

PROPOSED LOCAL LAW 1 (2016)

AMENDMENT TO VILLAGE OF LANSING CODE – ZONING LAW

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE & INTENT.

In conjunction with (i) a lengthy and broad review of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code undertaken jointly by the Village of Lansing’s Board of Trustees and Planning Board, (ii) proposed revisions related thereto, and (iii) the subsequent adoption by the Village of Lansing’s Board of Trustees of its amended and updated Comprehensive Plan, it is the purpose and intent of this local law to amend Chapter 145 of the Village of Lansing Code so as to provide as follows:

- A new Commercial Medium Traffic District (CMT) will be created from part of the existing Commercial Low Traffic District (CLT) (the Zoning Map to be revised accordingly). The proposed CMT District will include both certain existing CLT regulations and uses and new CMT District regulations, which will allow for a slight up-zoning to part of the CLT District, encourage a more walkable area while allowing small retail shops on North Triphammer Road, and will not be contiguous to any identified Residential Districts.
- The existing CLT District will be slightly down-zoned in order to continue to serve as the transitional area between higher commercial traffic areas and the residential districts in the Village.
- As a result of the creation of the proposed CMT District, certain existing uses currently included in the current CLT District will be deleted from that District (i.e., Hospital/clinic, Low Traffic Food and Beverage, Group residential building, Construction sales/storage uses); and certain revised and new/additional uses will be incorporated into the CLT District (i.e., Temporary Non-Commercial Activities, Employee cafeteria food and beverage services, special care facility, and Assisted living facility).
- Supplemental amendments, additions, deletions and revisions to Chapter 145 (entitled “Zoning”) will be undertaken resulting from (i) the creation of the new CMT District, (ii) the resulting changes to the CLT District, and (iii) the Village’s thorough review of the newly proposed provisions and their effects upon the overall existing provisions of Chapter 145 (entitled “Zoning”).
- Various provisions of Chapter 145 (entitled “Zoning”) will be slightly reworded, clarified and located, as necessary, so as to better access specific sections in the Zoning Law and thereby reduce potential confusion.
- Section 145.81 of Chapter 145 (Chart of Uses) will be revised, updated and alphabetized.
- Section 145-82 (Typical uses and illustration of uses) will be revised, updated and alphabetized. In addition, some terms will be separated and newly illustrated and/or new uses will be provided with new illustrations.

SECTION II. AMENDMENTS TO THE VILLAGE OF LANSING CODE.

- A. A new Commercial Medium Traffic District (CMT) of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code is hereby created from part of the existing Commercial Low Traffic District (CLT) (the Zoning Map to be revised accordingly), such new CMT District to be designated as “ §145-42.2 Commercial Medium Traffic District (CMT)” and set forth accordingly in Article IV [entitled “District Regulations”], Sections 145-33 [entitled “Districts enumerated”] and 145-42.2 [entitled “Commercial Medium Traffic District CMT”], of Chapter 145 of the Village of Lansing Code [entitled “Zoning”] such new Commercial Medium Traffic District CMT) to read in its entirety as follows:

§ 145-42.2 Commercial Medium Traffic District (CMT).

- A. Intent. The legislative intent of this section is to define and establish standard regulations for the Village where the desired land uses are service facilities and small retail areas that encourage a more foot traffic and; where public utilities to serve such facilities are available. This district is fully surrounded by commercial districts and is not contiguous to any residential area (LDR, MDR, HDR), thus preserving the Commercial Low Traffic district and its original intent of preserving the residential environment of the surrounding areas. The further intent of this subsection is to define and establish permitted uses with respect to which traffic generation, site design and architectural design are consistent with (i) the other permitted uses in this district and (ii) all applicable standards and design guidelines, it being understood that all improvements should conform with the applicable CLT District Design Guidelines (to which Guidelines all applicants for permits and approvals are directed.)**

- B. Permitted uses. Permitted uses shall be as follows:**

- (1) Utility service underground.**
- (2) Natural parks.**
- (3) Alteration to building or improved site with no change in use and no change in applicable parking space requirements**

(4) Temporary Non-Commercial Activities.

C. Permitted uses with additional conditions (see section 145-58). Uses permitted with additional conditions shall be as follows:

- (1) Alteration to building or improved site.**
- (2) Temporary commercial activities. (see subsection C under §145-58)**
- (3) Employee cafeteria food and beverage service**

D. Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:

(1) General conditions.

