

ZONING

225 Attachment 1

Village of Orchard Park

**Schedule 1
Use Controls**

[Amended 3-8-1982 by L.L. No. 1-1982; 4-26-1982 by L.L. No. 3-1982; 5-13-1991 by L.L. No. 3-1991; 12-12-1994 by L.L. No. 1-1994; 4-22-1996 by L.L. No. 8-1996; 7-13-1998 by L.L. No. 4-1998; 9-16-1998 by L.L. No. 6-1998; 10-12-1998 by L.L. No. 9-1998; 3-8-1999 by L.L. No. 2-1999; 8-9-1999 by L.L. No. 9-1999; 3-22-2010 by L.L. No. 2-2010; 9-28-2020 by L.L. No. 11-2020; 6-26-2023 by L.L. No. 11-2023]

District	Purpose	Permitted Principal Use	Permitted Accessory Use	Special Use
R-1 Residential Low-Density	To delineate those areas where predominantly residential development has occurred or will be likely to occur in accordance with the general plan for the Village of Orchard Park To upgrade the character of all residential areas in the Village by requiring standards of land use and lot and building bulk and size which more accurately reflect existing development To protect the integrity of residential areas by prohibiting the incursion of incompatible uses	One-family dwelling Recreation areas maintained by New York State, Erie County, or the Village of Orchard Park Schools (public or private or nonprofit) offering an academic course accredited by the State Education Department Churches and other houses of worship	Uses customarily incidental to the principal uses such as: Private garages Private swimming pools Private tennis and racket courts Signs Off-street parking	Community facilities (See § 225-16) Bed-and-breakfast facilities

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<p>R-2 Residential Low-Density</p>	<p>To delineate those areas where predominantly residential development has occurred or will be likely to occur in accordance with the general plan for the Village of Orchard Park</p> <p>To upgrade the character of all residential areas in the Village by requiring standards of land use and lot and building bulk size which more accurately reflect existing development</p> <p>To protect the integrity of residential areas by prohibiting the incursion of incompatible nonresidential uses</p>	<p>One-family dwelling Recreation areas maintained by New York State, Erie County or the Village of Orchard Park Schools (public or private or nonprofit) offering an academic course accredited by the State Education Department Churches or other houses of worship</p>	<p>Uses customarily incidental to the principal uses such as: Private garages Private swimming pools Private tennis and racket courts Signs Off-street parking</p>	<p>Community facilities (See § 225-16) Bed-and-breakfast facilities</p>
<p>R-3 Residential Medium-Density</p>	<p>To delineate these areas where predominantly residential development has occurred or will be likely to occur at two-family and multifamily densities in accordance with the general plan for the Village of Orchard Park</p> <p>To upgrade the character of all residential areas in the Village by requiring standards of land use and lot and building bulk size</p> <p>To protect the integrity of residential areas by prohibiting the incursion of incompatible nonresidential uses</p>	<p>One-family dwelling Two-family dwelling Recreation areas maintained by New York State, Erie County or the Village of Orchard Park Schools (public or private or nonprofit) offering an academic course accredited by the State Education Department Churches and other houses of worship</p>	<p>Uses customarily incidental to the principal uses such as: Private garages Private swimming pools Private tennis or racket courts Signs Off-street parking Home occupations</p>	<p>Multifamily dwelling Community facilities (See § 225-16) More than one principal building on a lot of record. Townhouses Bed-and-breakfast facilities</p>

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R-4 Residential	<p>To delineate those areas where predominantly residential development has occurred or will be likely to occur in accordance with the general plan for the Village of Orchard Park, and provide for low-density, low-impact use</p> <p>To maintain the residential character, any use must preserve the existing integrity of those premises with architectural or historic value or develop or modify other premises to bring them in greater harmony with the residential village character</p>	<p>One-family dwelling Two-family dwelling One-family dwelling unit with permitted special use Recreation areas maintained by New York State, Erie County or the Village of Orchard Park Schools (public or private or nonprofit) offering an academic course accredited by the State Education Department Churches and other houses of worship</p>	<p>Uses customarily incidental to the principal uses such as:</p> <ul style="list-style-type: none"> Private garages Private swimming pools Private tennis and racquet courts Signs Off-street parking Home occupations 	<p>Multifamily dwelling Community facilities (see § 225-16) Funeral homes Two-family or multifamily dwelling units with a nonretail business office Townhouses Bed-and-breakfast More than one principal building on a lot of record Nonretail business office such as: architects, engineers, accountants, lawyers, insurance agents, financial planners, manufacturers representatives and design and consulting agencies</p>
R-5 Residential High-Density	<p>To delineate areas where predominantly residential development has occurred or will be likely to occur in accordance with the general plan for the Village of Orchard Park</p> <p>To upgrade the character of all residential areas in the Village by requiring standards of land use and lot size which more accurately reflect existing development</p> <p>To protect the integrity of residential areas by prohibiting the incursion of incompatible uses</p> <p>To continue the walkable community concept</p>	<p>One-family dwelling Recreation areas maintained by New York State, Erie County or the Village of Orchard Park</p>	<p>Uses customarily incidental to the principal uses such as:</p> <ul style="list-style-type: none"> Private garages Private swimming pools Private tennis courts Off-street parking 	<p>Community facilities (see § 225-16)</p>

