

ARTICLE 3
Zoning Districts
[Amended 3-15-2010 by L.L. No. 3-2010; 1-28-2011 by L.L. No. 2-2011]

§ 179-3-010. Map adopted.

The boundaries for each zoning district listed as part of this chapter are the boundaries depicted on the map entitled the "Town Zoning Map of the Town of Queensbury," as amended from time to time, which map is on file with and available from the Town and is hereby adopted and declared to be part of this chapter and hereinafter known as the "Town Zoning Map."

§ 179-3-020. Interpretation of district boundaries.

- A. In making a determination where uncertainty exists as to boundaries of any of the zoning districts shown on the Zoning Map, the following rules shall apply:
- (1) Where district boundaries are indicated as approximately following the center line of streets, alleys, highways or railroads, such lines shall be construed to be district boundaries.
 - (2) Where district boundaries are indicated as approximately following a stream center line, or shoreline of a lake or other body of water, such stream, lake or body of water shall be construed to be such district boundaries at the center line of streams and the mean high-water mark (if so defined) of the identified shoreline of lakes and other water bodies, unless otherwise noted.
 - (3) Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries.
 - (4) Where district boundaries are not indicated as approximately following the items listed in Subsection A(1), (2) and (3) above, the boundary line shall be determined by the use of the zone depth key as designated on the Zoning Map.
 - (5) Whenever any street, alley or other public way is abandoned in the manner authorized by law, the district adjoining each side of such street, alley or public way shall be automatically extended to the center of the former right-of-way, and all of

the area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.

(6) Zoning districts shall be construed to extend into the water to the boundaries of the Town line.

B. In the event that none of the above rules are applicable or in the event that further clarification or definition is considered necessary or appropriate, the location of a district boundary shall be determined by the Zoning Board of Appeals.

§ 179-3-030. Adirondack Park Land Use and Development Plan Map.

A. The boundaries within the Town of the land use areas established by the official Adirondack Park Land Use and Development Plan Map, as may be from time to time amended pursuant to Subdivision 2 of Section 805 of the Adirondack Park Agency Act,¹ are indicated by the separate map entitled "Adirondack Park Land Use and Development Plan Map of the Town of Queensbury," as amended from time to time, which accompanies this chapter and which is hereby adopted and declared to be part of this chapter and hereafter shall be known as the "Park Plan Map."²

B. Any change of the boundaries within the Town of a land use area by an amendment of the official Adirondack Park Land Use and Development Plan Map pursuant to Subdivision 2 of Section 805 of the Adirondack Park Agency Act shall take effect, for the purposes of this chapter, concurrently with that amendment without further action, and the Park Plan Map shall be promptly changed in accordance with that amendment. The amendment provisions of Article 15, Amendments, of this chapter do not apply to the Park Plan Map, which is amended only pursuant to the provisions of the Adirondack Park Agency Act. Copies of the Park Plan Map, which may from time to time be published and distributed, are accurate only as of the date of their printing and shall bear words to that effect.

§ 179-3-040. Establishment of zoning districts. [Amended 3-18-2013 by L.L. No. 2-2013]

The zoning districts established by this chapter, subject to future amendment, including an aggregate of all of the area of the Town, are and shall be as follows:

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1. Editor's Note: See Executive Law § 805, Subdivision 2.
 2. Editor's Note: Said Map is on file in the Town offices.

A. Residential districts.

(1) Land Conservation LC-42A and LC-10A. The LC Districts encompass areas where land has serious physical limitations to development or unique characteristics that warrant restricting development to very low densities. It is also an area that adds to the Town's rural character and should also be protected as such. This area of the Town is described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007, and the districts retain the same boundaries as set forth in the Town's 2002 Zoning Law and Map.

(a) Uses allowed. The uses allowed in this district are set forth on Table 2 of this chapter.³

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter⁴ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

[1] Density.

[a] LC-42A: 42 acres per dwelling unit or principal nonresidential building.

[b] LC-10A: 10 acres per residential dwelling unit or principal nonresidential building.

[2] Front yard setback: 100 feet.

[3] Side yard setback: 100 feet.

[4] Rear yard setback: 100 feet.

[5] Shoreline/stream/wetland setback: 200 feet.

[6] Lot width: 400 feet. **[Amended 7-21-2014 by L.L. No. 2-2014]**

[7] Road frontage: 400 feet.

[8] Water frontage: 400 feet.

[9] Building height: 35 feet.

3. Editor's Note: Table 2 is included at the end of this chapter.

4. Editor's Note: Table 1 is included at the end of this chapter.

[10] Percent permeable: 95%.

(c) Subdivision requirements.

[1] Minimum area for conservation subdivision.

[a] LC-42A: 210 acres.

[b] LC-10A: 50 acres.

[2] Design standards and requirements as set forth in § 179-4-010 of Article 4.

[3] Flag lots: allowed per requirements set forth in § 179-4-010 of Article 4.

(d) Residential development guidelines. Design guidelines for placement of new residential dwellings are set forth in Article 4 of this chapter.

(e) Nonresidential development guidelines. Design guidelines for nonresidential development are set forth in Article 4 of this chapter.

