

Article III
Zoning District Regulations

§ 245-8 R-1 One-Family Residential District.

A. Permitted principal uses:

- (1) Single-family dwellings.
- (2) Churches and other similar places of worship, parish houses, convents, and other such facilities of recognized religious groups.
- (3) Municipal parks, playgrounds and recreation areas deemed necessary and appropriate by the Village Board.
- (4) Professional offices and home occupation uses, provided that they are carried on in conjunction with a residential use on the property.
- (5) Farms and related farming activities, such as [chicken coups, residential gardens, and beekeeping](#), provided that no storage of odor- or dust-producing substances shall be permitted within 100 feet of an adjoining lot line.
- (6) Public buildings, libraries, museums, and public and nonprofit private schools accredited by the State Education Department.

B. Permitted accessory uses:

- (1) Those supporting the permitted uses and those requiring special use permits.
- (2) Private garages.
- (3) Customary residential storage structures.
- (4) Animal shelters for domestic pets of the household.
- (5) Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts, and the like.
- (6) Noncommercial greenhouses and customary farm buildings for the storage of products or equipment located on the same parcel as the principal use.
- (7) Signs, in accordance with Article IV.

C. Permitted uses with a special use permit, subject to the requirements of Article VI:

- (1) Public utility uses.
- (2) Cluster residential developments.

- (3) Cemeteries, hospitals, sanitariums and convalescent homes.
- (4) Special-placement residences.
- (5) Auxiliary Housing Units.
- (6) Short term rental establishments (pursuant to the requirements in Article XV).

~~245-9 R-2 Two-Family Residential District.~~

~~A. Permitted principal uses:~~

- ~~(1) Includes all uses permitted in § 245-8A, except Subsection A(5) thereof.~~
- ~~(2) Two-family dwellings.~~
- ~~(3) Boarding and rooming houses.~~

~~B. Permitted accessory uses:~~

- ~~(1) Includes all uses permitted in § 245-8B.~~

~~B. Uses permitted with a special use permit, subject to the requirements of Article VI:~~

- ~~(1) Public utility uses.~~

~~C. Off-street parking requirements: off-street parking spaces as defined in Article VI.~~

§ 245-9 MF-R Multiple-Family Residential District.

A. Permitted principal uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Boarding and rooming houses.
- (4) Multi-Family dwellings up to five units granted the structure is residential in nature.
- (5) Churches and other similar places of worship, parish houses, convents, and other such facilities of recognized religious groups.
- (6) Municipal parks, playgrounds and recreation areas deemed necessary and appropriate by the Village Board.
- (7) Professional offices and home occupation uses, provided that they are carried

on in conjunction with a residential use on the property.

- (8) Farms and related farming activities, such as chicken coups, residential gardens, and beekeeping provided that no storage of odor- or dust-producing substances shall be permitted within 100 feet of an adjoining lot line.
- (9) Public buildings, libraries, museums, and public and nonprofit private schools accredited by the State Education Department.

B. Permitted accessory uses:

- (1) Those supporting the permitted uses and those requiring special use permits.
- (2) Private garages.
- (3) Customary residential storage structures.
- (4) Animal shelters for domestic pets of the household.
- (5) Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts, and the like.
- (6) Noncommercial greenhouses and customary farm buildings for the storage of products or equipment located on the same parcel as the principal use.
- (7) Signs, in accordance with Article IV.

C. Permitted uses with a special use permit, subject to the requirements of Article VI:

- (1) Public utility uses.
- (2) Residential garden apartments and multiple-dwelling developments (over five units).
- (3) [Auxiliary Housing Units \(pursuant to the requirements in Article XIII\).](#)
- (4) [Short term rental establishments \(pursuant to the requirements in Article XV\).](#)

D. Off-street parking requirements: off-street parking requirements as defined in Article VI.

§ 245-10 MU-R Mixed-Use Residential District.

- A. **Purpose/ Intent:** This zone will help to create a livelier residential community by integrating residential, small scale commercial, and recreational spaces, while retaining a classic neighborhood charm. Uses in this zone should add value to neighborhoods by creating cohesive communities with increased economic and cultural opportunities.

