1.47	Canopy						•			•	•	•	•	•
	Porte- Cochère			•	•	•	•			•	•			•

WHAT APPROVALS WILL BE REQUIRED?

APPLICATION	SCOPE	PUBLIC HEARING	NOTICE	APPROVAL BODY
Zoning Text & Map Amendments	Change UDO text or the zoning map	City Planning Board	Text Amendment: Published; Map Amendment: Published, Mailed, & Posted	City Planning Board recommends; Common Council approves
Conditional Approval Permit	Approve, approve with conditions, or disapprove applications subject to discretionary review	City Planning Board	Published, Mailed, & Posted	City Planning Board
Variance	Grant relief from UDO standards that cause practical difficulties or economic hardships	Zoning Board of Appeals	Posted	Zoning Board of Appeals
Site Plan Review	Special review of applications that cannot be addressed solely by objective requirements	None	None	City Planning Board
Administrative Exceptions	Grant minor exceptions to UDO standards that result in practical or economic difficulties	None	Mailed (Limited Area)	Zoning Administrator
Zoning Appeal	Appeal a decision of the Zoning Administrator	None	None	Zoning Board of Appeals
Zoning Verification	Verify an application complies with UDO standards	None	None	Zoning Administrator
Zoning Interpretation	File a written interpretation of a UDO provision	None	None	Zoning Administrator
Sign Permit	Approve an application for a sign that complies with UDO standards	None	None	Zoning Administrator
Temporary Use Permit	Authorize an application for a temporary use or structure that complies with UDO standards	None	None	Zoning Administrator
Administrative Subdivision	Approve minor changes in boundaries between lots, division of lot into two, or consolidation of two lots	None	None	Zoning Administrator
Minor Subdivision	Approve division of lot into up to four lots, or consolidation of up to four lots into one	City Planning Board	None	City Planning Board
Major Subdivision	Approve all other divisions, consolidations, conveyances, and vacations of land	City Planning Board	None	City Planning Board

PREPARED FOR
THE CITY OF BUFFALO
OFFICE OF STRATEGIC PLANNING
MAYOR BYRON W. BROWN
JUNE 4, 2012