(2) Rural residential. The Rural Residential (RR) Districts are intended to preserve and enhance the natural open space and rural character of the Town by limiting development to low densities. Low densities are warranted in this area of the Town due to natural features (such as steep slopes, wetlands, and limiting soils) as well as marginal access to populated areas. This area of the Town is described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007. In addition, and perhaps most importantly, this is the land area of the Town that is extremely important to the preservation of its rural character. As such, the district is intended to promote open spaces and rural design.

(a) Uses allowed. The uses allowed in this district are set forth in Table 2 of this chapter.⁵

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter⁶ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

5. Editor's Note: Table 2 is included at the end of this chapter.

6. Editor's Note: Table 1 is included at the end of this chapter.

- [1] Density.
 - [a] RR-5A: five acres per dwelling unit.
 - [b] RR-3A: three acres per dwelling unit.
- [2] Front yard setback: 100 feet.
- [3] Side yard setback: 75 feet.
- [4] Rear yard setback: 100 feet.
- [5] Shoreline/stream/wetland setback: 75 feet.
- [6] Lot width: 400 feet.
- [7] Road frontage: 400 feet.
- [8] Water frontage: 200 feet.
- [9] Building height: 40 feet (35 feet in the Adirondack Park).
- [10] Percent permeable: 75%.

(c) Subdivision requirements.

- [1] Minimum area for conservation subdivision.
 - [a] RR-3A: 15 acres.
 - [b] RR-5A: 25 acres.
- [2] Design standards and requirements are set forth in Article 4.
- [3] Flag lots are allowed per requirements set forth in Article 4.

(d) Residential development guidelines. Design guidelines for placement of new residential dwellings are set forth in § 179-4-010 of this chapter.

- (3) Moderate-density residential. The Moderate Density Residential (MDR) District is intended to protect the character of Queensbury's low-, medium- and high-density, strictly single-family neighborhoods and to create more walkable neighborhoods. This area of the Town is described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007.

- (a) Uses allowed. The uses allowed in this district are set forth on Table 2 of this chapter.⁷
- (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter⁸ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):
 - [1] Density.
 - [a] Two acres per dwelling unit if not connected to public sewer and water systems.
 - [b] One acre per dwelling unit if connected to public sewer and water systems.
 - [2] Front yard setback: 30 feet.
 - [3] Side yard setback: 25 feet.
 - [4] Rear yard setback: 30 feet.
 - [5] Shoreline/stream/wetland setback: 75 feet.
 - [6] Lot width: 100 feet.
 - [7] Road frontage: 100 feet.
 - [8] Water frontage: 100 feet.
 - [9] Building height: 40 feet (35 feet if within Adirondack Park boundaries).
 - [10] Percent permeable: 50%.
- (c) Subdivision requirements.
 - [1] Minimum area for conservation subdivision: two acres with 50% of subdivided property remaining as meaningful open space.
 - [2] Design standards and requirements are set forth in § 179-4-010 of Article 4.
- (d) Residential development guidelines. Design guidelines for placement of new residential dwellings are set forth in § 179-4-010 of Article 4 of this chapter.

7. Editor's Note: Table 2 is included at the end of this chapter.

8. Editor's Note: Table 1 is included at the end of this chapter.

- (e) Nonresidential development guidelines. Design guidelines for nonresidential development are set forth in Article 4 of this chapter.
- (4) Neighborhood residential. The Neighborhood Residential (NR) District encompasses areas of older, more traditional, high-density neighborhoods. Areas subject to intense development pressure, located near service areas, are similarly zoned. This district is intended to protect and enhance traditional, high-density neighborhood character while providing the opportunity for infill and high-density housing. This area of the Town is described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007.
- (a) Uses allowed. The uses allowed in this district are set forth on Table 2 of this chapter.⁹
 - (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter¹⁰ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):
 - [1] Density.
 - [a] If not connected to public sewer and water systems: 0.5 acre per dwelling unit.
 - [b] If connected to public sewer and water systems: 10,000 square feet per dwelling unit.
 - [2] Front yard setback: 20 feet.
 - [3] Side yard setback: 10 feet if buildings are not connected or zero if connected.
 - [4] Rear yard setback: 15 feet.
 - [5] Shoreline/stream/wetland setback: 50 feet.
 - [6] Lot width: 50 feet.
 - [7] Road frontage: 50 feet.
 - [8] Water frontage: 50 feet.

9. Editor's Note: Table 2 is included at the end of this chapter.

10. Editor's Note: Table 1 is included at the end of this chapter.

[9] Building height: 40 feet (35 feet if within Adirondack Park boundaries).

[10] Percent permeable: 35%.

(c) Subdivision requirements.

[1] Conservation subdivision design is not permitted.

[2] Design standards and requirements are set forth in § 179-4-010 of Article 4.

(d) Residential development guidelines. Design guidelines for placement of new residential dwellings are set forth in § 179-4-010 of this chapter.

(5) Waterfront residential. The purpose of the Waterfront Residential (WR) District is to protect the delicate ecological balance of the Town's lakes and the Hudson River as well as to enhance the aesthetics of waterfront areas while providing adequate opportunities for development. This area of the Town is described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007, and formerly consisted of WR-3A and WR-1A Zoning Districts set forth in the Town's 2002 Zoning Law.