Further, mixed-use neighborhoods should create vibrant, connected communities that improve residents' well-being and make better use of existing space. This zoning district shall support, but not compete with the Mixed-Use Business District.

B. Permitted principal uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Multi-family dwellings, up to five units in a structure that is residential in nature.
- (4) Boarding and rooming houses.
- (5) Churches and other similar places of worship, parish houses, convents, funeral homes (without crematories), and other such facilities of recognized religious groups
- (6) Municipal parks, playgrounds, and recreation areas.
- (7) Professional offices and home occupation uses such as, but not limited to, doctors, lawyers, barbers, personal trainers, or artisans, provided that they are carried on in conjunction with a residential use on the property.
- (8) Public buildings, libraries, museums, and public and nonprofit private schools accredited by the State Education Department.
- (9) Farms and related farming activities including, but not limited to, chicken coups, residential gardens, and bee keeping, provided that no storage of odor- or dust-producing substances shall be permitted within 100 feet of an adjoining lot line.

Commented [NZ1]: Angola requested this was added in their comments

C. Permitted Accessory Uses:

- (1) Those supporting the permitted uses and those requiring special use permits.
- (2) Private garages.
- (3) Customary residential storage structures.
- (4) Animal shelters for domestic pets of the household.
- (5) Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts, and the like.
- (6) Noncommercial greenhouses and customary farm buildings for the storage of products r equipment located on the same parcel as the principal use.
- (7) Signs, in accordance with Article IV.

D. Uses Specifically Not Allowed:

- (1) Commercial [Uses requiring more than 6 parking spaces]

E. Permitted uses by Special Use Permit subject to the requirements of Article VI:

- (1) Standalone professional offices in existing buildings.
- (2) Single practitioner doctor's office in existing buildings.
- (3) New construction of professional offices and single practitioner doctor's offices.
- (4) Retail shops or dining facilities deemed appropriate by the Zoning Board of Appeals.
- (5) Public utility uses.
- (6) Cluster residential developments.
- (7) Cemeteries, hospitals, sanitariums and convalescent homes.
- (8) Special-placement residences.
- (9) Auxiliary Housing Units
- (10) Short term rental establishments (pursuant to the requirements in Article XV)
- (11) Other business uses which, in the opinion of the Board of Appeals, are similar in nature and scale to those permitted above.

F. Off-street parking requirements: off-street parking requirements as defined in Article VI.

G. Performance Standards: This section outlines the performance standards that developments must meet to ensure compatibility with the surrounding area and protect community health and safety.

- (1) Land Use Compatibility. Residential development must be compatible with surrounding land uses. New residential projects should consider existing agricultural, forestry, or open space uses and avoid conflicts and be harmonious in the existing neighborhood context. Commercial uses, where allowed, should be limited in scale to ensure they do not overwhelm the residential character or disrupt the natural setting.
- (2) Site Design and Landscaping. Site designs must incorporate native vegetation and green infrastructure to manage stormwater and support local wildlife. Landscaping should enhance the neighborhood character and provide visual buffers between residential and commercial areas.
- (3) Lighting and Visual Impact. Exterior lighting must be designed to minimize light

Commented [NZ2]: Does this prevent the development of moderately sized apartment buildings? Do we need something in the permitted uses section stating apartment buildings are okay?

Commented [NZ3R2]: There is a comment given to us on Friday afternoon saying "Uses requiring more than 2 street parking spaces depending on location

(if parcels have enough space for 6+ spaces why restrict?)

I think you restrict because we're not trying to encourage large parking lots-- if there is space available already a variance could be granted

pollution and utilize dark sky compliant lighting features. Shielded fixtures and low-intensity lighting are encouraged. However, consideration should be given to safety lighting at entrances, walkways, exits, and other circulation points. The use of flashing or neon light is not permitted.

- (4) Noise Control. Residential developments must include noise mitigation measures to minimize disturbance from traffic, machinery, and other sources. The enjoyment and livability of the neighborhood must not be disrupted.

H. Design Standards: This section sets forth design standards for developments to ensure aesthetic consistency and enhance the character of the community.

