

ARTICLE 4 ZONING USE DISTRICTS

Sec. 4.0. Single-Family Residential Use District (R1).

4.0.1 Intent. The intent of the R1 Single-family Residential Use District is to delineate those areas where predominantly single-family detached, low-density residential development has occurred or is likely to occur in the future. It is to protect the integrity of these residential areas by prohibiting the intrusion of any use which is not compatible with this predominant type and intensity of use. The R1 District recognizes the value of such other permissible uses as churches, schools, libraries and other educational buildings, and playgrounds.

4.0.2 Permitted uses. Within the R1 District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the R1 District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.0.2.a Permitted principal uses.

1. Detached single-family dwellings.
2. Governmental uses.
3. Public or private schools.
4. Public parks and recreational uses.
5. Senior citizen housing.

4.0.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
2. Antennas.

4.0.2.c Special permitted uses. The following uses may be permitted in the R1 Residential Use District Consistent with the provisions of this law and provided that a special use permit is approved by the planning board:

1. Adult care facilities.
2. Churches or places of worship.
3. Libraries.
4. Museums.
5. Private parking lots.

The following use may be permitted in the R1 Residential Use District consistent with the provisions of this law and provided that this special use permit is permitted by the zoning board of appeals.

1. Home occupations.

- 4.0.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "City of Olean zoning law density control schedule," which is part of this law.
- 4.0.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.
- 4.0.5 Signage. Signs are permitted as listed in article 11, section 11.1 of this law.
- 4.0.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this law.

Sec. 4.1. Single-family/General Residential Use District (R2).

- 4.1.1 Intent. The intent of the R2 Single-family/General Residential Use District is to delineate those areas where there are generally lot sizes somewhat smaller than those in the R1 District but which are predominantly single-family detached, lowdensity residential in character and where such development is likely to continue to occur in the future. It is to protect the integrity of these residential areas by prohibiting the intrusion of any use which is not compatible with this predominant type and intensity of use. The R2 District recognizes the value of such other permissible uses as churches, schools, libraries and other educational buildings, and playgrounds.
- 4.1.2 Permitted uses. Within the R2 District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the R2 District are further identified in section 4.14 of this article, entitled "Use regulation table".
- 4.1.2.a Permitted principal uses.
1. Detached single-family dwellings.
 2. Governmental uses.
 3. Public or private schools.
 4. Public parks and recreational uses.
 5. Senior citizen housing.
- 4.1.2.b Permitted accessory uses, buildings and structures.
1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
 2. Antennas.
- 4.1.2.c Special permitted uses. The following uses may be permitted in the R2 Residential Use District consistent with the provisions of this law and provided that a special use permit is approved by the planning board:
1. Adult care facilities.
 2. Churches or places of worship.

3. Libraries.
4. Museums.
5. Private golf courses.
6. Private parking lots.

The following use may be permitted in the R2 Residential Use District consistent with the provisions of the law and provided that this special use permit is permitted by the zoning board of appeals. 1. Home occupations.

4.1.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "City of Olean zoning law density control schedule", which is part of this law.

4.1.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this chapter.

4.1.5 Signage. Signs are permitted as listed in article 11, section 11.1 of this chapter.

4.1.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this chapter.

Sec. 4.2. General Residential Use District (R3). [L.L. No. 7-02, § 1, 11-26-2002]

4.2.1 Intent. The intent of the R3 General Residential Use District is to delineate those areas where predominantly detached single-family, moderate density residential development and some two-family residential development has occurred or is likely to occur, to allow in special instances in accordance with site plan review, multiplefamily dwellings and dwelling groups and to protect the integrity of these residential areas by controlling the type and intensity of uses so that the overall character and density of the neighborhood is preserved. The R3 District recognizes the value of such other permissible uses as churches, schools, libraries and other educational buildings, playgrounds, and general hospitals under the conditions set forth in this law.

4.2.2 Permitted uses. Within the R3 District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the R3 District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.2.2.a Permitted principal uses.

1. Adult care facilities.
2. Agricultural uses.
3. Churches or places of worship.
4. Detached single-family dwellings.
5. Governmental uses.
6. Libraries.

7. Multi-family dwellings.
8. Nursery schools.
9. Public or private schools.
10. Public parks and recreational uses.
11. Semi-detached single-family dwellings.
12. Senior citizen housing.
13. Two-family dwellings.