(a) Uses allowed. This district allows single-family residences, boathouses and hunting and fishing cabins (of less than 500 square feet) as permitted uses (requiring only a zoning permit) and allows commercial boat sales, servicing and storage uses by special use permit. Class A marinas are permitted by special use permit on all Waterfront Residential properties except for those with shoreline on Glen Lake, Sunnyside Lake and Dream Lake. Class B marinas are permitted on all Waterfront Residential properties. A complete list of uses allowed in this district is set forth on Table 2 of this chapter.
[Amended 5-6-2019 by L.L. No. 4-2019]

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter¹¹ and as follows (Note that all are minimum requirements except density, floor area ratio and building height which are maximum restrictions.):

[1] Density: 2.0 acres per dwelling unit.

11. Editor's Note: Table 1 is included at the end of this chapter.

[2] Front yard setback: 30 feet.

[3] Side yard setback: varies by lot widths listed below:

Lot Width (feet)	Side Setback Required (feet)
0 to 50	12
Greater than or equal to 50 and less than or equal to 60	15
Greater than or equal to 60 and less than or equal to 150	20
150 and greater	25

[4] Rear yard setback: 30 feet.

[5] Shoreline/stream/wetland setback: 50 feet or 75 feet (see Zoning Map).

[6] Lot width: 150 feet.

[7] Road frontage: 150 feet.

[8] Water frontage: 150 feet.

[9] Building height: 28 feet; 16 feet for accessory structures.

[10] Percent permeable: 75%.

[11] Floor area ratio: 22%.

(c) Subdivision requirements.

[1] Minimum area for conservation subdivision: four acres.

[2] Design standards and requirements: as set forth in Article 4.

(d) Residential development guidelines. Design guidelines for placement of new residential dwellings and conversions of seasonal residences are set forth in § 179-4-010 of Article 4 of this chapter.

(e) Septic system certification. All development activities, including new construction, expansions or extensions, conversions and remodeling, for all uses that require

septic systems that commence subsequent to the effective date of this section, shall be required to establish that septic systems comply with the most recently adopted standards and requirements or to update systems accordingly. Written certification from a professional engineer and/or from the Town Engineer as to compliance of existing, updated or new systems shall be required prior to the issuance of a zoning permit or building permit. In addition, any septic system that fails shall be required to be reconstructed with a design that meets the most recently adopted standards.

- (f) Shoreline clearing, alteration, access. The clearing of any area within 50 feet of a shoreline, the alteration of a shoreline or the provision of shared access to an area within 50 feet of a shoreline, including but not limited to shared access of shoreline areas, must comply with the requirements set forth in § 179-4-010G(4).
- (6) Parkland Recreation PR-42A and PR-10A. The PR Districts encompass areas where lands are controlled by municipalities and are set aside for the protection of natural resources or recreational activities and which can support minimal development or low-impact land uses of very low densities. These areas of the Town are described in the "Neighborhoods" section of the Comprehensive Plan, adopted on August 6, 2007, and these districts remain unchanged from what was provided under the 2002 Zoning Law.
- (a) Uses allowed. The uses allowed in these districts are set forth on Table 2 of this chapter.¹²
 - (b) Dimensional requirements. All uses in these districts must comply with the requirements of Table 1 of this chapter¹³ and as follows (Note that all are minimum requirements except density and building height, which are maximum restrictions.):
 - [1] Density: 42 acres per principal use/structure.
 - [2] Front yard setback: 100 feet.
 - [3] Side yard setback: 100 feet.
 - [4] Rear yard setback: 100 feet.

12. Editor's Note: Table 2 is included at the end of this chapter.

13. Editor's Note: Table 1 is included at the end of this chapter.

[5] Shoreline/stream/wetland setback: 150 feet.

[6] Lot width: 800 feet.

[7] Lot depth: 800 feet.

[8] Road frontage: 400 feet.

[9] Water frontage: 800 feet.

[10] Building height: 35 feet.

[11] Percent permeable: 90%.

(c) Subdivision requirements.

[1] Minimum area for conservation subdivision: 210 acres in the PR-42A District and 50 acres in the PR-10A District.

[2] Design standards and requirements: as set forth in § 179-4-010 of Article 4.

(d) Nonresidential development standards. The standards and requirements set forth in Article 4 of this chapter shall apply to all nonresidential uses in these districts where applicable.

B. Commercial districts.

(1) Enclosed Shopping Center ESC. The ESC District encompasses those areas where shopping center development exists or is anticipated. The intent of this district is to ensure that shopping center development, as well as compatible commercial infill development, provides safe access points, coherent and safe traffic patterns, efficient loading and unloading, aesthetically pleasing shopping environments and safe pedestrian circulation. This area of the Town formerly consisted, under the 2002 Zoning Law, of the same district boundaries as are currently established herein but with the zoning district designation of "ESC-25A."

(a) Uses allowed. The uses allowed in this district are set forth on Table 3 of this chapter.¹⁴ Freestanding buildings are permitted in this district.