- (1) Building Aesthetics: Buildings should reflect the historic architectural style consistent with the Village’s neighborhood character. Homes should be of similar style and scale of those currently existing in neighborhood. Commercial buildings should be residential in character, by using design features such as peaked roofs, windowsill details, scale, and materials that would be commonly found on residential structures.

Commented [CB4]: Re-phrase this to clarify “Commercial buildings should have a residential façade/ design” or something similar to make it clear that commercial buildings are within an actual residential style building.

- (2) Building Materials: Use of textured materials, such as brick, wood, or natural stone, is encouraged (excluding single-family homes). Avoid reflective or highly industrial materials that may disrupt the visual harmony of the area.

- (3) Architectural Features: Architectural features such as pitched roofs, overhangs, and traditional detailing may be incorporated to adhere to the neighborhood character of these districts. Commercial signs should be modest in scale and placed in a manner that is integrated with the building’s façade, and in adherence with the signage regulations in Article VI.

- (4) Landscaping. Landscaping should be used to soften building edges and provide buffers between different land uses. Incorporate native plant species and sustainable landscaping practices.

§ 245-11 Mixed-Use Business District (MU-B).

A. Purpose/Intent: This zone should foster economic vitality by supporting local businesses, while enhancing the convenience and accessibility for community members and visitors through reduced travel needs and increased walkability. This zone should serve as a social and cultural hub, strengthening community ties and preserving local charm and history. This zone promotes sustainable development through the efficient use of land, while revitalizing underdeveloped parcels. This district should contribute to the overall growth and vibrancy of the Village of Angola.

B. Permitted Uses:

- (1) Retail business establishments which are clearly of a community service characteristic, such as but not limited to:

- i. Stores selling groceries, meats, baked goods, and other such food items.
- ii. Drugstores.
- iii. Stationary, tobacco, and newspaper stores, luncheonettes, and confectionery stores.
- iv. Hardware, radio and television stores.
- v. Clothing, accessory, and jewelry stores.
- vi. Restaurants and bar, tavern, or pub.
- vii. Department and general merchandise stores.
- viii. Hotels
- ix. Furniture and appliance stores.
- x. Paint stores.

(2) Personal service establishments which are clearly of community service in character, such as but not limited to the following:

- i. Hair salons and barbershops.
- ii. Tailor shops, dry-cleaning, and laundry service shops provided only items of customer supply shall be serviced on premises. Service of any product or item from collection points or pickup stations (other than retail customer route trucks) shall be prohibited.
- iii. Indoor theaters and assembly halls.
- iv. Commercial recreation areas.
- v. Shoe repair shops
- vi. Business and professional offices, banks, financial institutions.
- vii. Funeral homes with no crematories
- viii. Studios for dance, exercise, art, music, or the like.

C. Uses Specifically Not Allowed:

- (1) Automotive uses.

- (2) Dark stores.
- D. Permitted uses by Special Use Permit subject to the requirements of Article VI:
 - (1) Mixed use buildings (of permitted uses).
 - (2) Two allowed uses on one lot.
 - (3) Drive-through's associated with an allowed/permitted use.
 - (4) Short term rental establishments (pursuant to the requirements in Article XV)
- E. Permitted Accessory Uses:
 - (1) Those supporting the permitted uses and those requiring special use permits.
 - (2) On-site (in a parking lot) electric vehicle charging stations.
 - (3) Signs to identify a permitted business use which are located on the same property as the permitted use, and which meet the requirements set in Article IV.
- F. Off-street parking requirements: off-street parking requirements as defined in Article VI.
- G. Performance Standards: This section outlines the performance standards that developments must meet to ensure compatibility with the surrounding area and protect community health and safety.
 - (1) Compatibility with Surrounding Uses. New developments must demonstrate compatibility with existing land uses. Projects should minimize adverse impacts such as noise, odor, and traffic congestion on adjacent uses. Buffers, landscaping, and screening should be incorporated where necessary to reduce visual and noise impacts.
 - (2) Traffic Impact. New developments and renovations to existing structures must include a traffic impact analysis to assess potential effects on local roads and intersections. Traffic management strategies should be implemented to mitigate congestion and ensure safe and efficient transportation flow both on and surrounding parcel.
 - (3) Access and Parking. New developments and renovations to existing structures must provide safe and adequate vehicular access, including entry and exit points that do not compromise public safety. Parking areas should be designed to minimize visual impact and include green infrastructure elements, such as permeable paving and landscaping.
 - (4) Noise Levels. Activities must include noise mitigation measures to minimize disturbance from traffic, machinery, and other sources.