- (a) Utility transmission/storage/plants.**
- (b) Religious facility.**
- (c) Schools.**
- (d) Indoor recreation/club.**
- (e) Office/studio/service.**
- (f) Government buildings.**
- (g) Museums/public buildings.**
- (h) Clinic.**
- (i) Small scale sales**
- (j) Low traffic food and beverage.**
- (k) Alteration to building or improved site that results in a change in use or a change in applicable parking space requirements**
- (l) Low Impact Technology**
- (m) Bank administrative operations.**

(2) General and additional conditions for certain special permits (see section 145-60).

- (a) Home occupation.**
- (b) Mixed use.**

(c) Redevelopment on a larger site of a pre-existing non-conforming use currently in operation in the CLT Zoning District.

E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking requirements shall be as follows:

(1) Minimum lot size.

(a) All Uses: ten thousand (10,000) square feet. Maximum lot coverage: none, except what is required by minimum street frontage, front, side and rear yard setbacks and by front, side and rear parking requirements.

(2) Minimum street frontage.

(a) All uses: one hundred (100) feet.

(3) Front yard setback minimum

(a) All uses – twenty five (25) feet, except lots in the Commercial Medium Traffic District that have a front yard along North Triphammer Road.

(b) All uses for lots having a front yard along North Triphammer Road shall not be subject to front yard setback minimum, but, instead, shall be subject to the requirement that at least twenty-five (25) feet of a façade of all buildings developed on such lots be located within one (1) foot to either side of, and parallel to, a line located a distance of twenty-five (25) feet from the front line. Such front lot line shall be the newly established front lot line for each such lot as a result of the Village's acquisition of additional road right-of-way along North Triphammer Road Reconstruction Project. No portion of such façade shall be located closer to such front lot line than twenty-four (24) feet.

(4) Side yard setback minimum, all uses: twenty-five (25) feet.

(5) Rear yard setback minimum:

(a) All principal uses: forty (40) feet.

(b) All accessory buildings: twenty-five (25) feet.

(6) Parking setback standards.

(a) Front yard, all uses: twenty-five (25) feet.

(b) Side yard, all uses: fifteen (15) feet.

(c) Rear yard, all uses: fifteen (15) feet.

(d) Parcels Fronting on North Triphammer Road

(e) Notwithstanding the foregoing parking setback standards, in the case of a parcel that formerly included some area acquired by the Village of Lansing in connection with the Village's North Triphammer Road reconstruction project, for the purposes of measuring the front yard parking setback requirement for new development on such parcel, the measurement shall include the width of the area so acquired by the Village of Lansing along North Triphammer Road.

(7) Building height maximum.

(a) All principal uses: thirty-five (35) feet.

(b) All accessory buildings: fifteen (15) feet.

(8) Parking requirements: see Article V.

(9) Buffer strip width: seventy-five (75) feet; see § 145-24.

B. Sections “B”, “C” and “D” of Section 145.42 (entitled “Commercial Low Traffic District (CLT)” of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code shall be amended in their entirety so as to read as follows:

A) Permitted uses. Permitted uses shall be as follows:

- (1) Utility service underground.**
- (2) Natural parks.**
- (3) One-unit residential building.**
- (4) Two-unit residential building.**
- (5) Temporary Non-Commercial Activities**
- (6) Alteration to building or improved site with no change in use and no change in applicable parking space requirements
Temporary Non-Commercial Activities**

B) Permitted uses with additional conditions (see section 145-58) Uses permitted with additional conditions shall be as follows

- 1. Alteration to building or improved site.**
- 2. Temporary commercial activities. (see subsection C under §145-58)**
- 3. Employee cafeteria food and beverage service**

C) Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:

- (1) General conditions.**
 - (a) Utility transmission/storage/plants.**
 - (b) Religious facility.**
 - (c) Schools.**
 - (d) Outdoor recreation/club.**
 - (e) Indoor recreation/club.**
 - (f) Office/studio/service.**
 - (g) Government buildings.**
 - (h) Museums/public buildings.**
 - (i) Undertaking.**
 - (j) Clinic**
 - (k) Low impact technology**
 - (l) Multiunit residential building**

(m) Alteration to building or improved site that results in a change in use or a change in applicable parking space requirements

(2) General and additional conditions for certain special permits (see section 145-60).