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter¹⁵

14. Editor's Note: Table 3 is included at the end of this chapter.

and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.): **[Amended 10-17-2016 by L.L. No. 7-2016; 2-27-2017 by L.L. No. 3-2017]**

- [1] Front yard setback: 40 feet. Buildings in excess of 40 feet in height shall require a front setback of 100 feet or greater.
- [2] Side yard setback: 30 feet.
- [3] Rear yard setback: 30 feet.
- [4] Shoreline/stream/wetland setback: 150 feet.
- [5] Lot width: 500 feet.
- [6] Road frontage: 75 feet.
- [7] Water frontage: 200 feet.
- [8] Building height: 70 feet. Buildings in excess of 40 feet in height shall require a front setback of 100 feet or greater.
- [9] Percent permeable: 20%.
- [10] Percent landscaped: 15%.

(c) Development standards. The standards and requirements set forth in Article 4 of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses.

- (2) Office. The Office District encompasses areas where professional offices are encouraged. These are located along arterials adjoining residential areas where compatibility with residential uses is important. The Town desires to see development of high-quality offices where structures and facilities are constructed with particular attention to detail, including but not limited to architecture, lighting, landscaping, signs, streetscape, public amenities, and pedestrian connections. The Office District can function as a transition zone protecting residential zones from more intensive commercial uses, while providing convenient professional services to residential neighborhoods. Office and residential facilities should be sited and built to demonstrate

compatibility with adjoining uses and to minimize any negative impacts on adjoining land uses. **[Amended 7-21-2014 by L.L. No. 2-2014; 9-14-2015 by L.L. No. 2-2015; 10-17-2016 by L.L. No. 7-2016]**

(a) Uses allowed. The uses allowed in this district are set forth on Table 3¹⁶ of this chapter. In addition:

[1] No residential uses shall be allowed less than 600 feet from Bay Road.

[2] Large offices are prohibited uses in the Gurney Lane Office District.

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1¹⁷ of this chapter and as follows (Note that all are minimum requirements except density, building size and building height which are maximum restrictions.):

[1] Density.

[a] Nonresidential: 0.5 acre per 7,000 square feet of floor area per story. Note: Land areas used for residential density calculations may not be also used for nonresidential density calculations.

[b] Residential: 1.0 acre per eight residential dwelling units (whether or not included with nonresidential floor area) Note: No land areas less than 600 feet from Bay Road may be used in residential density calculation. Only land areas 600 feet or more from Bay Road may be used in residential density calculations. Land areas used for residential density calculations may not be also used for nonresidential density calculations.

[c] Required lot size for all uses shall depend on the site being able to accommodate buildings, parking areas, landscaping and other site features.

[2] Front yard setback: 75 feet.

[a] Residential uses in the Bay Road Office zoning district: greater than or equal to 600 feet.

16. Editor's Note: Said table is included as an attachment to this chapter.

17. Editor's Note: Said table is included as an attachment to this chapter.

- [3] Side yard setback: 25 feet.
- [4] Rear yard setback: 25 feet.
- [5] Shoreline/stream/wetland setback: 75 feet.
- [6] Lot width: 150 feet.
- [7] Road frontage: 75 feet.
- [8] Water frontage: 80 feet.
- [9] Building height: maximum of 40 feet.
- [10] Maximum building size.

[a] Footprint of 75,000 square feet with total square footage of 150,000 for properties within the Bay Road design guideline areas and 20,000 square feet total for all those properties outside the Bay Road design guideline area.

- [11] Percent permeable: 35%.
- [12] Percent landscaped: 15%.
- [13] Critical environmental area setback: 100 feet.

- (c) Development standards. The standards and requirements set forth in Article 4 of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses. In addition, there are specific design standards and guidelines for mixed-use developments as set forth in Article 7 of this chapter.
- (3) Commercial Intensive (CI). The CI Districts comprise that area of Queensbury that already has intense commercial development. The purpose of this district is to provide for continuing infill development of this type, while encouraging the overall improvement and appearance of these areas.
- (a) Uses allowed. A complete list of uses allowed in the CI District is set forth on Table 3 of this chapter.¹⁸
 - (b) All uses in this district must comply with the requirements of Table 1 of this chapter¹⁹ and as follows (Note that all are minimum requirements except building

18. Editor's Note: Table 3 is included at the end of this chapter.

19. Editor's Note: Table 1 is included at the end of this chapter.

height and floor area ratio which are maximum restrictions.):

- [1] Minimum lot size: one acre.
- [2] Front yard setback: 75 feet.
- [3] Side yard setback: 20 feet minimum, with a minimum total of 50 feet both sides.
- [4] Rear yard setback: 25 feet.
- [5] Shoreline/stream/wetland: 75 feet.
- [6] Lot width: 150 feet.
- [7] Lot depth: 200 feet.
- [8] Road frontage: 50 feet.
- [9] Water frontage: 150 feet.
- [10] Building height: 40 feet.
- [11] Floor area ratio: 0.3.
- [12] Percent permeable: 30%.
- [13] Percent landscaped: 30%.
- [14] Merchandise display setback: 25 feet.

(4) Commercial Moderate (CM). The CM District is that area of Queensbury that already has moderate levels of commercial development and where surrounding patterns of land use dictate less intensive development than in the CI District.