(5) Odor and Emissions. Businesses must implement controls to manage and mitigate odors and emissions. This includes using air filtration systems and ensuring compliance with environmental regulations.

H. Design Standards: This section sets forth design standards for developments to ensure aesthetic consistency and enhance the character of the community.

- i. Building Aesthetics: New construction, building renovations, and building additions shall be complimentary of the historic nature of the Village. Consideration should be given to window finishes, trims, transitions between building materials, building base treatments, and other factors that create an aesthetic harmonious with the Village.
- ii. Historic Nature: Consideration should be given to the historic nature of buildings being redeveloped, and proposed new construction should be harmonious with historic structures. These standards do not require the precise re-creation of historic styles. Contemporary interpretations in correct proportion, character and style can be utilized to strengthen the identity of new buildings. Materials, details, and colors should be historically appropriate in this district.
- iii. Doors and entryways: It should be clear where the public entrance is located through the use of signage, design, and proper materials. Appropriate scale of entrance should be considered in designs, with more emphasis being placed on main entrances, and less emphasis on secondary or private entrances.
- iv. Refer to the Village of Angola – Downtown Redevelopment Feasibility Project for further design examples and guidelines.

Commented [CB5]: Maybe use the word existing instead

Commented [NZ6]: This was in Williamsville Code-- I thought it might be a good note so developers have more flexibility while still adhering to the historic nature of the village.

Commented [CB7R6]: I love this!

Commented [NZ8]: Delete. Replace with MU-B

§ 245-11.1 B Business District.

A. Permitted principal uses:

- a. Retail business establishments which are clearly of a community service characteristic, such as but not limited to:
 - i. Stores selling groceries, meats, baked goods, and other such food items.
 - ii. Drugstores.
 - iii. Stationary, tobacco, and newspaper stores, luncheonettes, and confectionery stores.
 - iv. Hardware, radio and television stores.
 - v. Clothing, accessory, and jewelry stores.

- vi. Restaurants and bar, tavern, or pub.
 - vii. Department and general merchandise stores.
 - viii. Hotels
 - ix. Furniture and appliance stores.
 - x. Paint Stores.
- b. Personal Service establishments which are clearly of community service in character, such as but not limited to the following:
- i. Hair salons and Barbershops.
 - ii. Tailor shops, dry-cleaning, and laundry service shops provided only items of customer supply shall be serviced on premises. Service of any product or item from collection points or pickup stations (other than retail customer route trucks) shall be prohibited.
 - iii. Indoor theaters and assembly halls.
 - iv. Commercial recreation areas.
 - v. Shoe repair shops
 - vi. Business and professional offices, banks, financial institutions.
 - vii. Funeral Homes with no crematories
 - viii. Studios for dance, exercise, art, music, or the like.
 - ix. Automobile body repair and painting.
- c. Warehousing or storage of goods which may be sold from the premises to the general public. The bulk storage of fuel for resale is specifically excluded from the intent of the above.

Commented [NZ9]: Originally this said everything allowed in B-2 was allowed here, but since we're getting rid of it, I copied what was allowed in the same format that the MU-B has. But these are the original uses.

Commented [NZ10]: This was one of the only differences, this is allowed here but not in the MU-B

Commented [NZ11]: Same with this, allowed here but not allowed in MU-B

B. Permitted accessory uses:

- a. Signs as permitted in Article IV.
- b. Parking: parking as permitted in § 245-11C.

C. Permitted uses with special use permit subject to the requirements of Article VI:

- a. Public utilities.
- b. Automotive uses.
- c. Landscape facilities.
- d. Short term rental establishments (pursuant to the requirements in Article XV).