4.2.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
2. Antennas.

4.2.2.c Special permitted uses. The following uses may be permitted in the R3 General Residential Use District consistent with the provisions of this law and provided that a special use permit is approved by the planning board:

1. Bed and breakfasts.
2. Clustered projects.
3. Colleges and institutions of higher education.
4. Day care centers.
5. Hospitals.
6. Medical clinics.
7. Museums.
8. Non-profit clubs, membership.
9. Nursing (and convalescent) homes.
10. Private parking lots.
11. Townhouses.
12. Accessory uses and structures customarily incident to any of the uses mentioned herein, and not on the same lot.

The following use may be permitted in the R3 Residential Use District consistent with the provisions of this law and provided that this special use permit is permitted by the zoning board of appeals.

1. Home occupation uses.

4.2.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "Law density control schedule", which is part of this chapter.

4.2.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this chapter.

4.2.5 Signage. Signs are permitted as listed in article 11, section 11.1 of this chapter.

4.2.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this chapter.

Sec. 4.3. Residential Transition Use District (RT).

4.3.1 Intent. The intent of the RT Residential Transition Use District is to delineate those areas adjacent to the central commercial and business districts which currently contain a mixture of residential and business uses, to allow in specific instances in accordance with site plan review multiple family dwellings and clustering (dwelling groups), and to promote the continuation of these compatible mixtures of uses as desirable areas and as buffers between intensive commercial and residential use districts.

4.3.2 Permitted uses. Within the RT District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the RT District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.3.2.a Permitted principal uses.

1. Adult care facilities.
2. Antique and craft shops.
3. Art galleries.
4. Banks and financial institutions.
5. Barber and beauty shops.
6. Bed and breakfasts.
7. Churches or places of worship.
8. Day care centers.
9. Detached single-family dwellings.
10. Dwelling units above first floor businesses.
11. General business offices.
12. Government uses.
13. Hotels and motels.
14. Inns.
15. Libraries.

16. Multi-family dwellings.
17. Museums.
18. Newspaper and publishing facilities.
19. Non-profit membership clubs.
20. Nursery schools.
21. Nursing and convalescent homes.
22. Personal service establishments.
23. Photographic studios.
24. Private or public schools.
25. Professional offices.
26. Professional office buildings.
27. Public parks and recreational uses.
28. Recreation, commercial.
29. Restaurant, standard.
30. Semi-detached single-family dwellings.
31. Senior citizen housing.
32. Townhouses.
33. Two-family dwellings.

4.3.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
2. Antennas.
3. Home occupation uses.
4. Private parking lots.

4.3.2.c Special permitted uses. The following uses may be permitted in the RT Residential Transition Use District consistent with the provisions of this law and provided that a special use permit is approved by the planning board:

1. Bars and night clubs.
2. Colleges and institutions of higher education.
3. Commercial parking lots.
4. Drive-in uses.

5. Dry cleaning businesses.
6. Funeral homes.
7. Public utilities or transportation uses.
8. Recreation, commercial.
9. Retail businesses and commercial uses other than those specified above.
10. Self-service laundries.
11. Theaters.
12. Veterinary hospitals.

4.3.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "Law density control schedule", which is part of this law.

4.3.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.3.5 Signage. Signs are permitted as listed in article 11, section 11.1 of this law.

4.3.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this chapter.

Sec. 4.4. City Center Use District (CC).

4.4.1 Intent. The intent of the CC City Center Use District is to delineate the city center area which is primarily utilized and is appropriate for a more intensive mixture of interactive retail, cultural, conference and meeting, lodging, business and personal service, financial, institutional, office, residential and governmental uses and to provide and promote a full range of city center uses that serve the needs of the surrounding city and county populations and to ensure that any use permitted is compatible with the character of the district and its permitted types and intensities of use. The purpose of the CC District is also to recognize the unique historical character of the city center as a part of the heritage of the City of Olean and Cattaraugus County.

4.4.2 Permitted uses. Within the CC Use District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the CC Use District are further identified in section 4.14 of this article, entitled "Use regulation table."

4.4.2.a Permitted principal uses.