(a) Uses allowed. A complete list of uses allowed in the CM District is set forth on Table 3 of this chapter.²⁰

(b) All uses in this district must comply with the requirements of Table 1 of this chapter²¹ and as follows (Note that all are minimum requirements except building height and floor area ratio which are maximum restrictions.):

- [1] Minimum lot size: one acre.
- [2] Front yard setback: 75 feet.

20. Editor's Note: Table 3 is included at the end of this chapter.

21. Editor's Note: Table 1 is included at the end of this chapter.

- [3] Side yard setback: 20 feet minimum, with a minimum total of 50 feet both sides.
- [4] Rear yard setback: 25 feet.
- [5] Shoreline/stream/wetland: 75 feet.
- [6] Lot width: 150 feet.
- [7] Lot depth: 200 feet.
- [8] Road frontage: 50 feet.
- [9] Water frontage: 150 feet.
- [10] Building height: 40 feet.
- [11] Floor area ratio: 0.3.
- [12] Percent permeable: 30%.
- [13] Percent landscaped: 30%.
- [14] Merchandise display setback: 25 feet.

- (c) Development standards. The applicable standards and requirements set forth in all other articles of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses. In addition, large-scale uses shall submit and have approved a long-term plan (15 years or more) as part of the site plan submittal that defines all uses, intensities of uses, entertainment and/or recreational activities and any other features of the use that are deemed relevant by the Planning Board.
- (5) Main Street. The Main Street (MS) District includes those areas of the Town where there is potential to create a traditional main street environment which includes a streetscape of relatively small-scale stores and businesses that are arranged at build-to lines promoting pedestrian activity and a vehicular traffic-slowing aesthetic. This area of the Town is described in the "Commercial Corridors" section of the Comprehensive Plan, adopted on August 6, 2007, and contains a portion of what was formerly Highway Commercial Moderate (HC-Mod) under the 2002 Zoning Law. **[Amended 12-16-2013 by L.L. No. 7-2013; 10-6-2014 by L.L. No. 5-2014]**

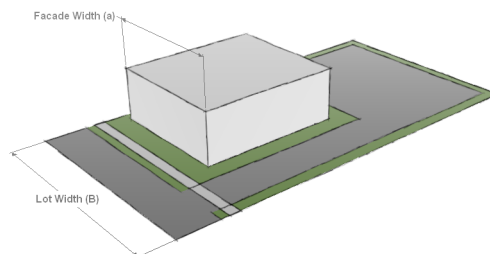
- (a) Uses allowed. This district primarily allows a variety of retail, office, personal and business services uses (excluding auto service) at a scale that is appropriate to a traditional rural town main street. In addition, while residential uses are permitted on the first floor of multistory buildings that are set back 250 feet as measured from the center line of Main Street, residential uses above the first and second floor are encouraged throughout the district. Residential uses, including single-family dwellings, duplexes or two-family dwellings, multiple-family dwellings, and townhouses are permitted beyond 250 feet as measured from the center line of Main Street. However, townhouses and multiple-family units are strongly encouraged. Restaurants and taverns will be allowed by special use permit. A mixture of uses in a building is also allowed. A complete list of uses allowed in the MS District is set forth on Table 3 of this chapter.²²
- (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter²³ and as follows (Note that all are minimum requirements except building height and size which are maximum restrictions.):
- [1] (Reserved)
- [2] Front yard setback: **[Amended 5-16-2016 by L.L. No. 4-2016]**
- [a] Forty feet to 100 feet as measured from the center line of Main Street. See related building height minimums below and § 179-7-070B(1)(c). The building setback for lots that do not have frontage on Main Street is 20 feet as measured horizontally from the property line.
- [b] Corner lots abutting Main Street shall be deemed to have two front yards: one front yard on the side of the lot adjacent to Main Street and the other front yard on the side of the lot adjacent to the street, road or public right-of-way intersecting Main Street. The required building setback for the front yard adjacent to Main Street shall be as specified in § 179-3-040B(5)(b)[2][a], above. The

22. Editor's Note: Table 3 is included as an attachment to this chapter.

23. Editor's Note: Table 1 is included as an attachment to this chapter.

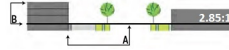
required building setback for the front yard adjacent to the street or road intersecting Main Street shall be equal to the actual distance as measured horizontally from the building, or proposed building, to the property line on the side of the lot adjacent to Main Street. The setback requirements for the other sides of such corner lots shall be consistent with § 179-4-070. (See § 179-4-070B, Corner lots fronting on Main Street.)

- [3] Side yard setback: Buildings shall occupy a minimum of 60% of the lot width as measured by the building facade width divided by the lot width. Where multiple buildings are located on a single lot, the cumulative building facade widths shall occupy a minimum 60% of the lot width. In order to encourage a strong pedestrian environment and downtown experience, zero-foot side yard setbacks are preferred. The Planning Board may waive this requirement wherever this provision would restrict rear yard access for parking due to lot width. The figure below illustrates the building lot width. **[Amended 12-15-2014 by L.L. No. 7-2014]**



- [4] Rear yard setback: 10 feet.
- [5] Shoreline/stream/wetland setback: 50 feet.
- [6] Lot width: 50 feet.
- [7] Road frontage: 50 feet.
- [8] Water frontage: 75 feet.
- [9] Building height: Shall be a minimum height of 15 feet and a maximum height of 40 feet on Main Street. Buildings shall have a maximum of three stories. While a minimum of two stories is preferred, single-

story buildings are permitted if they meet a build-to line setback standard of 40 feet as measured from the center line of Main Street. All other building heights shall be a minimum of a 2.85:1 ratio as measured by the distance from (A) facade to the Main Street center line and (B) the building height from natural grade to the highest point of the structure as shown in the figure below.