D. Off-street parking requirements: off-street parking requirements as defined in Article VI.

§ 245-12 I Industrial District.

A. Permitted uses with special use permit subject to the requirements of Article VI:

- a. Any use of a light industrial nature is permitted which involves only the processing, assembly, packaging or storage of previously created or refined materials, provided that at no time will such use result in or cause:
 - i. Dissemination of dust, smoke, smog, observable gas, fumes or odors, or other atmospheric pollution, objectionable noise, glare, or vibration.
 - ii. Hazard of fire or explosion or other physical hazard to any adjacent building or to any plant growth on any land adjacent to the site of the use.
- b. The following uses are indicative of those which are intended to be permitted:
 - i. Manufacture of machinery, such as but not limited to carburetor and small machine parts, cash registers, sewing machines, and typewriters, calculators and other office machines, etc.
 - ii. Fabrication of metal products, such as baby carriages, bicycles, metal foil, tin, aluminum, gold, etc., metal furniture, musical instruments, sheet-metal products, and toys, etc.
 - iii. Fabrication of paper products, such as bags, book bindings, boxes and packaging materials, office supplies, and toys, etc.
 - iv. Fabrication of wood products, such as boats, boxes, cabinets and woodworking, furniture and, toys, etc.
 - v. Food and associated industries, such as bakeries, bottling of food and beverages, food and cereal mixing and milling, food processing, canning, and freezing, food sundry manufacturing, and ice cream manufacturing, etc.
 - vi. The warehousing or storage of goods and products, such as building materials, farm supplies, and the like, which may be sold from the premises to the general public. The bulk storage of fuel for resale is specifically excluded from the intent of the above.

- c. Office buildings for executive, engineering and administrative purposes.
- d. Scientific or research laboratories devoted to research, design and/or experimentation and processing and fabricating incidental thereto.
- e. The manufacturing and processing of pharmaceutical and cosmetic products.
- f. Public utility uses.
- g. Adult uses, subject to the conditions set forth in § 245-21. [Added by L.L. No. 6-1980]
- h. Gasoline service stations, subject to the conditions set forth in § 245-22. B.
- i. Short term rental establishments (pursuant to the requirements in Article XV)

B. Permitted Accessory Uses:

- a. Signs shall be permitted, for advertising industrial activities on the premises, which shall not exceed, in aggregate, 15% of the area of the front facade of the building. Such signs may be illuminated but shall not be of the flashing type.
- b. Private garage and storage buildings which are necessary to store any vehicles, equipment, or materials on the premises.
- c. Off-street parking space for the use of employees and visitors.

Commented [AR12]: Are not f, g and h accessory uses?

C. Other provisions and requirements:

- a. One off-street parking space shall be provided for each employee on the maximum shift or one space for every 300 square feet of total floor area, whichever is greater.
- b. Parking areas may be located in any of the required yard areas, provided that they are not less than 50 feet from a street line or 20 feet from a property line.
- c. Each use located in this district shall provide truck loading and unloading space on the same lot and in other than the required front yard so as to permit the transfer of goods in other than a public street.
- d. Each use established in this district shall set aside 15% of the tract for seeding and landscaping and use this area for no other purpose.
- e. All industrial processes shall take place within an enclosed building. Incidental storage of materials out-of-doors shall be permitted. Industrial uses shall be located so as to be a minimum of 25 feet from any property line abutting a nonindustrial district. This twenty-five-foot buffer strip shall be perpetually maintained with plant material to provide a visual screen between the industrial

use and the adjoining nonindustrial use.

D. Off-street parking requirements: off-street parking requirements as defined in Article VI.

E. Performance Standards: This section outlines the performance standards that developments must meet to ensure compatibility with the surrounding area and protect community health and safety.