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B-1 Commercial	To establish a centralized area where shopping, service, office, recreation, and cultural facilities are provided for the community as a whole and to recognize the special significance of the immediate “Four Corners” area which identifies the Village. This district shall set forth provisions to maintain the uniqueness, quality of life, and character of the Village business district; to preserve the existing integrity of those premises with architectural or historic value; to direct the development or modification of premises through design and scale requirements to bring them in greater harmony with Village downtown character; and to promote pedestrian traffic by an inviting, attractive and safe street environment	Retail sales Business offices Personal and commercial service establishments - Licensed medical office and/or clinic - Veterinarian office and/or clinic - Financial and insurance services or banks - Professional offices including attorneys, accountants, architects and engineers - Trade services including dry cleaner, shoe repair, tailor and small equipment repair - Health and beauty services including hair, nail and tan salon - Service agencies for realty, travel, loan, design or decor - Art, dance, music or photo studios - Day care and/or nursery Single or multifamily dwellings above a business establishment Community facilities (See § 225-16)	Uses customarily incidental to the principal uses such as: Off-street parking Signs	Eating and drinking establishments Outdoor seating Automobile service stations Amusement centers (as defined in Chapter 84, Amusements) Drive-throughs Kiosks More than one principal building on a lot of record Any building footprint greater than 3,500 square feet Any project covering 2 or more lots of record (as of January 1, 1999) Any building height less than 22 feet or any new building proposed as a replacement to an existing structure or reconstruction of an existing structure that varies in height from the existing structure by more than 10%

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B-2 Commercial	To establish an area contiguous to the Central Business District best suited for business development that is compatible with adjacent residential zones. This district shall set forth provisions to maintain the uniqueness, quality of life, and residential character of the Village; to preserve the existing integrity of those premises with architectural or historic value; to direct the development or modifications of premises through design and scale requirements to bring them in greater harmony with Village residential character; and to promote pedestrian traffic by an inviting attractive, and safe street environment.	Retail sales Business offices Personal and commercial service establishments - Licensed medical office and/or clinic - Veterinarian office and/or clinic - Financial and insurance services of banks - Professional offices including attorneys, accountants, architects and engineers - Trade services including dry cleaner, shoe repair tailor, small equipment repair - Health and beauty services including hair, nail and tan salon - Service agencies for realty, travel, loan, design or decor - Art, dance, music or photo studios - Day care and/or nursery Funeral parlors Single or multifamily dwellings above a business establishment Community facilities (See § 225-16) One-family and two-family dwelling	Uses customarily incidental to the principal uses such as: Off-street parking Signs	Eating and drinking establishments Outdoor seating Bed-and-breakfast facilities More than one principal building on a lot of record (as of January 1, 1999) Any building footprint greater than 2,000 square feet Any project covering two or more lots of record (as of January 1, 1999) Any building height less than 22 feet or any new building proposed as a replacement to an existing structure or reconstruction of an existing structure that varies in height from the existing structure by more than 10% Multifamily dwelling

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I-1 Industrial	<p>To delineate areas best suited for industrial development because of location, topography, existing facilities and relationship to other land uses</p> <p>Uses incompatible with industry are not to be permitted</p>	<ol style="list-style-type: none"> 1. Any use that is allowed as either a principal use or special use in an R-3 residential, B-1 commercial, and/or a B-2 professional/commercial zone. 2. Parking. 3. Public utility. 4. Public garage. 5. Laundry. 6. Newspaper and printing shop. 7. New motor vehicle sales and service. 8. Heating, plumbing, woodworking or electrical shops provided that there is no outdoor storage of materials. 9. Passenger terminals. 10. The following uses, provided that they are conducted within a completely enclosed building: <ol style="list-style-type: none"> a. Amusement enterprises b. Building materials supply and incidental millwork, but not including concrete mixing plants or planting mills c. Farm implement sales and service d. Small animal hospitals e. Storage, except for explosives and/or highly flammable materials. 11. Manufacturing, upon approval of the Village Board of Trustees and limited to: <ol style="list-style-type: none"> a. Assembly of small articles from previously prepared materials b. Research and development, provided that any such use does not produce offensive odors, fire or explosion hazards or any other hazard to public safety or health 	<p>Uses customarily incidental to the principal uses such as:</p> <p>Off-street parking</p> <p>Signs</p>	<ol style="list-style-type: none"> 1. Repair garages, including collision and painting provided that it is conducted within a completely enclosed building 2. Truck terminal 3. Adult uses. 4. Gasoline station and/or car wash. 5. Day-care center and nursery school. 6. Indoor and outdoor commercial recreation. 7. Adult day care. 8. More than 1 principal building on a lot of record.

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L-C Land Conservation District	<p>To delineate those areas where substantial development of land in the form of buildings or structure is prohibited due to:</p> <ol style="list-style-type: none"> 1. Special or unusual conditions of topography, drainage, floodplain or other natural conditions, whereby considerable damage to buildings or structures and possible loss of life may occur due to the processes of nature 2. The lack of proper facilities or improvements resulting in the land not being suitable for development at the present time and on an area-wide rather than individual-parcel basis in order to serve adequately the area at reasonable cost to the Village 			<p>Parks, golf course, athletic field and other similar uses Farming except keeping of animals or any activity which produces obnoxious odors or dust Community facilities (See § 225-16) Other similar uses</p>