(a) Home occupation.

(b) Mixed use.

(c) Bank administrative operations.

(d) Assisted living facility

(e) Special care facility

(f) Redevelopment on a larger site of a pre-existing non-conforming use currently in operation in the CLT Zoning District.

(g) Additional residential building on a single lot.

C. The following individual amendments of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code arising from (i) the establishment of the new Commercial Medium Traffic District (CMT) of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code, (ii) the resulting changes to the Commercial Low Traffic District (CLT) of Chapter 145 (entitled “Zoning”) of the Village of Lansing Code, and (iii) the benefit of various provisions of Chapter 145 (entitled “Zoning”) being slightly reworded, clarified and located, as necessary, so as to better access specific sections in the Zoning Law and thereby reduce potential confusion, such individual amendments being set forth below as follows:

- **145-3 (Definitions) Definition for Building, accessory to be amended and read as follows:**
 - ***Building, accessory* -- A subordinate building clearly incidental to the principal building on the same lot and used for purposes customarily incidental to those of the principal building, such as a tool shed, gazebo, screen house, storage or animal shelter, and which does not exceed four hundred (400) square feet in area nor fifteen (15) feet in height. Garages, carports, barns, solar collectors, windmills, dish antennae, and other structures exceeding these limits are considered principal buildings.**
- **145-3(Definitions) to be amended as follows:**

- **Definition for Building, principal to be amended and read as follows: A building or buildings within which is conducted the primary use of the lot on which the building is located, which exceeds four hundred (400) square feet and fifteen (15) feet in height. Garages, carports, barns, and the like are principle buildings if they exceed four hundred (400) square feet in area or fifteen (15) feet in height.”**
- **Definitions under Building, residential to be amended and read as follows:**
 - **Add the following definition under subsection B which would read as follows: *Two-unit residential building* -- A detached building containing two (2) dwelling unit.**
 - **Amended the following definition under subsection C which would read as follows: *Townhouse unit* – one-unit residential building on a single lot attached to one or more one-unit residential buildings with lot lines centered on all shared walls. Permitted only as part of a cluster subdivision (see Section 125-17) or a PDA (see Zoning Appendix A-2) .**
- **Swimming Pool to be amended and read as follows: Swimming Pool any structure, basin, chamber, or tank which is intended for swimming, diving, recreational bathing or wading and which is designed to contain, or is capable of containing water more than 24 inches deep at any point. This includes in-ground, above-ground, and on-ground pools. (For the purposes of yard setbacks swimming pools would subject to building accessory setbacks)**
- **145-15(Yard dimensions)**
 - **145-15D to be amended and read as follows: The above subsections A & B notwithstanding, in all cases the minimum yard dimensions for swimming pools shall be the same as that for minor buildings.**
- **145-16(Right-of-way widening) to be amended and read as follows: Where a lot has frontage on a proposed future road as shown on the Official Village of Lansing Zoning Map or on a final subdivision plat approved by the Village of Lansing Planning Board and filed with the Tompkins County Clerk , the required front yard depth must be measured from the proposed future right-of-way line.**
- **Section 145-20 (Curb Cuts, Driveways and Private Roads.)**
 - **145-20B(2)(b) to be amended and read as follows: A driveway intended for two-way traffic shall not be less than twenty (24) feet wide and a driveway intended for one way traffic shall not be less than twelve (12) feet wide.**

- **145-39(Low Density Residential)**
 - **145-39B to be amended and read as follow:**
 - **Permitted uses shall be as follows:**
 - (1) **Utility service, underground.**
 - (2) **Natural parks.**
 - (3) **One-unit residential building.**
 - (4) **Two-unit residential building.**
 - (5) **Alteration to building or improved site or change in use that does not result in change in applicable parking space requirements**
 - **145-39C to be amended and read as follows:**
 - **Permitted uses with additional conditions (see section 145-58)**
 - **145-39D to be amended and read as follows:**
 - **Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:**
 - (1) **General conditions.**
 - (a) **Utility transmission/storage/plants.**
 - (b) **Religious facility.**
 - (c) **Schools.**
 - (d) **Outdoor recreation/club.**
 - (e) **Alteration to building or improved site or change in use that results in change in applicable parking space requirements**
 - (2) **General and additional conditions for certain special permits (see section 145-60)M**
 - (a) **Mobile home.**
 - (b) **Home occupation.**
 - (c) **Commercial crop/animal.**
 - (d) **Additional residential building on single lot.**
 - (e) **Assisted living facility**
 - (f) **Special care facility**
 - **145-39E(9) to be amended and read as follows:**
 - **Parking requirements.**
 - (a) **Sewered and non-sewered areas.**