[10] Percent permeable: 5% for projects less than one acre and 10% for projects greater than one acre.

[11] Percent landscaped: 5%. Wherever green infrastructure design features (e.g., rain gardens, bioretention basins, etc.) are used, the Planning Board may consider this as both landscaping and permeable areas. Required street plantings and visual screening for parking areas shall not be included when calculating percent landscaping. See New York State Stormwater Management Design Manual Chapter 5 (or most current New York State standards) for more information.

(c) Development standards. The applicable standards and requirements set forth in all other articles of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses.

(6) Recreation Commercial. The Recreation Commercial District is intended to isolate, protect and encourage expansion of the recreation industry. Large-scale uses will be required to produce long-range plans defining uses, intensities, etc. This area of the Town has the same district boundaries as under the 2002 Zoning Law.

(a) Uses allowed. This district primarily allows a variety of outdoor recreation uses such as amusement centers, campgrounds, and golf courses, as well as restaurants and lodges. All uses require site plan review and approval with the exception that outdoor concert events require a special use permit. A complete list of the uses allowed in the RC District is set forth on Table 3 of this chapter.²⁴

- (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter²⁵ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

- [1] Density: 2,000 square feet of principal building per 15,000 square feet of land.
- [2] Front yard setback: 30 feet.
- [3] Side yard setback: 20 feet.
- [4] Rear yard setback: 20 feet.
- [5] Shoreline/stream/wetland: 75 feet.
- [6] Lot width: 75 feet.
- [7] Road frontage: 75 feet.
- [8] Water frontage: 200 feet.
- [9] Building height: 35 feet.
- [10] Percent permeable: 30%.

- (c) Development standards. The standards and requirements set forth in all other articles of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses. In addition, large-scale uses shall submit and have approved a long-term plan (15 years or more) as part of the site plan submittal that defines all uses, intensities of uses, entertainment and/or recreational activities and any other features of the use that are deemed relevant by the Planning Board.

(7) Neighborhood Commercial.

- (a) Uses allowed. This district primarily allows a variety of uses intended to enable residents of Queensbury's outlying areas to obtain staples, necessities and other goods from small-scale neighborhood-oriented shopping centers without traveling to major commercial centers. A complete list of the uses allowed in the RC District is set forth on Table 3 of this chapter.²⁶

24. Editor's Note: Table 3 is included as an attachment to this chapter.

25. Editor's Note: Table 1 is included as an attachment to this chapter.

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter²⁷ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

[1] Density: one acre of land per principal use or structure.

[2] Front yard setback: 40 feet.

[3] Side yard setback: 20 feet.

[4] Rear yard setback: 15 feet.

[5] Shoreline/stream/wetland: 75 feet.

[6] Lot width: 50 feet.

[7] Lot depth: 100 feet.

[8] Road frontage: 50 feet.

[9] Water frontage: 75 feet.

[10] Building height: 30 feet.

[11] Percent permeable: 30%.

(8) Commercial Intensive Exit 18 (CI-18). The CI-18 District comprises that area of Queensbury that already has intense commercial development proximate to the Exit 18 Interchange with US Interstate 87 (Adirondack Northway). The purpose of this district is to provide for flexible development opportunities on key sites, creating economic development while encouraging the overall improvement and appearance of these areas, including attractive building designs and enhanced pedestrian access. **[Added 4-18-2016 by L.L. No. 3-2016]**

(a) Uses allowed. A complete list of uses allowed in the CI-18 District is set forth on Table 3 of this chapter. Uses not listed in Table 3 are not allowed.

(b) All uses in this district must comply with the requirements of Table 1 of this chapter and as follows

26. Editor's Note: Table 3 is included at the end of this chapter.

27. Editor's Note: Table 1 is included at the end of this chapter.

(note that all are minimum requirements except building height which is the maximum restriction):

- [1] Minimum lot size: one acre.
- [2] Minimum front yard setback: 50 feet as measured from the road centerline. See related building height below. See also Subsection B(8)(b)[9] below relating to front setbacks and building height limits.
- [3] Side yard setback: 20 feet minimum, with a minimum total of 50 feet both sides. However, parcels adjacent to residential uses shall require a minimum fifty-foot side setback which shall include at least a twenty-five-foot vegetated buffer.
- [4] Rear yard setback: 25 feet. However, parcels adjacent to residential uses shall require a minimum fifty-foot rear yard setback which shall include at least a twenty-five-foot vegetated buffer.
- [5] Shoreline/stream/wetland: 75 feet.
- [6] Lot width: 150 feet.
- [7] Lot depth: 200 feet.
- [8] Road frontage: 50 feet.
- [9] Building height: Building heights shall be a maximum of 40 feet with the build-to setback of 50 feet to 75 feet as measured from the road centerline. Building heights may increase to a maximum of 55 feet with a build-to setback of 75 feet to 100 feet as measured from the road centerline and a maximum of 70 feet with a build-to setback of 100 feet or greater as measured from the road centerline.
- [10] Percent permeable: 30%.
- [11] Percent landscaped: 30%.