- a. Compliance with Local, State, and Federal Regulations. All industrial activities must comply with applicable local, state, and federal regulations, including but not limited to environmental protection laws, safety codes, and labor standards.
- b. Environmental Protection.
 - i. Air Quality: Industrial operations must implement measures to minimize air pollutants and emissions. Air quality should be monitored and maintained within permissible levels as defined by local, state, and federal regulations.
 - ii. Water Management: Proper drainage and wastewater management systems must be in place to prevent contamination of stormwater and groundwater. Industrial discharges must meet regulatory standards.
 - iii. Waste Management: All waste, including hazardous materials, must be handled, stored, and disposed of in accordance with applicable regulations. Waste management plans should be developed and implemented to minimize environmental impact.
- c. Noise Control. Industrial operations must minimize noise to levels that do not adversely affect surrounding residential areas. Machinery and equipment must be maintained to reduce noise, and sound barriers or enclosures may be required where necessary.
- d. Odor Control. Measures must be implemented to control and minimize odors emanating from industrial activities. Any odor-producing processes should be contained and managed to prevent off-site nuisance.
- e. Visual Impact. Industrial facilities must be designed and maintained to be visually compatible with the character of the village. This includes landscaping, building materials, and architectural design. Screen planting or other visual buffering may be required to minimize visual impacts on neighboring properties.
- f. Traffic and Transportation. Access to industrial zones must be designed to handle anticipated traffic volumes without adversely affecting local roadways. Traffic management plans should be implemented to mitigate congestion and ensure safe access, particularly to ensure access for emergency vehicles. Adequate parking and loading areas must be provided on-site to prevent spillover onto public roads.

- g. Safety and Health. Industrial operations must adhere to occupational health and safety standards to protect employees and the surrounding community. This includes regular safety inspections and emergency preparedness plans. Facilities must implement measures to address and mitigate potential hazards associated with industrial processes.
 - i. Dust, dirt, fly ash, and other particulates shall be controlled so that no such emission will cause damage to human health, animals, vegetation, or other property, or which can cause any excessive soiling beyond the lot line of the source use.

F. Design Standards: This section sets forth design standards for developments to ensure aesthetic consistency and enhance the character of the community.

- a. Building Aesthetics: Industrial buildings should incorporate design elements that reflect the character of the Village. This includes using materials, colors, and architectural styles that blend with the surrounding landscape. Metal siding and large-scale, monotonous structures should be avoided or softened with appropriate façade treatments.
- b. Building Materials: Exterior materials should be durable and of high quality. Preferred materials include brick, stone, or textured masonry. Metal and concrete may be used but should be complemented by other materials to reduce visual monotony.
- c. Facade Treatments: Facades should include varied textures and colors to break up large expanses of building surfaces. Articulation such as pilasters, cornices, or windows should be used to add visual interest and scale.
- d. Building Orientation: Buildings should be oriented to enhance visual appeal and functionality. Main entrances should face public roads or access points, and loading docks should be positioned away from street view whenever possible.
- e. Landscaping: Landscaping shall enhance the visual appeal of the site. This includes planting trees, shrubs, and ground cover, particularly along street frontages and property boundaries. Landscaping should provide visual buffering and complement the village setting.

§ 245-13 Recreational Open Space Overlay District (R-OS).

A. Intent and Purpose:

- a. In accordance with the recommendations and policies of the Village of Angola Comprehensive Plan, the purpose of this overlay district is to provide a regulatory framework to preserve and protect important environmental and open space resources; create new opportunities for passive and active recreation, encourage

bicycle and pedestrian access; and preserve the character of the Village. This area of the Village contains significant areas of floodplain, freshwater wetlands, and vegetation and is isolated from the rest of the Village by railroads and a creek corridor. This overlay is also intended to control development, protect these resources, and encourage recreational opportunities, without impacting the economic value of the land or hampering development altogether.

- b. The overlay district regulations will supplement the underlying zoning restrictions and provide for harmonious, safe, and orderly development within the district.
- c. Objectives. The special regulations contained herein, which govern all proposed development and redevelopment within the boundaries of the Recreational and Open Space Overlay District shall be founded upon the following objectives:
 - i. Land use decision making shall consider a wide variety of recreational uses and open space features through the implementation of impact criteria to prevent potential adverse effects to the environmental features on the site and allow for more flexibility and creativity in design.
 - ii. Land use controls shall encourage preserving open space and encouraging recreational uses and furthering the goals of the Comprehensive Plan.
 - iii. Conversions of lands to desired uses shall be encouraged.
 - iv. Suburban development shall be minimized to control/manage growth. Standard road frontage lots are highly discouraged to help preserve the character of this overlay area.