- **145-39.1(Shannon Park Planned Development Area)**
 - **145-39.1B to be amended and read as follows:**
 - **Permitted uses. Permitted Uses shall be as follows:**
 - (1) **Utility Service Underground**
 - (2) **Natural parks**
 - (3) **One-Unit Residential Building**
 - (4) **Two-Unit Residential Building**
 - (5) **Town House Units**
 - (6) **Alteration to building or improved site or change in use that does not result in change in applicable parking space requirements**
 - **145-39.1C to be amended and read as follows:**
 - **Permitted uses with additional conditions (see section 145-58)Permitted Uses with Additional Conditions**
 - (1) **Additional Residential Building on a Single Lot**
 - **145-39.1D to be amended and read as follows:**
 - **General and additional conditions for certain special permits (see section 145-60) Permitted with Special Permit:**
 - (1) **General and Additional Conditions**
 - (a) **Home Occupation**
 - (b) **Alteration to building or improved site or change in use that results in change in applicable parking space requirements**
 - **145-39.1E(9) to be amended and read as follows:**
 - **Parking requirements.**
 - (a) **Sewered and non-sewered areas.**
 - [1] See Article V
- **145-40(Medium-Density Residential District)**
 - **145-40B to be amended and read as follows:**
 - **Permitted uses. Permitted uses shall be as follows:**
 - (1) **Utility service underground.**
 - (2) **Natural parks.**
 - (3) **One-unit residential building.**

- **145-41E(9) to be amended and read as follows:**
 - **Parking requirements.**
 - (a) **Sewered and non-sewered areas.**
[1] See Article V
- **145-42(Commercial Low Traffic)**
 - **145-42B to be amended and read as follows:**
 - **Permitted uses. Permitted uses shall be as follows:**
 - (1) **Utility service underground.**
 - (2) **Natural parks.**
 - (3) **One-unit residential building.**
 - (4) **Two-unit residential building.**
 - (5) **Temporary Non-Commercial Activities**
 - (6) **Alteration to building or improved site with no change in use and no change in applicable parking space requirements.**
 - **145-42C to be amended and read as follows:**
 - **Permitted uses with additional conditions (see section 145-58) Uses permitted with additional conditions shall be as follows**
 - (1) **Alteration to building or improved site.**
 - (2) **Temporary commercial activities. (see subsection C under §145-58)**
 - (3) **Employee cafeteria food and beverage service**
 - **145-42D to be amended and read as follows:**
 - **Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:**
 - (1) **General conditions.**
 - (a) **Utility transmission/storage/plants.**
 - (b) **Religious facility.**
 - (c) **Schools.**
 - (d) **Outdoor recreation/club.**
 - (e) **Indoor recreation/club.**
 - (f) **Office/studio/service.**
 - (g) **Government buildings.**
 - (h) **Museums/public buildings.**
 - (i) **Undertaking.**

- **145-42.1D to be amended and read as follows:**

Area A

(1) General conditions.

- (a) **Utility transmission/storage/plants.**
- (b) **Indoor recreation/club.**
- (c) **Office/studio/service.**
- (d) **Government buildings.**
- (e) **Motel/hotel.**
- (f) **Sales/Repair/Maintenance.**
- (g) **Theater/nightclub/discotheque.**
- (h) **Alteration to Building or improved Site or Change in Use that Results in Change in Applicable Parking Space Requirements.**
- (i) **Museums/public buildings.**
- (j) **Low Traffic Food and Beverage.**
- (k) **High Traffic Food and Beverage.**
- (l) **Members only fuel station.**

(2) General and additional conditions for certain special permits (see section 145-60).