C. Industrial Districts.

- (1) Commercial-Light Industrial. The purpose of the Commercial-Light Industrial (CLI) District is to provide for mixed commercial and light industrial uses in order to maximize utilization of this area of the Town that will enhance the Town's tax base and provide quality jobs, particularly those

areas that are in transition between older industrial uses and newer commercial warehousing and retail uses. This area of the Town is described in the "Industrial Corridors/Economic Development" section of the Comprehensive Plan, adopted on August 6, 2007, and merges the former CI-1A and LI Districts provided under the 2002 Zoning Law.

(a) Uses allowed. This district allows light industrial uses which are its main focus, as well as warehousing, storage, and truck depot uses. In addition, commercial uses such as retail and services areas are allowed with certain restrictions as to size and location. These restrictions are provided to ensure that the district's purpose remains light industry and that the nonindustrial uses do not predominate but serve as compatible infill to serve the area. All allowed uses require site plan review. A complete list of the uses allowed in this CLI District is set forth on Table 4 of this chapter.²⁸

(b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter²⁹ and as follows [Note that all are minimum requirements except density and building height (and building size for retail) which are maximum restrictions.]:

[1] Density: one acre minimum per principal use/structure.

[2] Front yard setback: 50 feet.

[3] Side yard setback: 30 feet.

[4] Rear yard setback: 30 feet.

[5] Shoreline/stream/wetland setbacks: 75 feet.

[6] Lot width: 200 feet.

[7] Lot depth: 200 feet.

[8] Road frontage: 100 feet.

[9] Water frontage: 200 feet.

[10] Building height: 60 feet.

28. Editor's Note: Table 4 is included at the end of this chapter.

29. Editor's Note: Table 1 is included at the end of this chapter.

[11] Maximum building size: 40,000 square feet total for retail uses only; no limit for industrial uses.

[12] Percent permeable: 30%.

[13] Percent landscaped: 15%.

- (c) Development standards. The applicable standards and requirements set forth in all other articles of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses. In addition, large-scale uses shall submit and have approved a long-term plan (15 years or more) as part of the site plan submittal that defines all uses, intensities of uses, entertainment and/or recreational activities and any other features of the use that are deemed relevant by the Planning Board. Further, for all retail uses (including but not limited to business, personal and food service uses), the building footprint and/or area of use must be wholly located within 500 feet of the frontage road.
- (2) Heavy Industry HI. The HI District provides opportunities for the expansion of heavy industry without competition from other land uses. Large-scale manufacturing plants that often require access to rail transportation and are often considered incompatible with other land uses will be given maximum opportunity to flourish in this district. This area of the Town is described in the "Industrial Corridors/Economic Development" section of the Comprehensive Plan, adopted on August 6, 2007, and this district remains unchanged from what was provided under the 2002 Zoning Law.
- (a) Uses allowed. This district allows both heavy and light industrial uses with only a few other uses such as warehousing, truck depot, junkyard and adult uses. All uses are allowed pursuant to either site plan review and/or special use permit. A complete list of the uses allowed in this HI District is set forth on Table 4 of this chapter.³⁰
- (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter³¹ and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

30. Editor's Note: Table 4 is included at the end of this chapter.

31. Editor's Note: Table 1 is included at the end of this chapter.

- [1] Density: three acres minimum per principal use/structure.
- [2] Front yard setback: 100 feet.
- [3] Side yard setback: 50 feet.
- [4] Rear yard setback: 50 feet.
- [5] Shoreline/stream/wetland: 200 feet.
- [6] Lot width: 300 feet.
- [7] Lot depth: 400 feet.
- [8] Road frontage: 300 feet.
- [9] Water frontage: 200 feet.
- [10] Building height: 60 feet.
- [11] Maximum building size: no limit for industrial uses.
- [12] Percent permeable: 30%.
- [13] Percent landscaped: 15%.

(c) Development standards. The applicable standards and requirements set forth in all other articles of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses. In addition, large-scale uses shall submit and have approved a long-term plan (15 years or more) as part of the site plan submittal that defines all uses, intensities of uses, entertainment and/or recreational activities and any other features of the use that are deemed relevant by the Planning Board.

(3) Veterans Field Light Industrial Park/Northway Business Park District.

(a) The purpose of this district is to allow the creation of a shovel-ready industrial park such that allowed uses that satisfy the requirements and restrictions governing property within the district may proceed to construction promptly.

(b) This district is located within the City of Glens Falls, which annexed the area from the Town pursuant to an annexation agreement dated June 1, 2003, between the City and the Town.