B. Guidelines and objectives for environmental preservation.

- a. The amount of land clearing shall be minimized, and development shall be designed around significant resources on site, (i.e., wetlands, steep slopes, scenic vistas, floodplain boundaries, and wooded areas), to manage growth and achieve a more desirable environment than what would be possible through the strict application of the existing zoning.
- b. Conservation easements, deed restrictions and other methodologies shall be utilized, to the greatest extent practicable, to preserve significant natural resources of developable lots.
- c. More stringent environmental review shall be conducted for development of properties that contain important natural resources.
- d. Important habitats on the site should be identified, and the relative value of these areas for supporting wildlife should be determined.
- e. Trees of a minimum size of eight-inch diameter at breast height (DBH), all important trees, and any significant stands of vegetation shall be preserved to the

greatest extent possible. The Planning Board, with input from the Conservation Board, will provide direction to the applicant regarding areas to preserve.

- C. Boundary Description: As indicated in the Evans-Angola Comprehensive Plan, the Recreational Open Space Overlay District shall encompass all that land area that is located along the eastern-most boarder of the Town of Evans spanning west until Main Street, then follows parcel boundaries along the northern border. See Zoning Map for details.
- D. Permitted Uses:
 - a. Uses permitted in underlying zoning district.
 - b. Outdoor recreation (passive and active).
 - c. Outdoor education.
- E. Permitted Accessory Uses:
 - a. The accessory uses permitted in the Recreational and Open Space Overlay District shall be the same accessory uses as permitted in the underlying zoning district, plus recreational uses that complement the site and the Village's goals.
 - b. The following additional accessory uses shall also be allowed:
 - i. Recreational uses (passive and active),
 - ii. Outdoor activity centers,
 - iii. Hiking trails and related infrastructure,
 - iv. Environmental Conservation features,
- F. Uses Specifically Not Allowed
 - a. Automotive uses.
- G. Performance Standards: This section outlines the performance standards that developments must meet to ensure compatibility with the surrounding area and protect community health and safety.
 - a. Resource Protection. These standards shall safeguard critical natural resources, such as wetlands, streams, and wildlife habitats, by setting clear guidelines on land use and development practices.
 - b. Sustainable Development. These standards shall promote development that balances growth with environmental protection, ensuring that any new projects are compatible with the surrounding natural landscape.

Commented [CB13]: I don't think they have this

Commented [CB14R13]: Yeah I looked it up and couldn't find one

- c. Open Space Preservation. These standards seek to preserve open spaces for parks, recreational areas, and green corridors, thus enhancing community well-being.
- d. Mitigation of Impacts. New construction and development of current structures shall include measures to mitigate potential negative impacts of development, such as stormwater management and erosion control, protecting both natural resources and community infrastructure.
- e. Public Health and Safety: By regulating land use, these standards shall protect the health and safety of residents, ensuring clean air and water, and reducing risks associated with environmental degradation.
- f. Water Management:
 - i. Drainage Systems: The development shall, to the greatest extent possible, use natural drainage systems and low-impact, nonstructural stormwater management techniques. The stormwater system design shall be supported by an engineered stormwater management plan, shall address the quality of the stormwater runoff, and shall utilize best engineering practices and best management practices.
 - ii. All development shall, to the greatest extent possible, be designed to minimize the construction of impervious surfaces.
 - iii. The provisions for potable water, wastewater, stormwater and surface drainage systems, and other utilities shall not create a health or safety hazard to persons or property on or off the lot(s) proposed for development and shall be consistent with applicable local and state regulations.
- g. Preservation:
 - i. Street locations and design shall be such as to maintain and preserve, to the greatest extent possible, the natural topography, natural drainageways, significant landmarks, and trees (greater than eight-inch diameter at breast height), minimize cut and fill, preserve and enhance views and vistas on or off the subject parcel, and shall not create a health or safety hazard within the site or on any existing public streets.
 - ii. The overall development shall be such as to preserve historic or archaeological features existing on the site or to enhance such features in the immediate vicinity of the site.
 - iii. All development shall preserve a minimum of 50% open space.
- h. Audible and Visual Impacts:
 - i. Any new construction or redevelopment of current structures shall not

introduce new noise levels to the environment beyond a reasonable amount. A reasonable amount shall be considered noises that are required for the function of said development, while not being perceived by surrounding parcels, and not disrupting the behaviors of wildlife.