Area A

- (a) **Mixed Use. (see subsection F under § 145-60)**

Area B

- (a) **One-unit residential building. (see subsection O under § 145-60)**
- (b) **Two-unit residential building. (see subsection O under § 145-60)**
- (c) **Multiunit residential building. (see subsection O under § 145-60)**
- (d) **Home occupation. (see subsection D under § 145-60)**
- (e) **Planned Development Area clustered housing (see subsection O under § 145-60).**

- **145-43(Commercial High Traffic District)**

- **145-43B to be amended and read as follows:**

- **Permitted uses. Permitted uses shall be as follows:**

- (1) **Utility service underground.**

- (2) Natural parks.**
 - (3) Alteration to building or improved site or change in use that does not result in change in applicable parking space requirements**
 - (4) Temporary Non-Commercial Activities**
- **145-43C to be amended and read as follows:**
- **Permitted uses with additional conditions (see section 145-58):**
 - (1) Temporary commercial activities. (see subsection C under §145-58)**
 - (2) Employee cafeteria food and beverage service**
- **145-43D to be amended and read as follows:**
 - **Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:**
 - (1) General conditions.**
 - (a) Utility transmission/storage/plants.**
 - (b) Indoor recreation/club.**
 - (c) Office/studio/service.**
 - (d) Government building.**
 - (e) Museums/public buildings.**
 - (f) Hospital**
 - (g) Clinic**
 - (h) Motel/hotel.**
 - (i) Sales/repair/maintenance.**
 - (j) Theater/nightclub/discotheque.**
 - (k) Construction sales/storage.**
 - (l) Large equipment.**
 - (m) Automotive sales/service/lots.**
 - (n) Commercial assembly soft goods.**
 - (o) Transportation services**
 - (p) Alteration to building or improved site or change in use that results in change in applicable parking space requirements**
 - (q) Low Traffic Food and Beverage**
 - (r) High Traffic Food and Beverage**

- **145-46(Human Health Services District)**
 - **145-46B to be amended as follows:**
 - **Permitted uses. Permitted uses shall be as follows:**
 - (1) **Utility service underground.**
 - (2) **Natural parks.**
 - (3) **Alteration to building or improved site or change in use that does not result in change in applicable parking space requirements.**
 - (4) **Temporary Non-Commercial Activities**
 - **145-46C to be amended and read as follows:**
 - **Permitted uses with additional conditions (see section 145-58)Permitted uses with additional conditions:**
 - (1) **Temporary Commercial Activities. (see subsection C under §145-58).**
 - (2) **Employee cafeteria food and beverage**
 - **145-46D to be amended and read as follows:**
 - **Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:**
 - (1) **General conditions.**
 - (a) **Utility transmission/storage/plants.**
 - (b) **Offices of health care professionals currently holding valid licenses from the State of New York, provided that such health care professionals serve human, rather than animal, health needs. For the purposes of this § 145-46, the term "health care professionals" shall be defined as including all licensed health care practitioners, as such term is used in § 18 of the Public Health Law of New York State, referencing Articles 131 (medicine), 131-B (physician's assistants and specialist's assistants), 132 (chiropractic), 133 (dentistry and dental hygiene), 136 (physical therapy and physical therapist assistants), 139 (nursing), 141 (podiatry), 143 (optometry), 153 (psychology), 154 (social work), 156 (occupational therapy) and 159**

(speech-language pathologists and audiologists) of the Education Law of the State of New York and § 2560 (midwives) of the Public Health Law of the State of New York, but excluding those persons referenced in Article 144 (ophthalmic dispensing) of the Education Law of the State of New York.

- (c) Hospital
- (d) Clinic
- (e) Medical laboratories.
- (f) Offices of licensed acupuncturists and offices of nutritionists who are not representatives of any commercial weight loss program.
- (g) Alteration to building or improved Site or change in use that results in change in applicable parking space requirements

(2) General and additional conditions for certain special permits (see section 145-60):

- (a) Pharmacies, provided that such pharmacies offer for sale nothing other than prescription drugs, and/or offer for sale or rental physician-prescribed medical devices and aids such as wheelchairs, crutches and/or hospital beds, and provided that such pharmacy has on premises during all hours of operation a licensed pharmacist.
- (b) Assisted living facilities
- (c) Special care facilities

- 145-48(Conservation Combining District)
 - 145-48C.(2) to be amended and read as follows:
 - The Steep Slope Conservation Combining District includes all lots (i) that contain slopes of greater than fifteen percent (15%) based upon a USGS DEM (digital elevation model) which interpolates values between 20' contours calculated within a 33.3' grid cell, and as delineated on the Zoning Map (the "Steep Slope Area"); and (ii) upon which disturbance(s) are proposed to be located within fifty

(50) feet of the outer extremity of the Steep Slope Area and/or where disturbance(s) may negatively impact the lot in question regardless of distance, as determined by the Village Zoning and Code Officer.

