

CHAPTER 1323
(WO) WATERFRONT OVERLAY DISTRICTS

1323.01-1323.05

Waterfront Zone No. 1 LaSalle Shoreline

- 1323.01 Purpose of Zone
- 1323.02 Permitted Uses
- 1323.03 Accessory Uses
- 1323.04 Site Plan Review
- 1323.05 Environmental Quality Review

1323.06-1323.08

**Waterfront Zone No. 2 Robert Moses Parkway/
Industrial Shoreline**

- 1323.06 Purpose of Zone
- 1323.07 Site Plan Review
- 1323.08 Environmental Quality Review

1323.09-1323.11

Waterfront Zone No. 3 Niagara Reservation Shoreline

- 1323.09 Purpose of Zone
- 1323.10 Site Plan Review
- 1323.11 Environmental Quality Review

1323.12-1323.15

Waterfront Zone No. 4 Niagara Gorge Shoreline

- 1323.12 Purpose of Zone
- 1323.13 Permitted Uses
- 1323.14 Site Plan Review
- 1323.15 Environmental Quality Review

1323.01 WATERFRONT ZONE NO. 1 LASALLE SHORELINE: PURPOSE OF ZONE

To provide for the optimal development of the City's waterfront for residential and commercial uses appropriate to the waterfront location. This zone shall permit only development which is compatible with the natural setting and which in turn is enhanced by the natural setting. This zone shall create incentive for new investment in this area which shall provide for the highest and best use of waterfront lands and features. The purpose of the zone is to insure compliance and consistency with all relevant New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

The City's waterfront district boundaries are illustrated on separate maps titled "Waterfront Overlay District" and are contained in Appendix C of this Zoning Ordinance. These maps indicate by boundary locations, each of the four waterfront zones as they relate to the zoning text. Generally, the Waterfront Overlay District encourages waterfront related uses and discourages those land uses which are deemed objectionable from a planning and development point of view. Each waterfront zone prescribes the highest and best uses for waterfront property and affords the City control through its site plan review process. The purpose of the Waterfront Overlay District is to insure compliance and consistency between local planning efforts and New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

1323.02 PERMITTED USES

- A. Waterfront Residential (WR1) District same as R1 district.
- B. Waterfront Residential (WR3) District same as R3 district.
- C. Waterfront Commercial (WC1) District same as C1 District with the following inclusions: public or private marinas, parks, refreshment and service buildings accessory thereto, boat landing ramps, yacht clubs, small boat construction and repair, boat rentals, and boat charters.

Retail stores, limited to the following types of merchandise: marine goods including fishing supplies, sporting goods and apparel, gifts, arts and crafts, newspapers, magazines, candy, tobacco, sundries, neighborhood groceries, liquor stores, libraries, museums, art or antique galleries, art and craft studios or studios for teaching or practicing performing arts, motels, hotels, or boatels, restaurants, commercial recreation, including tennis, skating rinks, dance halls, billiard parlors, bowling alleys, swimming pools, health clubs, and uses normally accessory thereto.

1323.03 ACCESSORY USES

The following accessory uses shall be permitted: private docking facilities, boat ramps, boat lifts, private boat storage structures, break walls, detached decks, gazebos, porches at water's edge, and satellite earth stations, subject to the requirements of Section 1326.10 of this Zoning Ordinance.

1323.04 SITE PLAN REVIEW

All improvements in Waterfront Overlay Districts require compliance with Site Plan Review Chapter 1324.

1323.05 ENVIRONMENTAL QUALITY REVIEW

All improvements must be in compliance with Environmental Quality Review Chapter 1333.

1323.06 WATERFRONT ZONE NO. 2 ROBERT MOSES PARKWAY/INDUSTRIAL SHORELINE: PURPOSE OF ZONE

To encourage recreational use and aesthetic appreciation of this shoreline. This zone shall provide for the mitigation of negative environmental impacts created by industry in this area. Zone No. 2 defines the highest and best use of the shoreline proper, as being that of public space dedicated to the preservation of the natural environment with increased opportunity for residents and visitors to access and use such shoreline for active recreational activities and for the passive appreciation of the river's natural beauty. The purpose of the zone is to insure compliance and consistency with all relevant New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

The City's waterfront district boundaries are illustrated on separate maps titled "Waterfront Overlay District" and are contained in Appendix C of this Zoning Ordinance. These maps indicate by boundary locations, each of the four waterfront zones as they relate to the zoning text. Generally, the waterfront overlay District encourages waterfront related uses and discourages those land uses which are deemed objectionable from a planning and development point of view. Each waterfront zone prescribes the highest and best uses for waterfront property and affords the City control through its site plan review process. The purpose of the Waterfront Overlay District is to insure compliance and consistency between local planning efforts and New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

1323.07 SITE PLAN REVIEW

All improvements in Waterfront Overlay Districts require compliance with Site Plan Review Chapter 1324.