- (c) Use of property in this district is subject to the provisions of the annexation agreement, as well as the SEQRA findings adopted by the Town of Queensbury Town Board on April 23, 2001 (which were also subsequently adopted by the City), the model site plan (Site Plan Number SP20-2001) approved by the Town of Queensbury Planning Board on May 15, 2001, the provisions of this section of the Town Code, the declaration of covenants and restrictions on the property filed by the City of Glens Falls, as well as the provisions of all map(s), plans and documents referenced in the annexation agreement, SEQRA findings, model site plan and the declaration of covenants and restrictions. The annexation agreement, SEQRA findings, model site plan, declaration of covenants and restrictions and the map(s), plans and documents referenced within them, are all incorporated herein by reference.
- (d) Following is a partial list of the restrictions and requirements governing property in this district:
- [1] Principal permitted uses. Any light manufacturing, assembly, production, office or other industrial or research use that complies with the model site plan approved by the Town of Queensbury Planning Board.
 - [2] Dimensional and lot-coverage restrictions:
 - [a] Maximum building height: 50 feet.
 - [b] Maximum building coverage: 30%.
 - [c] Minimum green space requirement: 30%.
 - [d] Minimum exterior setback: 50 feet.
 - [e] Minimum interior setback: 20 feet.
 - [3] Site requirements.
 - [a] A twenty-foot landscaped buffer shall be maintained along the frontages of Luzerne Road, Veterans Road and Sherman Avenue.
 - [b] Parking shall not exceed one space per 500 gross square feet of development.
 - [c] At least 5% of parking lot interiors shall be devoted to green space.

- [d] Parking lot lighting shall be provided by shoebox-style fixtures mounted on poles not exceeding 20 feet in height. Interior parking lot lighting shall not exceed 7.5 foot-candles. Lighting shall not spill off the lot boundary.
 - [e] Wall-mounted lights shall be aimed at the ground.
 - [f] All uses shall be required to provide interconnection across the front and rear of each lot with the lot adjacent. Such connection shall result in an interior circulation pattern substantially as shown in the model site plan and overall concept plan.
- [4] Building appearance. Buildings shall generally be of masonry or wood construction. Butler or metal-type buildings shall be allowed where there is a front office space of masonry or wood construction.
- [5] Environmental standards.
- [a] Uses shall not generate trips in excess of 1.01 trips/1,000 gross square feet during the hours of 7:00 a.m. to 9:00 a.m. and 1.08 trips/1,000 gross square feet during the hours of 4:00 p.m. to 6:00 p.m.
 - [b] Noise shall not exceed 70 dBA at the exterior property line during the daytime and 63 dBA at night.
 - [c] Uses shall not generate particulate matter exceeding an opacity of two on the Ringelmann scale.
 - [d] Uses shall not generate noxious odors.
 - [e] Uses shall not produce noticeable vibration at the exterior property line.
 - [f] Uses shall not produce radiation measurable at the exterior property line.
 - [g] No physical disturbance to the wetlands on any property shall be allowed, unless in compliance with current ACOE permit standards.

- [h] Stormwater shall be conveyed by natural drainage to the interior wetland area and to drywells and catch basins in the surrounding roadways, which in turn must be connected to existing drainage systems in Luzerne Road and/or Sherman Avenue.
 - [i] Dust control measures shall be implemented during construction. Water shall be sprayed on open, unvegetated areas to suppress dust during construction. No area may remain open or unvegetated for more than 30 days.
- [6] Responsibility for shared maintenance and connection.
- [a] All uses shall be responsible for providing easements to allow the connection of roadways and utilities across adjoining lots.
 - [b] Uses on Lots 1, 2, 3, 4, 5 and 6, as identified within a subdivision map entitled "Veterans Field Light Industrial Park Subdivision", approved by the Town of Queensbury Planning Board and filed in the Warren County Clerk's office on July 27, 2001, in Plat Cabinet B, Map Number 174, shall be responsible for providing easements to allow the sharing of driveway access and the free connection of traffic from the driveways to each lot.
 - [c] All uses shall be required to construct stormwater drainage systems in substantial compliance with the approved subdivision plans.
 - [d] All uses shall have equal responsibility for any maintenance activities related to stormwater management on the wetlands located on the interior of the property.
 - [e] All uses shall be responsible for the maintenance of that portion of the stormwater management system located on their property.
- [7] Preparation of plans. All plans shall be prepared by an appropriately registered professional engineer, landscape architect and/or surveyor, and/or by a person possessing the appropriate educational

exemption, who shall certify that the detailed design conforms to the design concepts and criteria included in the subdivision plans.

§ 179-3-050. Establishment of overlay districts.

The overlay districts established by this chapter are as follows:

- A. Mobile Home Overlay District: See § 179-4-020.
- B. Travel Corridor Overlay District: See § 179-4-030.
- C. Interstate Highway Overlay District: See § 179-4-035.

§ 179-3-060. Planned unit developments.

- A. The following planned unit developments have been established by the Town Board:
 - (1) Hiland Park PUD.
 - (2) Top of the World PUD.
 - (3) Hudson Pointe PUD.
 - (4) Bay Meadows PUD.
 - (5) Indian Ridge PUD.
- B. The zoning requirements for these PUDs are on file in the Town Clerk's office.

§ 179-3-070. Transfer of development rights.

Development densities may not be transferred from contiguous districts unless the Planning Board reviews the project as a clustered subdivision. In no case may development rights or densities be transferred across the boundaries of land use areas established by the Adirondack Park Land Use and Development Plan.