

VILLAGE OF MONTEBELLO
LOCAL LAW NO. 7 OF THE YEAR 2019

A LOCAL LAW AMENDING CHAPTER 195, ZONING, TO ADD USES AND STANDARDS TO THE PLANNED INDUSTRY AND PLANNED INDUSTRY-CAMPUS DISTRICTS.

Be it enacted by the Village Board of Trustees of the Village of Montebello by authority of Article 7 of the Village Law and Article 10 of the Municipal Home Rule Law, as follows:

(Note 1: Proposed insertions of language into the Code are indicated by underlining. Proposed deletions of language from the Code are indicated by strikeout symbols. All other language shown is to remain unchanged. The symbol “ * * * *” indicates portions of the Code to remain unchanged, which are not shown here for brevity.)*

Section 1: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:14, Planned Industry District (PI), by amending the following Uses by Permitted by Right in Column B, and the corresponding Use Group in Column B-1, as follows:

| B | B-1 |
|---|------------------|
| Uses Permitted by Right | Use Group |
| 1. Same as LO, No. <u>1</u> -s. <u>1 through 4</u> | |
| 2. Industrial Uses subject to the provisions of Article III, §195-11, which may include the manufacturing, fabrication, processing, converting, altering, assembly, testing or other handling of products. | K |
| 3. Wholesaling or warehousing business but excluding wholesale and retail sales on the premises. | K |

Section 2: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:14, Planned Industry District (PI), by adding the following Uses by Special Permit of the Planning Board to Column C, with the corresponding Use Group in Column C-1:

| C | C-1 |
|--|------------------|
| Uses by Special Permit of the Planning Board (subject to Article XII) | Use Group |
| <u>4. Laboratories, research facilities and corporate parks</u> | <u>K</u> |
| <u>5. Industry, Light</u> | <u>K</u> |
| <u>6. Business Park Flex Space</u> | <u>K</u> |
| <u>7. Wholesaling or distribution/warehousing business but excluding wholesale and retail sales on the premises.</u> | <u>K</u> |

Section 3: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:14, Planned Industry District (PI), by amending the following Minimum Off-Street Parking Spaces (subject to Article VII) in Column F, as follows:

| F | |
|---|--|
| Minimum Off-Street Parking Spaces (subject to Article VII) | |
| For: | At least 1 parking space for each unit of measurement listed or as otherwise noted below: |
| 1. Same as NS, No. 2 <u>1. Industry, Light</u> | <u>2 employees in the maximum working shift, plus 1 space per 1,000 square feet of office area</u> |
| 2. Same as LO, Nos. 3,4,5,6 & 7 | |
| 3. Same as PO, No. 2 | |
| <u>2. Laboratories, research facilities and corporate parks</u> | <u>2 employees, but not less than 10</u> |
| <u>3. Business Park Flex Space</u> | <u>150 square feet of office area, plus 1 for each 2 employees</u> |
| <u>4. Distribution/Warehousing</u> | 150 square feet of office area, plus 1 for each 2 employees |
| <u>5. Schools of Special Instruction</u> | 100 square feet of floor area or per 2 students, whichever is less |

Section 4: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:15, Planned Industry-Campus District (PI-C), by amending the following Uses by Permitted by Right in Column B, and the corresponding Use Group in Column B-1, as follows:

| B | B-1 |
|---|------------------|
| Uses Permitted by Right | Use Group |
| 1. Same as LO, No. 1. | |
| 2. Same as LO Nos. 2 through 4, subject to the additional height provisions of Article VI, §§195-22 and 195-27. | <u>M</u> |
| 3. Industrial Uses subject to the provisions of Article III, §195-11, which may include the manufacturing, fabrication, processing, converting, altering, assembly, testing or other handling of products. | <u>M</u> |
| 4. Warehousing accessory to a business operated in the Village and in connection with a permitted use otherwise allowed in this district. | <u>M</u> |

Section 5: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:15, Planned Industry-Campus District (PI-C), by adding the following Uses by Special Permit of the Planning Board to Column C, with the corresponding Use Group in Column C-1:

| C | C-1 |
|--|------------------|
| Uses by Special Permit of the Planning Board (subject to Article XII) | Use Group |
| <u>5. Industry, Light</u> | <u>M</u> |

| | |
|---|----------|
| <u>6. Office buildings for business and professional use, including administrative, scientific, research and development, training, statistical, financial and similar purposes in connection with such use</u> | <u>M</u> |
| <u>7. Laboratories, research facilities and corporate parks</u> | <u>M</u> |
| <u>8. Medical and dental clinics, health service complexes</u> | <u>M</u> |
| <u>9. Distribution/Warehousing accessory to a business operated in the Village and in connection with a use otherwise allowed in this district.</u> | <u>M</u> |
| <u>10. Outdoor or indoor recreation facilities including commercial or non-commercial</u> | <u>M</u> |
| <u>11. Assisted Living Residences</u> | <u>M</u> |
| <u>12. Skilled Nursing Care</u> | <u>M</u> |
| <u>13. Continuing Care Retirement Facility</u> | <u>M</u> |
| <u>14. Business Park Flex Space</u> | <u>M</u> |
| <u>15. Data Center</u> | <u>M</u> |

