

Village of Port Jefferson, NY  
Friday, February 8, 2019

## Chapter 250. Zoning

### Article V. District Use Regulations

#### § 250-21. Light Industrial I-2 District.

[Amended 10-9-1974 by L.L. No. 3-1974; 1-2-1976 by L.L. No. 1-1976; 3-22-1999 by L.L. No. 1-1999; 12-6-2010 by L.L. No. 11-2010; 10-7-2013 by L.L. No. 10-2014; 10-5-2015 by L.L. No. 5-2015; 6-6-2016 by L.L. No. 5-2016]

In a Light Industrial I-2 District, no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except those listed below, and all such uses shall be subject to site plan approval in accordance with § 250-52 hereof.

A. Permitted uses.

(1) Permitted uses shall be as follows:

- (a) Light manufacturing, assembling, converting, altering, finishing, cleaning, packaging or other processing and incidental storage of products and materials.
- (b) Transportation facilities for the loading and unloading of materials by rail and motor vehicles.
- (c) Heavy commercial uses, including wholesaling and warehousing, and building supply sales.
- (d) Research laboratories.
- (e) Utility and public transportation facilities.

(2) All permitted uses require as a condition of approval one off-street parking space per each 300 square feet of floor space.

B. Conditional uses. The following conditional uses may be permitted upon approval by the Planning Board in accordance with § 250-51 hereof and upon site plan approval by the Planning Board in accordance with § 250-52 hereof:

(1) Commercial open-air parking lots which are open to the public for parking purpose and for which a fee or charge may be collected.

C. Prohibited uses. All specifically prohibited uses of the Waterfront — Public Utility W-P District itemized in § 250-20B and any trade, industry, process or use which is noxious, offensive or objectionable by reason of the emission of smoke, dust, gas, odor or other form of air pollution or by reason of the deposit, discharge or dispersal of liquid or solid wastes in any form in a manner or amount as to cause permanent damage to the soil and streams or to adversely affect the surrounding area or by reason of the creation of noise, vibration, electromagnetic or other disturbance or by reason of illumination by artificial light or light reflection beyond the limits of the lot on or from which such light or light reflection emanates or which involves any dangerous fire,

explosive, radioactive or other hazard or which causes injury, annoyance or disturbance to any of the surrounding properties or to their owners and occupants and any other process or use which is unwholesome and noisome and may be dangerous or prejudicial to health, safety or general welfare.

D. Accessory uses. Customary parking and loading facilities as required in §§ **250-27B** and **250-33** and offices, incidental storage facilities and other use normally accessory to the permitted uses. All signs are subject to the regulations of §§ **250-18C** and **250-31**.

E. Buildings constructed of unprotected metal.

- (1) Within this district, no buildings constructed of unprotected metal construction shall be erected subsequent to the date of this provision. Buildings constructed of unprotected metal existing as of the effective date of this provision may be reconstructed, restored, and/or structurally altered provided such buildings comply with all relevant requirements of this chapter.
- (2) For the purpose of this section, a building constructed of unprotected metal construction is one in which the exterior facing (exposed to the weather) is unprotected metal. Metal shall be deemed to be unprotected if not covered by shingle, stucco, siding, wood, brick, masonry and/or other material determined to be acceptable for that building by the Planning Board, Building Inspector and/or Architectural Review Committee. Notwithstanding the foregoing, standing seam metal roofs shall not come within the definition of unprotected metal construction.
- (3) This section shall not apply to accessory buildings or uses permitted in the district so long as the structure involved does not exceed a size of six feet by eight feet or 48 square feet in the case of a metal structure, or eight feet by 10 feet or 80 square feet in the case of a wooden structure.

F. Adult establishments, electronic cigarette retailers, hookah parlors, hookah retailers, registered organizations and tattoo parlors.

- (1) Adult establishments, electronic cigarette retailers, hookah parlors, hookah retailers, tattoo parlors, and registered organizations as defined under Section 3364 of the New York Public Health Law shall only be permitted within the boundaries of the Light Industrial I-2 District and only after the following requirements are met:
  - (a) All lot lines must be 800 feet or more from any lot line of property on which any of the following zones or uses has been established by permit or otherwise recognized as a legally established zone or use: community center; child-care center; school, elementary or secondary; public park; churches, places of worship, parish houses, convents, and accessory building of a religious nature.
  - (b) Site improvements. In addition to the requirements for site plan approval, as set forth in this chapter, the following site improvements shall be set forth on a site plan submitted to the Board of Trustees as part of the application for a special use permit, and such site improvements shall at all times be maintained:
    - [1] A brick, stone or architectural stone wall or split-cedar stockade-type fence six feet in height shall be required along each property line, together with such screening as may be deemed necessary by the Board of Trustees.
    - [2] The plot shall be provided with curbs, and there shall be no more than one curb cut on any road frontage.
    - [3] Planting strips containing evergreen shrubs or hedges shall be installed on each lot line.

- [4] No flashing, intermittent or revolving signs or flags, pennants and banners shall be permitted, and no sign shall be erected without prior approval of the dimensions and lettering of said sign by the Board of Trustees. No signs shall contain any material other than block lettering, which shall have been so approved.
  - (2) Application procedure. Development approval of any proposed adult establishment, electronic cigarette retailer, hookah parlor, hookah retailer, tattoo parlor, or registered organization (or the extension or expansion thereof) shall first require a special use permit issued by the Board of Trustees. After issuance of a special use permit, approval by the Planning Board of a final detailed site development plan, and a subdivision plat, if applicable, shall be required.
- [1] *Editor's Note: See also the Bulk and Parking Regulations included as an attachment to this chapter.*