- ii. To avoid light pollution, accent lighting shall be directed downward onto the illuminated object or area, and not upward into the sky, or onto adjacent properties. Direct accent light emissions shall not be visible above the roofline, building, or other associated structure.

i. Access:

- i. All proposed applications shall illustrate how pedestrian and bicycle traffic will be accommodated on the property, and be tied into the downtown area where possible.
- ii. The applicant shall work with the Village to incorporate any trails systems and scenic overlooks included on the project site.
- iii. Parking areas should be minimal but used to ensure parked cars do not infringe on sensitive natural resources. Parking areas should be screened by greenery and made of permeable surfaces if possible.

H. Design Standards: This section sets forth design standards for developments to ensure aesthetic consistency and enhance the character of the community.

- a. Purpose/Intent: The following design standards are intended to guide the aesthetics of new construction and redevelopment of existing buildings to reduce site disturbance, preserve or enhance scenic vistas, increase the provision of open space areas, and to maintain the Village's character and visual appeal, ensuring that new developments harmonize with the existing environment.

b. Building Materials:

- i. Where applicable, natural materials such as wood and stone should be used on structures in this zone. Avoid reflective or highly industrial materials that may disrupt the visual harmony of the area.

c. Landscaping:

- i. The manner in which stone walls, rock outcroppings, watercourses and wetlands, large trees (greater than 24 inches' caliper), wooded areas by foliage lines, significant views and other special site attributes shall be incorporated into the landscape design of the site or proposed project.
- ii. Areas of significant trees must be identified and preserved to the greatest extent practicable.

Commented [NZ15]: While we don't want to encourage parking, we don't want people making their own parking spots when visiting the recreation areas. If they make their own on the side of the road or at a natural pull off, they may damage natural resources inadvertently.

Commented [CB16R15]: Yes!

Commented [CB17R15]: Are we going to add any "signage" requirements for this, or any sort of way to indicate where cars can and cannot park in this district? Or is it fine to leave it like this

Commented [CB18]: 8 Inch DBH?

Commented [CB19R18]: Comment from erie county

- iii. Landscaping plans must include maintenance plans for long-term upkeep of vegetation and native plants.

§ 245-14 Schedule of Area, Yard, Height and Coverage Regulations.

- A. The following schedule, entitled "Schedule A," sets forth in outline form the permitted principal uses, minimum lot sizes, minimum yard required, maximum building height, maximum lot coverage and minimum floor area. In case of conflict, the provisions of the various sections of this chapter shall supersede the provisions of this Schedule, which is included herein for quick reference.

§ 245-15 Interpretational Powers

- A. For projects proposed for site plan approval or a special use permit, the Zoning Board of Appeals is empowered to interpret and apply the provisions of this chapter to ensure that the intent and purpose of these provisions are achieved. Interpretations made by the Zoning Board of Appeals shall be consistent with the overall goals, objectives, and policies of the Evans-Angola Comprehensive Plan.
- B. The power of interpretation shall extend to any proposed uses that are not listed in this chapter and not prohibited that may arise in the future and were not anticipated by these zoning laws. These can be interpreted by the Zoning Board of Appeals as an allowed use or a use requiring a special use permit.
- C. The Zoning Board of Appeals may waive or modify any requirements in this chapter where an undue hardship on the property owner is clearly demonstrated and, that in doing so, the intent and purpose of the district is not diminished. This action is not considered a variance, but a granted power to waive the requirements of said district. In granting this waiver, the Zoning Board of Appeals shall attach such conditions as are, in the Zoning Board of Appeal's judgment, necessary to secure substantially the objectives of said district. These waivers shall be used by the Planning Board in completing site plan reviews.