- **In article V (Off-Street Parking)**
 - **section 145-51(Basic requirements and specifications) to be amended to read as follows:**
 - **Off-street parking and loading must be provided as specified in this section and must be paved or graveled, drained, maintained and provided with necessary access driveways. All parking is required to be on the lot on which it relates, unless otherwise stated, and must not therefore be encroached upon in any manner by non-parking uses. Open parking areas for five (5) cars or more must be landscaped and screened from adjoining streets, subject to approval by the Planning Board (see section 145-54 for number of parking spaces required).**
 - **An off-street parking space shall be at least nine (9) feet wide and eighteen (18) feet long. Drive lanes within or accessing parking lots shall be at least twenty-four (24) wide where intended for two way traffic and twelve (12) feet wide where intended for one way traffic.**
 - **145-54 (Number of Parking Spaces Required)**
 - **145-54B to be amended from a previous version to now read as follows:**
 - (1) **All uses permitted by this chapter must provide adequate off-street parking, and for those uses included in the following schedule, in at least the amount specified. The maximum allowable must not exceed twenty percent (20%) more than the specified amounts. In the case of mixed use of a building or property, the space requirements must be computed for each use and the total requirements for all uses must be provided in accordance with this section.**
 - (a) **Religious facility: one (1) parking space for each four (4) seats.**
 - (b) **One and Two Family Residential Buildings: parking spaces for each dwelling unit shall be adequate for the number of vehicles using that dwelling unit.**

- (c) Other Residential Buildings (such as multifamily residential, assisted living facility, group residential): one and one half (1 ½) spaces per dwelling unit.**
- (d) Outdoor recreation/club and parks: one (1) parking space for each five thousand (5,000) square feet of open space area or major fraction thereof, up to ten (10) spaces, and thereafter one (1) space for each ten thousand (10,000) square feet or major fraction thereof.**
- (e) Indoor recreation/club: one (1) parking space for each two hundred (200) square feet of gross floor area except for bowling alleys and tennis courts, which require four (4) parking spaces for each alley or court.**
- (f) Office/studio/service: one (1) parking space for each two hundred (200) square feet of gross floor area except for**

 - 1. offices of doctors, dentists, physical therapists and veterinarians, and similar medical service providers, which require (i) four (4) parking spaces for each doctor, dentist, dentist, physical therapist, veterinarian and other similar medical service providers, and (ii) one parking space for each office employee. [**
- (g) Barbers, beauty shops, spas and related uses, which require two and one-half (2 ½) spaces for each work station (rounded to the next highest number).**
- (h) Undertaking: one (1) parking space for each fifty (50) square feet of gross floor area and sufficient area for off-street marshaling of funeral processions.**
- (i) Motel/hotel: one and one-fourth (1 ¼) parking spaces for each room let for rent.**

- (j) Sales/repair/maintenance. One (1) parking space for each three hundred (300) square feet of gross floor area except for drive-in/drive-through facilities such as ice cream stands, banks, etc. for which parking and driveway areas must be shown to be adequate for the proposed use, such adequacy being of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists.**
- (k) Small scale sales. One (1) parking space for each three hundred (300) square feet of gross floor area except for drive-in/drive-through facilities such as ice cream stands, banks, etc. for which parking and driveway areas must be shown to be adequate for the proposed use, such adequacy being of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists.**
- (l) Theaters: one (1) parking space for each four (4) seats.**
- (m) Government buildings, museum/public buildings, hospital/clinics, construction sales/storage, large equipment, automotive sales/service/lots, warehousing/ storage, and any other uses not listed in subsections (A) through (I) above. Parking and driveway areas must be shown to be adequate for the proposed use as determined by the Village of Lansing Planning Board. Such adequacy must be of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists. In order to satisfy the requirement for adequate parking on the parcel, the developer must establish to the satisfaction of the Planning Board, and show on the site plan for the development, the location(s) in which up to fifty percent (50%) additional parking spaces can be developed in the event that the number of parking spaces to be currently developed proves inadequate for either the proposed use or a change in**

use in the future. The terms of § 145-55, “Reduced Number of Parking Spaces”, below shall not be applicable in the case of any use listed in this subsection J.