1. Adult care facilities.
2. Antique and craft shops.
3. Art galleries.

4. Banks and financial institutions.
5. Barber and beauty shops.
6. Bars and night clubs.
7. Bed and breakfasts.
8. Bowling alleys.
9. Churches or places of worship.
10. Colleges and institutions of higher education.
11. Commercial parking lots.
12. Day care centers.
13. Dry cleaning businesses.
14. Dwelling units above first floor businesses.
15. Garage service and repair uses.
16. General business office uses.
17. Governmental uses.
18. Hotels and motels.
19. Inns.
20. Libraries.
21. Medical clinics.
22. Multi-family dwellings.
23. Museums.
24. Newspaper and publishing facilities.
25. Non-profit membership clubs.
26. Non-vehicle repair shops.
27. Nursery schools.
28. Parking structures.
29. Personal service establishments.
30. Photographic studios.
31. Professional offices.
32. Professional office buildings.
33. Public and private schools.

34. Public parks and recreational uses.
35. Public utilities or transportation uses.
36. Recreation, commercial.
37. Research laboratories.
38. Retail businesses and commercial uses other than those listed above.
39. Self-service laundries.
40. Senior citizen housing.
41. Standard and fast food restaurants.
42. Theaters.
43. Townhouses.
44. Vehicle sales and/or repair uses.
45. Warehousing and wholesale and retail distribution centers including offices and showrooms.

4.4.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
2. Antennas.
3. Private parking lots.

4.4.2.c Special permitted uses. The following uses may be permitted in the CC City Center Use District consistent with the provisions of this law and provided that a special use permit is approved by the planning board:

1. Amusement game centers.
2. Drive-in uses.
3. Funeral homes.

4.4.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6-1, entitled "Law density control schedule", which is part of this law.

4.4.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.4.5 Signage. Signs are permitted as listed in article 11, section 11.2 of this law.

4.4.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this chapter.

Sec. 4.5. General Commercial Use District (GC).

4.5.1 Intent. The intent of the GC General Commercial Use District is to delineate areas in the city which are currently used or are appropriate for general commercial or business uses which provide a range of retail and personal services in order to fulfill recurring needs of residents and visitors and which by the nature or scale of the operations permitted and careful site planning are compatible with adjoining commercial and residential areas.

4.5.2 Permitted uses. Within the GC District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the GC District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.5.2.a Permitted principal uses.

1. Adult care facilities.
2. Amusement game centers.
3. Antique and craft shops.
4. Art galleries.
5. Banks and financial institutions.
6. Barber and beauty shops.
7. Bars and night clubs.
8. Bed and breakfasts.
9. Bowling alleys.
10. Car washes.
11. Churches or places of worship.
12. Clustered projects.
13. Colleges and institutions of higher education.
14. Commercial parking lots.
15. Day care centers.
16. Drive-in uses.
17. Dry cleaning businesses.
18. Dwelling units above first floor businesses.
19. Garage service and repair uses.
20. Gasoline filling stations.
21. Gasoline/grocery service marts.
22. General business office uses.
23. Government uses.

24. Hotels and motels.
25. Inns.
26. Libraries.
27. Medical clinics.
28. Multi-family dwellings.
29. Museums.
30. Newspaper and publishing facilities.
31. Non-profit membership clubs.
32. Non-vehicle repair shops.
33. Nursery schools.
34. Nursing and convalescent homes.
35. Parking structures.
36. Personal service establishments.
37. Photographic studios.
38. Professional offices.
39. Professional office buildings.
40. Public and private schools.
41. Public parks and recreational uses.
42. Public utilities or transportation uses.
43. Research laboratories.
44. Recreation, commercial.
45. Retail businesses and commercial uses other than those listed above.
46. Standard and fast food restaurants.
47. Self-service laundries.
48. Senior citizen housing.
49. Theaters.
50. Vehicle sales and/or repair uses.
51. Veterinary hospitals.
52. Warehousing and wholesale and retail distribution centers including offices and showrooms.

4.5.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and not on the same lot.
2. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
3. Antennas.
4. Home occupations.
5. Private parking lots.

4.5.2.c Special permitted uses. The following uses may be permitted in the GC General Commercial Use District consistent with the provisions of this law and provided that a special use permit is approved by the Planning Board: [Added 6-9-2015 by L.L. No. 3-2015]

1. Funeral homes.
2. Private golf courses.
3. Solar energy production facility.
4. Shelters. [Added 12-22-2015 by L.L. No. 7-2015]

4.5.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "Law density control schedule", which is part of this law.