Section 6: Amend Attachment 1 to Chapter 195, Table of General Use Requirements, page 1:15, Planned Industry-Campus District (PI-C), by amending the following Minimum Off-Street Parking Spaces (subject to Article VII) in Column F, as follows:

| F | |
|---|---|
| Minimum Off-Street Parking Spaces (subject to Article VII) | |
| For: | At least 1 parking space for each unit of measurement listed or as otherwise noted below: |
| 1. Same as LO, Nos. 3,4,6 & 7 <u>Industry, Light</u> | <u>150 square feet of office area, plus 1 for each 2 employees</u> |
| 2. Same as PO, No. 2 <u>Office buildings for business and professional use, including administrative, scientific, research and development, training, statistical, financial and similar purposes in connection with such use</u> | <u>200 square feet</u> |
| 3. Schools of Special Instruction | 100 square feet of floor area or per 2 students, whichever is less |
| 4. <u>Laboratories, research facilities and corporate parks</u> | <u>2 employees, but not less than 10</u> |
| 5. <u>Medical and dental clinics, health service complexes</u> | <u>250 square feet of floor area plus 3 per suite</u> |
| 6. <u>Assisted Living Residences</u> | <u>1 parking space per 2 beds plus 1 loading zone</u> |
| 7. <u>Skilled Nursing Care</u> | <u>1 per 2 beds</u> |
| 8. <u>Continuing Care Retirement Community</u> | <u>For independent living, 1 per dwelling unit; For other care levels, 1 per two beds</u> |
| 9. <u>Business Park Flex Space</u> | <u>150 square feet of office area, plus 1 for each 2 employees</u> |

| | |
|---|---|
| 10. <u>Data Center</u> | <u>150 square feet of office area, plus 1 for each 2 employees</u> |
| 11. <u>Distribution/Warehousing</u> | <u>150 square feet of office area, plus 1 for each 2 employees</u> |
| 12. <u>Outdoor or indoor recreation facilities including commercial or non-commercial</u> | <u>Not less than the highest design hour as determined by the Planning Board.</u> |

Section 7: Add the following additional use requirements to Column G in Attachment 1 to Chapter 195, Table of General Use Requirements, for the Planned Industry Districts, on pages 1:14, as follows:

3. The following uses shall be prohibited:

- a. Schools of General or Religious Instruction
- b. Places of Worship
- c. Residential occupancy of any type
- d. Hotels and Motels
- e. Offices
- f. Outdoor Recreation facilities
- g. Auto Sales

Section 8: Amend §195-124 Definitions, by adding the following new definitions, insert in them into alphabetical order with the existing definitions:

Industry, Light: Industrial uses, including the manufacture, fabrication, processing, converting, altering, assembly or other handling of products, the operations of which are conducted solely within a building, use electrical power solely and normally are such that they will not cause or result in any:

- A. Dissemination of dust, smoke, observable gas or fumes, odor, noise, vibration, radiation or interference with radio or television reception beyond the limits of the building in which the use is located.
- B. Hazard of fire or explosion or other physical hazard from the storage or use of toxic, flammable, noxious or environmentally harmful chemicals.
- C. Harmful discharge of waste materials.

Industry, Heavy: Industrial uses, including the manufacture, fabrication, processing, converting, altering, assembly or other handling of products, with impacts which exceed the criteria found in the term “Light Industry,” as defined by this Chapter.

Section 9: Add the following new subsection §195-11 L, to Article III Use Regulations, Prohibited Uses, as follows:

L. Heavy Industry, as defined by this Chapter.

Section 10: Add the following new section §195-87.4, to Article XII Special Permit Standards, entitled, "For all uses requiring a Special Permit in the PI and PI-C Districts," as follows:

§195-87.4 For all uses requiring a Special Permit in the PI and PI-C Districts

- A. In the PI and PI-C Districts, a fifty-foot (50 foot) landscaped buffer shall be maintained along the ROW of the New York Thruway, to soften views of the buildings and parking areas from the highway travel lanes.
- B. In the PI and PI-C District, a two-hundred-fifty-foot-wide landscaped buffer (250 feet) shall be maintained along the frontage of Hemion Road to provide a visual screen. As this portion Hemion Road is within the Historic and Scenic Roads Overlay District, any construction, clearing or landscaping changes would be subject to review by the Historic Preservation and Parks Commission. Existing mature wooded growth shall be maintained, and shall be supplemented with additional plantings to provide visual screening of the development, if necessary. This required buffer area along Hemion Road shall not be used for above ground stormwater management features, buildings, parking areas, travel ways or parking aisles or maneuvering spaces. The buffer may only be crossed by access drives connecting the interior of the sites to Hemion Road. Stone walls may also be installed within the buffer, with review and approval of the HPPC.
- C. Architectural Review shall be required pursuant to Article XI.

Section 11: This local law shall take effect immediately.