

RESOLUTION No. 2022-

***RELATIVE TO AMENDMENT OF CITY OF NIAGARA FALLS
ZONING ORDINANCE TO CREATE
A HIGH ENERGY USAGE OVERLAY DISTRICT
AND SEQR DETERMINATION OF NON-SIGNIFICANCE***

BY:

Council Chairman John Spanbauer
Council Member Traci Bax
Council Member Donta Myles
Council Member Kenny Tompkins
Council Member David Zajac

WHEREAS, the City of Niagara Falls City Council (hereinafter referred to as “City Council”) is considering the adoption of the Amendment to the City of Niagara Falls Codified Zoning Ordinance in order to create a High Energy Usage Overlay District (hereinafter referred to as “Overlay”), prepared by City Council and which is attached hereto; and

WHEREAS, the City Council held a public hearing on September 6, 2022 and the City of Niagara Falls Planning Board held a public hearing on July 27, 2022 regarding the Overlay; and

WHEREAS, the City Council has reviewed the Full Environmental Assessment Form (FEAF) part 1; and

WHEREAS, the City Council determines that the said action is classified as a Type I Action under part 617.4 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the City Council has determined that the proposed action is subject to a single agency review pursuant of Part 617.6(b) (1) of the SEQR Regulations; and

WHEREAS, the City Council has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the FEAF part 1, and taken a hard look at the potential impacts of the Action; and

WHEREAS, the City Council has completed part 2 and 3 of the FEAF; and

WHEREAS, a copy of the Full Environmental Assessment Form has been presented to the City Council for consideration, and the Council has considered the comments at the public hearing; and

NOW, THEREFORE BE IT RESOLVED, the City Council hereby designates itself as the lead agency for the described action; and

Bax _____ Myles _____ Tompkins _____ Zajac _____ Spanbauer _____

BE IT FURTHER RESOLVED, the City of Niagara Falls City Council has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the City Council determines upon the information and analysis documented that the proposed action will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, the City Council does hereby make a Determination of Non-Significance on the proposed adoption of the Amendment to the City of Niagara Falls Codified Zoning Ordinance to create a High Energy Usage Overlay District; and

BE IT FURTHER RESOLVED, the City Council Chairperson is hereby directed to sign the FEAF part 3 and file with the City Clerk and other necessary agencies as evidence the City Council has determined the proposed action **will not** result in any significant adverse environmental impact; and

BE IT FINALLY RESOLVED, the City of Niagara Falls City Council hereby adopts the Amendment to the City of Niagara Falls Codified Zoning Ordinance to create a High Energy Usage Overlay District.