4.5.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this

law.

4.5.5 Signage. Signs are permitted as listed in article 11, section 11.2 of this law.

4.5.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this law.

Sec. 4.6. Waterfront Conservation Use District (WC).

4.6.1 Intent. The intent of the Waterfront Conservation use district established in this section is to recognize the unique role which the Allegheny River and Olean Creek and their waterfront areas have played in the formation, growth and life of the City of Olean. All construction within this use district is required to conform with the provisions of chapter 9 of part II of the Code of Ordinances of the City of Olean, entitled "Flood Prevention". The objectives of this district are:

1. To provide for a compatible mixture of waterfront-related uses, including recreational, park, open space and boating uses, as well as limited waterfront enhanced uses such as waterfront-related residential and commercial uses;

2. To encourage appropriate land development, including the utilization of land and buildings and the adaptive reuse of existing structures, which is in harmony with the conservation of the district's general recreational and open space character and the historic environmental areas adjacent to the creek and river;
3. To recognize the sensitivity of the unique waterfront environment in this area and reinforce appropriate safeguards to protect the area from periodic flooding, soil erosion, sedimentation and slope failure due to unregulated construction, removal of vegetation, dredging, filling, damming or channelization;
4. To further protect scenic views of the creek, river, open space areas and mountains;
5. To provide for a mix of land uses and developments as well as active and passive recreational areas and opportunities that take advantage of the unique location and characteristics of the waterfront area;
6. To promote the maintenance and/or extension of public access to the river and creek, when practical and feasible, and where such access relates to and is compatible with the primary purpose of the proposed development or activity.
7. To provide for a variety of activities in a planned, controlled environment in a manner blending all uses into a functionally and aesthetically complementary whole.

4.6.2 Permitted uses. Within the Waterfront Conservation Use District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the WC Use District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.6.2.a Permitted principal uses.

1. Adult care facilities.
2. Antique and craft shops.
3. Art galleries.
4. Banks and financial institutions.
5. Bars and night clubs.
6. Barber and beauty shops.
7. Bed and breakfasts.
8. Churches or places of worship.
9. Clustered projects.
10. Commercial parking lots.
11. Detached single-family dwellings.
12. Dwelling units above first floor businesses.
13. Government uses.

14. Hotels and motels.
15. Inns.
16. Libraries.
17. Multi-family dwellings.
18. Museums.
19. Non-profit clubs, membership.
20. Personal service establishments.
21. Photographic studios.
22. Public parks and recreational uses.
23. Public utilities or transportation uses.
24. Semi-detached one-family dwelling units.
25. Theaters.
26. Townhouses.
27. Two-family dwellings.

4.6.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and not on the same lot.
2. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
3. Antennas.
4. Home occupations.
5. Private parking lots.

4.6.2.c Special permitted uses. The following uses may be permitted in the WC Waterfront Conservation Use District consistent with the provisions of this chapter and provided that a special use permit is approved by the Planning Board: [Amended 6-9-2015 by L.L. No. 3-2015; 6-24-2015 by L.L. No. 42015]

1. Colleges and institutions of higher education.
2. Mobile home parks.
3. Recreation uses, commercial.
4. Solar energy production facility.
5. Standard and fast food restaurants.

6. Telecommunications towers.

4.6.3 Dimensional requirements. The dimensional requirements for this district are specified in section 4.6.6. below.

4.6.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.6.5 Signage. Signs are permitted as listed in article 11, section 11.3 of this law.

4.6.6 Site plan review. Site plan review and approval shall be required for all uses permitted within the WC District. In addition to the general requirements for site plan review and approval as specified in article 9 of this law, the following standards shall apply to site plan review within the WC Use District:

4.6.6.a A maximum of 40% of the gross land area in the proposed development parcel may be devoted to a building development. Said maximum shall include the land area devoted to all principal and accessory structures but shall exclude any space devoted to required yards, open space and recreation uses and streets and required off-street parking within the parcel as defined in the regulations for this use district.

4.6.6.b A minimum of 30% of the gross land area shall be devoted to open space as defined in this zoning chapter. This open space area shall not include area devoted to streets, roads, or required off-street parking within the development parcel.

