

§ 211-23. Commercial/Light Industrial District regulations.

C/LIND Districts are districts created for commercial use and limited light industrial uses. It is the intent of this district to provide areas for customary and ordinary commercial/light industrial uses that are environmentally compatible with the physical and natural environment of the neighborhood. This district is intended to permit a compatible blend of commercial/light industrial land uses. The integrity of the district will be maintained by restricting the district to land uses which are strictly commercial, service-related or light industrial in nature.

- A. Permitted uses shall be those permitted in the Commercial District.
- B. Special use permits. The Planning Board may issue special use permits for the following: **[Amended 7-26-1999 by L.L. No. 8-1999]**
 - (1) Heliports. Conditions shall be that the design and operation shall meet all federal and state regulations.
 - (2) Residential uses in conjunction with commercial and service businesses permitted in the district. Conditions shall be as follows:
 - (a) Adequate parking must be provided.
 - (b) The residential use must be clearly subordinate to the principal use of the structure.
 - (3) Light industrial uses, including:
 - (a) Research and development facilities.
 - (b) Production, processing and assembly operations, provided that such uses are conducted entirely within an enclosed building and will not produce smoke, dust, noise, odors, glare or any other deleterious by-products which can be detected beyond the property line of such an operation.
 - (c) Warehousing and distribution facilities.
 - (d) Bakeries or related food-preparation businesses.
 - (4) Day-care centers.
 - (5) Gas stations. The criteria outlined in § 211-22B(1)(b), Gas stations, shall apply. **[Added 12-26-1995 by L.L. No. 7-1995]**
 - (6) Self-storage facilities. **[Added 10-23-2017 by L.L. No. 8-2017]**
 - (a) Self-storage facilities may be allowed in Commercial/Light Industrial Districts with the approvals of both a special use permit and a site plan by the Planning Board.
 - (b) There shall be no outdoor storage of materials or goods on a mini/self/public storage site except for areas designated and approved by the

Planning Board.

- (c) Fencing for all self-storage facilities shall comply with Town Code.
 - (d) All access roads to the site and all internal areas on which vehicles operate must be paved.
 - (e) All self-storage facilities shall have lighting that is in compliance with Town Code Chapter 131.
 - (f) A landscaping plan shall be submitted as part of any site plan application. The site shall comply with open space requirements.
 - (g) All self-storage signage shall comply with the provisions of Chapter 165 of the Town Code with the exception of an information sign identifying telephone numbers to be called in the case of an emergency.
 - (h) Snow removal from within the self-storage compound shall be required unless the owner can demonstrate an area, within said compound, where snow storage will not interfere with internal circulation of emergency vehicles and users of the facility.
 - (i) All self-storage facilities shall provide internal roadway circulation designed to accommodate access throughout by emergency vehicles. The site plan shall account for access by emergency vehicles while renters are parked by the compartments.
- (7) Uses of a similar character to the permitted uses listed in Subsection A, but not specifically listed therein, upon application for interpretation to and approval by the Zoning Board of Appeals as a use similar in character. Such a use shall be permitted upon a finding by the Zoning Board of Appeals that the use is indeed of the same general character as the above permitted uses and is in accord with the stated purpose of this district. **[Added 10-23-2017 by L.L. No. 8-2017]**
- (8) Any permit granted may be revoked by the Planning Board after due hearing on not less than 10 days' notice to the person holding such permit in the event that the use violates any of the conditions or restrictions imposed by the Planning Board upon the issuance of such permit or shall have become a nuisance. **[Added 10-23-2017 by L.L. No. 8-2017]**
- C. Permitted accessory uses. Permitted accessory uses shall be as follows:
- (1) Off-street parking and loading areas subject to Article IV, Provisions Applicable to All Districts.
 - (2) Signs subject to Article IV, Provisions Applicable to All Districts.
 - (3) Fences.
- D. Additional provisions and requirements.

- (1) All new construction, whether a new building or an addition, or any alteration or modification of a current site shall require a site plan approval by the Planning Board.
- (2) All utilities serving a site shall be placed underground.
- (3) Thirty-five percent of the parcel must be green space. Parking lot landscaping and buffering areas may be included in calculating required green space.
- (4) No construction or impervious surfaces shall be permitted within 75 feet of the center line of any stream classified by the New York State Department of Environmental Conservation under Article 15, Title 5, of the New York State Environmental Conservation Law.
- (5) Environmental reviews pursuant to NYCRR 617 (SEQR) shall be completed prior to any project approvals.
- (6) Whenever a permitted use in the district is located adjacent to any other district, a fully landscaped buffer shall be provided along the full length of the adjacent district. A one-hundred-foot buffer shall be required adjacent to residential districts. A thirty-foot buffer shall be required adjacent to other districts. This buffer area shall be planted and perpetually maintained with live trees and shrubs at least six feet in height and shall have such other grading and landscaping as necessary to visually and audibly screen the commercial/light industrial activity from the adjacent district. The design and maintenance plan shall be approved by the Planning Board during its review of the site plan. Fences, walls or hedge or screen plantings may be required by the Planning Board, such as may be deemed necessary to protect the residential quality of adjacent property in any residential district. **[Added 8-25-1997 by L.L. No. 10-1997]**