(n) Low Traffic Food and Beverage

- 1. Restaurant without bar: One (1) parking space for each one hundred (100) square feet of gross floor area.**
- 2. Restaurant with bar: Two (2) parking spaces for each one hundred (100) square feet of gross floor area.**

(o) High Traffic Food and Beverage

- 1. Bar or tavern: Two (2) parking spaces for each one hundred (100) feet of gross floor area.**
- 2. Restaurant (with or without bar) with drive-in/drive-through and/or carry-out service; bar or tavern with carry-out service; exclusively drive-in/drive-through, carry-out and/or similar services: parking and driveway areas must be shown to be adequate for the proposed use, such adequacy being of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists.**

(p) Low Impact Technology

- 1. One (1) parking space for each three hundred (300) square feet of gross floor area.**

145-59(Special Permit)

- **section 145-59D(2) be amended to read as follows:**
 - **Submission date of application. Every application for a Special Permit, complete and accompanied by the required fee (see § 145-**

57D) and all materials and data required by this chapter (see § 145-57C) shall be filed with the Village Clerk at least twelve (12) days prior to a regular or special business meeting of the Board to which such application must be submitted as provided in this § 145-59. The Code Enforcement Officer may, at his or her sole discretion, waive the twelve day requirement stated above if the Code Enforcement Officer determines that all other legal requirements such as those for public and supplementary notice will be satisfied

- **145-60C to be deleted in section 145-60(Additional conditions for certain Special Permit uses).**
 - **(Which did read “Cluster housing”. Permitted when developed according to Chapter 125, Subdivision of Land, of the Code of the Village of Lansing, pursuant to Article 7, § 7-738 of the Village Law of the State of New York. But would not exist after deletion)**
- **145-60M, in section 145-60(Additional conditions for certain Special Permit uses), would need to be amended to add the word “Commercial Medium Traffic”.**
- **145-60P needs to be added to section 145-60 (Additional conditions for certain Special Permit uses), which would now read as**
 - **Assisted living facility. Permitted upon determination by the Planning Board that the design, scale, exterior appearance, projected traffic volume and pattern, lights and noise level are compatible with the character of the neighborhood or immediate area surrounding the proposed development.**
- **145-60Q needs to be added to section 145-60(Additional conditions for certain Special Permits), which would read as:**
 - **Special care facility. Permitted upon determination by the Planning Board that the design, scale, exterior appearance, projected traffic volume and pattern, lights and noise level are compatible with the character of the neighborhood or immediate area surrounding the proposed development**
- **145-81(Chart od Uses) to be amended in its entirety and read as follows:**