4.6.6.c Setbacks from dikes or base floodline. No building shall be located closer than 35 feet to a dike, if a dike exists in the area, or to the base flood elevation line as established by the Federal Emergency Management Agency (FEMA) as part of the national flood insurance program (NFIP), if no dike exists in the area. No structures are permitted to be developed within the floodway as defined by the Federal Emergency Management Agency and depicted on the most current FEMA flood insurance rate map for the City of Olean except in accordance with the regulations of FEMA.

4.6.6.d Height limitation. No buildings shall exceed a maximum height of 35 feet in this use district.

4.6.6.e Minimum lot area. No lot shall be less than 4,000 square feet in area.

4.6.6.f Minimum yard requirements. No front yard shall be less than 15 feet in depth. No side yard shall be less than four feet in depth. No rear yard shall be less than 10 feet in depth.

4.6.6.g Separation between buildings on the same lot. No two buildings located on the same lot shall be separated from each other by a distance of less than five feet.

Sec. 4.7. Industrial Use District (I).

4.7.1 Intent. The intent of the I Industrial Use District is to delineate areas within the city which are used for and are appropriately suited to manufacturing, distribution, major wholesaling, research and testing, warehousing, processing or other industrial uses which contribute jobs and tax base to the economy of the region, are consistent with the standards described in

article 10 and do not create serious problems of compatibility with other land uses and to regulate such industrial development so that it will be of benefit to the city and its citizens.

4.7.2 Permitted uses. Within the I District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the I District are further identified in section 4.14 of this article, entitled "Use regulation Table".

4.7.2.a Permitted principal uses.

1. Auto-body repair/metal finishing shop.
2. Adult care facilities.
3. Cemeteries.
4. Colleges and institutions of higher education.
5. Contractor yards and equipment.
6. Crematories/crematoriums.
7. Dry cleaning businesses.
8. Funeral homes.
9. Garage service and repair uses.
10. General business office uses.
11. Governmental uses.
12. Hotels and motels.
13. Manufacture, fabrication, extraction, assembly, and other handling of material, including offices and show-rooms.
14. Newspaper and publishing facilities.
15. Parking lots, commercial.
16. Parking structures.
17. Professional offices.
18. Professional office buildings.
19. Public parks and recreational uses.
20. Public utilities or transportation uses.
21. Recreation uses, commercial.
22. Research laboratories.
23. Trucking terminals.
24. Vehicle sales and/or repair uses.

25. Warehousing and wholesale and retail distribution centers including offices and showrooms.

4.7.2.b Permitted accessory uses, buildings and structures.

1. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and not on the same lot.
2. Accessory uses and structures customarily incident to any of the uses mentioned for this use district, and on the same lot.
3. Antennas.
4. Private parking lots.

4.7.2.c Special permitted uses. [Amended 6-9-2015 by L.L. No. 3-2015; 6-24-2015 by L.L. No. 4-2015]

1. Banks and financial institutions.
2. Bars and night clubs.
3. Day-care centers.
4. Drive-in uses.
5. Gasoline filling stations.
6. Gasoline/grocery service marts.
7. Nonvehicle repair shops.
8. Retail businesses and commercial uses other than those listed above.
9. Solar energy production facility.
10. Standard and fast food restaurants.
11. Telecommunications towers.
12. Veterinary hospitals.
13. Shelters. [Added 12-22-2015 by L.L. No. 7-2015]

4.7.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "Law density control schedule", which is part of this law.

4.7.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.7.5 Signage. Signs are permitted as listed in article 11, section 11.3 of this law.

4.7.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this law.

Sec. 4.8. General Industrial District (I2).

4.8.1 Intent. The intent of the I2 General Industrial Use District is to delineate areas within the city which are used for and are appropriately suited to manufacturing, distribution, major wholesaling, research and testing, warehousing, processing or other industrial uses which contribute jobs and tax base to the economy of the region and commercial uses, providing that such industrial and commercial uses are consistent with the standards described in article X and do not create serious problems of compatibility with other land uses and to regulate such development so that it will be of benefit to the city and its citizens.

4.8.2 Permitted uses. Within the I2 District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the I2 District are further identified in section 4.14 of this article, entitled "Use regulation table".

4.8.2.a Permitted principal uses.

1. Includes all permitted principal uses allowed in section 28-83(b)(1) of this chapter.

4.8.2.b Permitted accessory uses, buildings and structures.

