2. Fences and walls along front lot lines or within a front yard must not exceed four feet in height. In the D-IL and D-IH zones only, such fences and walls may be up to eight feet in height.

3. Fences and walls along corner side lot lines or within a corner side yard must not exceed four feet in height, except that fences and walls may be up to six feet in height between the point of intersection of the corner side wall and rear wall of the principal structure, to the rear lot line. In the D-IL and D-IH zones only, such fences and walls may be up to eight feet in height.

4. Fences and walls along interior side lot lines or within interior side yards must not exceed four feet in height, except that fences and walls may be up to six feet in height between the point of intersection of the interior side wall and rear wall of the principal structure, to the rear lot line. In the D-IL and D-IH zones only, such fences and walls may be up to eight feet in height.

5. Fences and walls along rear lot lines or within rear yards must not exceed six feet in height. In the D-IL and D-IH zones only, such fences and walls may be up to eight feet in height.

6. An open fence enclosing a tennis, basketball, pickleball, or other recreational court may be erected to a maximum of 12 feet in height, irrespective of the above standards.

C. Finish. All fence posts and related supporting members of a fence must be erected so that the finished sides of the fence face the adjacent property or public right-of-way.

D. Maintenance. Fences and walls, including supports, must be maintained in a proper state of repair. Any damage to or deterioration of a fence or wall, whether due to vandalism, weather, age, loss of mortar, or peeling paint, must be repaired as soon as practicable or within 30 days of receipt of notice from the Commissioner of Permit and Inspection Services.

7.3 STORMWATER

All land development activity must manage construction and post-construction stormwater runoff in accordance with this section.

7.3.1 General

A. Any land development activity that will involve soil disturbance of one-quarter acre (10,890 square feet) or more, or soil disturbance of less than one-quarter acre that is part of a larger development plan consisting of at least one-quarter acre in area, requires submission by the applicant of a Stormwater Pollution Prevention Plan (SWPPP) prepared per the requirements of the Buffalo Sewer Authority. Applicants proposing land development activity that falls below this threshold must manage construction and post-construction stormwater runoff, but are not required to prepare a SWPPP. A SWPPP must be completed as part of site plan review.

B. The SWPPP must be prepared by a New York State licensed engineer or registered landscape architect, and must be signed and stamped by the professional preparing the plan, who must certify that the design of all stormwater management practices meets the requirements of this section.

C. The property owner must ensure proper operation and maintenance of permanent stormwater management facilities installed in accordance with this section, and must provide certification of their continued performance every five years.

7.3.2 Technical Guides

A. The below documents serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed per the most recent or successor versions of these technical documents are presumed to meet the performance standards of this section.

1. New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation).

2. New York State Standards and Specifications for Erosion and Sediment Control (New York State Department of Environmental Conservation).

3. TR-55 Urban Hydrology for Small Watersheds (United States Department of Agriculture).

4. Precipitation Frequency Atlas of the United States (National Oceanic and Atmospheric Administration).

B. Where stormwater management practices are not in accordance with technical documents referenced in Section 7.3.2.A, the applicant must demonstrate equivalence to the technical standards.

7.3.3 Performance Standards

All land development activity is subject to the following performance and design criteria:

A. For all projects for which a SWPPP is required, erosion and sediment control measures must be undertaken which are in accordance with the New York State Standards and Specifications for Erosion and Sediment Control.

B. Where technically feasible, stormwater discharges must be directed to sewers according to the following hierarchy of preference:

1. Storm Only Sewer.

2. Storm Overflow Sewer.

3. Storm Relief Sewer.

4. Combined Sewer.

C. Where the stormwater will be released to a storm-only sewer or storm overflow sewer, the project must meet both the sizing criteria and water quality standards contained in the New York State Stormwater Management Design Manual.

D. Where stormwater will be released to a storm relief sewer or combined sewer, the project must demonstrate that post-development peak flows during a 25-year storm will be less than pre-development peak flows during a 2-year storm.

7.3.4 Best Management Practices

A. Where practicable, stormwater management facilities should utilize Green Infrastructure Best Management Practices (BMPs) according to the following hierarchy of preference:

1. Conservation of natural areas.

2. On-site infiltration practices including, but not limited to, bioretention cells/rain gardens, vegetated swales, filter strips, constructed wetlands and porous pavement.

3. Capture and reuse of runoff through low-impact practices including, but not limited to, green roofs, blue roofs, and rain barrels or cisterns.

B. Where on-site green infrastructure BMPs are not feasible for all or a portion of stormwater runoff volume due to factors including, but not limited to, contamination, high groundwater table, shallow bedrock, or poor infiltration rates, or where it can be proven that such practices would cause property or environmental damage, the remaining portion may be treated by another stormwater management practice acceptable to the Buffalo Sewer Authority.