1323.08 ENVIRONMENTAL QUALITY REVIEW

All improvements must be in compliance with Environmental Quality Review Chapter 1333.

**1323.09 WATERFRONT ZONE NO. 3 NIAGARA RESERVATION SHORELINE:
PURPOSE OF ZONE**

To insure that the natural environment of the rapids, cataracts, and park land are not impaired by development in proximity to the Niagara Reservation, or within the Reservation. This zone will encourage the proper design of developments to insure that development in this area will be of such character and composition to create a pleasant and attractive urban border to the Niagara Reservation. The purpose of the zone is to insure compliance and consistency with all relevant New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

The City's waterfront district boundaries are illustrated on separate maps titled "Waterfront Overlay District" and are contained in Appendix C of this Zoning Ordinance. These maps indicate by boundary locations, each of the four waterfront zones as they relate to the zoning text. Generally, the Waterfront Overlay District encourages waterfront related uses and discourages those land uses which are deemed objectionable from a planning and development point of view. Each waterfront zone prescribes the highest and best uses for waterfront property and affords the City control through its site plan review process. The purpose of the Waterfront Overlay District is to insure compliance and consistency between local planning efforts and New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

1323.10 SITE PLAN REVIEW

All improvement in Waterfront Overlay Districts require compliance with Site Plan Review Chapter 1324.

1323.11 ENVIRONMENTAL QUALITY REVIEW

All improvements must be in compliance with Environmental Quality Review Chapter 1333.

**1323.12 WATERFRONT ZONE NO. 4 NIAGARA GORGE SHORELINE:
PURPOSE OF ZONE**

To preserve and enhance the waterfront as an area for recreational and tourism uses while maintaining the beauty and spectacular character of the natural setting to the maximum feasible degree. To encourage development at selected sights (as identified in the Local Waterfront Revitalization Plan) that are recreational, cultural, or tourism related that is compatible and in harmony with the surrounding environment. This purpose of the zone is to

insure compliance and consistency with all relevant of the New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

The City's waterfront district boundaries are illustrated on separate maps titled "Waterfront Overlay District" and are contained in Appendix C of this Zoning Ordinance. These maps indicate by boundary locations, each of the four waterfront zones as they relate to the zoning text. Generally, the Waterfront Overlay District encourages waterfront related uses and discourages those land uses which are deemed objectionable from a planning and development point of view. Each waterfront zone prescribes the highest and best uses for waterfront property and affords the City control through its site plan review process. The purpose of the Waterfront Overlay District is to insure compliance and consistency between local planning efforts and New York State Coastal Management policies as defined in Appendix B of this Zoning Ordinance.

1323.13 PERMITTED USES

- A. Waterfront Residential (WR1, NPD) District Same as R1, NPD Districts.
- B. Waterfront Residential (WR1, WR2, WR3 and WR4) Same as R1, R2, R3 and R4 Districts respectively.
- C. Waterfront Commercial (WC2 and WRC) Same as C2 and DCD, except that adult use establishments are prohibited in the overlay zone.
- D. Waterfront Commercial (WC3) Same as C3 with the following inclusions: export/import retail outlets, duty free retail, souvenir and gift shops, restaurants and drinking establishments with or without entertainment, entertainment or education centers related to tourism or the environment, recreational centers with uses related to the setting such as cross country skiing, hiking suppliers, museums, and exhibit centers.
- E. Waterfront Public Space (WPS) Same as PS District with the following inclusions (only in areas so designed by LWRP): hotels, motels, restaurants and drinking establishments with or without entertainment, entertainment or educational centers related to tourism or the environment, recreational centers with uses related to the setting such as cross country skiing, hiking suppliers, museums, and exhibit enters.

1323.14 SITE PLAN REVIEW

All improvements in waterfront overlay Districts require compliance with Site Plan Review Chapter 1324.

1323.15 ENVIRONMENTAL QUALITY REVIEW

All improvements must be in compliance with Environmental Quality Review Chapter 1333.