1. Includes all permitted accessory uses, buildings and structures allowed in section 4.7.2.b. of this law.

4.8.2.c Special permitted uses.

1. Includes all special permitted uses allowed in section 4.7.2.c of this law.

2. Adult uses.

4.8.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1, entitled "Law density control schedule", which is part of this law.

4.8.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.8.5 Signage. Signs are permitted as listed in article 11, section 11.3 of this law.

4.8.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this law.

Sec. 4.9. Special Industrial District (I3).

4.9.1 Intent. The intent of the I3 Special Industrial Use District is to delineate areas within the city which are used for and are appropriately suited to manufacturing, distribution, major wholesaling, research and testing, warehousing, processing or other industrial uses which contribute jobs and tax base to the economy of the region and commercial uses, providing that such industrial and commercial uses are consistent with the standards described in article 10 and do not create serious problems of compatibility with other land uses and to regulate such development so that it will be of benefit to the city and its citizens.

4.9.2 Permitted uses. Within the I3 District, permitted principal, special and accessory uses shall be as specified in the following sections. Permitted uses in the I3 District are further identified in section 14.4 of this article, entitled "Use regulation table".

4.9.2.a Permitted principal uses.

1. Includes all permitted principal uses allowed in section 4.7.2.a of this law.

4.9.2.b Permitted accessory uses, buildings and structures.

1. Includes all permitted accessory uses, buildings and structures allowed in section 4.7.2.b of this law.

4.9.2.c Special permitted uses.

1. Includes all special permitted uses, buildings and structures allowed in section 4.7.2.c of this law.

2. Adult uses so long as they conform to the following requirements:

- a) An adult use shall not be located within a three-hundred-foot radius of any property currently in residential use.
- b) No adult use shall be located within a six-hundred-foot radius for another adult use.
- c) No adult use shall be located within a five-hundred-foot radius of any house of worship, school, day care center, park or playground, civic facility, or historic resource.
- d) No more than one adult use shall be located on any lot.
- e) No adult use shall be located in any building that is used in whole or part for residential uses.
- f) All building opening, including doors and windows shall be located, covered or screened in such a manner as to prevent a view into the establishment from any public street, sidewalk or parking area.
- g) As a condition of approval of any adult use, there shall be restriction that there shall be no outdoor, sign, display or advertising of any kind other than one identification sign limited to only the name of the establishment. Such a sign shall be reviewed by the planning board in conjunction with the conditional use application and shall conform to all signage requirements of said this local law as per section 11-1 "Signs".
- h) No loudspeaker or sound equipment shall be used by adult uses that can be heard by the public from outside the establishment.

4.9.3 Dimensional requirements. The dimensional requirements for this district are specified in section 6.1 entitled "Law density control schedule", which is part of this law.

4.9.4 Off-street parking requirements and loading requirements. The off-street parking and loading regulations are specified in article 10, sections 10.3 and 10.4, of this law.

4.9.5 Signage. Signs are permitted as listed in article 11, section 11.3 of this law.

4.9.6 Site plan review. Site plan review and approval shall be secured as required in article 9 of this law.

[Sections 4.10 through 4.13 reserved for future use.]

Sec. 4.10. through Sec. 4.13. Reserved.

Sec. 4.14. Use regulation table.¹

Sec. 4.15. Activities prohibited in all districts.

4.15.1 No effluent or matter of any kind shall be discharged into any stream or body of water which violates established stream standards of the New York State Department of Environmental Conservation or otherwise causes objectionable odors or fumes or which is poisonous or injurious to human, plant or animal life.

4.15.2 No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale, or for use other than on the premises from which the same shall be taken except in connection with the construction or alteration of a building in such premises and excavation or grading incidental thereto.

4.15.3 No use shall be permitted which will produce corrosive, toxic or noxious fumes, glare, fire, explosion, electromagnetic disturbance, radiation, smoke, cinders, odors, obnoxious dust or waste, undue noise or vibration or other objectionable features so as to be detrimental to the public health, safety, or general welfare unless conducted under proper and adequate standards.

4.15.4 Dumping or storage of material in a manner that facilitates the breeding of vermin or endangers health in any way shall not be permitted.

¹ . Editor's note: This table is included as an attachment to this chapter.