C. In cases where on-site BMPs have been determined not to be feasible, the Buffalo Sewer Authority may consider the following alternative stormwater management practices to meet water quantity standards, in order of preference:

1. Off-site green infrastructure BMPs within the same sub-sewershed;

2. Retention through subsurface infiltration or underground storage vaults;

3. Detention through underground storage vaults.

D. BMPs that are implemented within the public right-of-way may not be designed to accept or treat stormwater from private property, except for sewer system infrastructure per the specifications of the Buffalo Sewer Authority.

E. Where underground storage vaults are utilized for detention discharge to a storm only or storm overflow sewer, water quality standards must be met through the use of a New York State Department of Environmental Conservation approved proprietary technology.

F. Where stormwater management performance standards cannot be met due to unique site constraints or any other conditions beyond the control of the applicant, the Buffalo Sewer Authority may provide an exemption to the standards of this section.

7.4 OUTDOOR LIGHTING

7.4.1 General

A. All outdoor lighting must comply with the requirements of this section, with the following exceptions:

1. Lighting for bridges, monuments, statuary, flags, and public buildings.

2. Sign illumination, which is addressed by Section 9.1.5.

3. Repairs to existing lighting, where no more than 25% of existing luminaires are repaired or replaced. Repairs include the reconstruction or renewal of any part of an existing luminaire, other than replacement of components such as lamps, capacitors, ballasts, or photocells.

4. Temporary special purpose lighting, such as lighting for special events, television broadcasts, or construction sites.

5. Underwater lighting in swimming pools and other water features.

6. Temporary holiday lighting.

7. Low intensity lighting used in landscape design and to illuminate walkways.

8. Lighting used under emergency conditions.

9. Lighting required by federal, state, or local regulations.

10. Any lighting approved by a special use permit.

B. Lighting Plan. All developments subject to site plan review per Section 11.3.6 or 11.3.7 must submit a lighting plan, stamped by a New York State licensed engineer or other qualified professional, demonstrating compliance with this section. Single-unit dwellings, double-unit dwellings, and multi-unit dwellings of six units or less, are exempt from this requirement.

7.4.2 Lighting Zones

A. **Lighting Zone Descriptions.** Each zone is assigned a lighting zone that describes the level and type of illumination allowed per site. The lighting zones are described as follows:

1. **LZ-0: No Ambient Lighting.** Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna or detracting from enjoyment and appreciation of the natural environment.

2. **LZ-1: Low Ambient Lighting.** Areas where lighting might adversely affect flora and fauna or disturb the character of the area. Lighting may be used for safety and convenience but is not necessarily uniform or continuous.

3. **LZ-2: Moderate Ambient Lighting.** Areas of activity with moderate light levels. Lighting is used for safety and convenience, but it is not necessarily uniform or continuous.

4. **LZ-3: Moderately High Ambient Lighting.** Areas of activity with moderately high light levels. Lighting is generally desired for safety, security, and convenience, and is often uniform and continuous.

5. **LZ-4: Very High Ambient Lighting.** Areas of activity with very high light levels. Lighting is generally considered necessary for safety, security, and convenience, and is mostly uniform and continuous.

B. **Lighting Zone Assignments.** Table 7B: Lighting Zones identifies the lighting zones assigned to each zone. Within each lighting zone, there are separate standards in Section 7.4.3 for non-residential and residential uses with more than six units, and for residential uses with six units or less.

7.4.3 Lighting Standards

A. **Lighting for Non-Residential and Residential Uses With More Than Six Units.** For all non-residential properties, and for multi-unit dwellings of more than six dwelling units with common outdoor areas, such as courtyards or parking lots, all outdoor lighting must comply with the following:

1. **Total Site Lumen Limit.** The total installed initial luminaire lumens of all outdoor lighting may not exceed the total site lumen limit of Table 7C: Total Site Lumen Limits, except as otherwise permitted by this section. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires. For sites with existing outdoor lighting, the existing lighting must be included in the calculation of total installed lumens.

2. **Maximum BUG Ratings.** All luminaires must be rated and installed according to Table 7D: Maximum BUG Ratings, which describes the maximum backlight (B), uplight (U), and glare (G), as rated by the luminaire manufacturer, allowed in each lighting zone. Luminaires equipped with adjustable mounting devices

TABLE 7B: LIGHTING ZONES

	N-1D	N-1C	N-1S	N-2C	N-2E	N-2R	N-3C	N-3E	N-3R	N-4-30	N-4-50	D-R	D-M	D-E	D-S	D-C	D-IL	D-IH	D-OS	D-OG	D-ON	C-R
LZ-0																					●	
LZ-1											●									●		
LZ-2					●	●		●	●	●		●				●	●		●			
LZ-3			●	●			●						●	●	●			●				
LZ-4	●	●																				●