Uses	Districts								
	LDR ¹	MDR ¹	HDR ¹	CLT ¹					
Additional residential building On single lot									
Adult Entertainment						CHT**			
Alteration to building or Improved site	LDR ¹	MDR ¹	HDR ¹	CLT ¹	CMT*	CHT ¹	BTD ¹	RSH ¹	HHS ¹
Assisted Living Facility	LDR**	MDR**	HDR**	CLT**		CHT**			HHS**
Automotive sales/services/lots						CHT*			
Bank administrative operations				CLT**	CMT**		BTD*		
Clinic			HDR*	CLT*	CMT*	CHT*			HHS*
Commercial assembly soft goods						CHT*	BTD*		
Commercial crop/animal	LDR**	MDR**							
Construction sales/storage						CHT*			
Employee Cafeteria food and Beverage				CLT ¹	CMT ¹	CHT ¹	BTD ¹	RSH ¹	HHS ¹
Government buildings			HDR*	CLT*	CMT*	CHT*	BTD*		
Group residential			HDR*						
High Traffic Food and Beverage						CHT*			
Home occupation	LDR**	MDR**	HDR**	CLT**	CMT**	CHT*			
Hospital						CHT*			HHS*
Indoor recreation/club			HDR*	CLT*	CMT*	CHT*	BTD*		
Large equipment						CHT*			
Light industry/manufacturing							BTD*		
Low Impact Technology				CLT*	CMT*				
Low Traffic Food and Beverage					CMT*	CHT*	BTD**		
Medical laboratory									HHS*
Members only fuel station									
Mixed use				CLT**	CMT**	CHT**			
Mobile home	LDR**								
Motel/hotel						CHT*	BTD**		
Multiunit residential building (only in sewered areas)			HDR	CLT**					
Museums/public buildings			HDR*	CLT*		CHT*			
Natural Parks	LDR	MDR	HDR	CLT	CMT	CHT	BTD	RSH	HHS
Office/studio/service			HDR**	CLT*	CMT*	CHT*	BTD**		
One-unit residential building	LDR	MDR	HDR	CLT					
Outdoor recreation/club	LDR*	MDR*	HDR*	CLT*			BTD*		
Pharmacy									HHS*
Redevelopment on larger pre-existing non-conforming use currently in operation in CLT zoning				CLT**	CMT**				
Religious facility	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*			
Research/design/prototype Production							BTD*	RSH*	
Sales/repair/maintenance						CHT*			

Schools	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*	BTD*		
Small Scale Sales					CMT*	CHT*			
Special Care Facility	LDR**	MDR**	HDR**	CLT**		CHT**			HHS**
Temporary commercial activities	See section 145-58-C								
Temporary non-commercial activities				CLT	CMT	CHT	BTD	RSH	HHS
Theater/nightclub/discotheque						CHT*			
Transportation services						CHT*	BTD*		
Two-unit residential building	LDR	MDR	HDR	CLT					
Undertaking			HDR*						
Utility service underground	LDR	MDR	HDR	CLT	CMT	CHT	BTD	RSH	HHS
Utility transmission/ Storage/plants	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*	BTD*	RSH*	
Warehousing/storage/distribution						CHT**	BTD**		

NOTES:

* Indicates use is permitted with Special Permit: general conditions.

** Indicates use is permitted with Special Permit: general and additional conditions for certain special permit (145-60).

¹ Indicates use is permitted with additional conditions.(145-58)

Uses within Planned Development Areas should be referred to in their respective district regulations

- **145-82 (Typical Uses; category of use) to be amended in its entirety and read as follows:**

145-82. Typical uses; category of use.

A. The following subsections illustrate the type of uses consistent with the descriptive term used for permitted and Special Permit uses. These illustrations do not supplant definitions provided in § 145-3 or additional conditions specified in §§§ 145-58 and 145-59. Rather, they suggest uses which can be appropriately carried out under the respective use terms. However, some uses are specifically excluded, as noted. In addition, uses which are included in any subsection are excluded from all other subsections unless specifically listed therein.

- (1) Additional residential building on single lot: Includes any unit building permitted in the same district.**
- (2) Alteration to building or improved site: See § 145-39C(2).**
- (3) Assisted living facility: A supportive housing facility designed for those who need extra help in their day-to-day lives but who do not require the 24-hour**

- skilled nursing care found in traditional nursing homes. Typically these facilities combine housing, personal care services, and light medical care in an atmosphere of safety and privacy. Based on a monthly fee, basic services typically include meals, laundry, housekeeping, recreation and transportation. Residents typically have private locking rooms and bathrooms and personal care services are available on a 24-hour-a-day basis.**
- (4) Automotive sales/service/lots: New and used car and pickup truck sales and service; fuel station (see definitions, § 145-3); service station; parking lot; public garage; car wash; sales lot.**
 - (5) Bank administrative operations: Bank administrative and office operations, including loan transactions, and including no more than one (1) teller and one (1) automatic teller machine (ATM).**
 - (6) Clinic: An outpatient health clinic or facility, private or public, which provides for medical, surgical, or psychiatric care and treatment for the sick or the injured. The facility may be a group practice in which several physicians work cooperatively, and the facility would not be open on a 24 hour basis (does not include nursing homes or veterinary clinics).**
 - (7) Commercial assembly soft goods: Jewelry; leather goods; clothing; scientific instruments.**
 - (8) Commercial crop/animal: Production of crops, crop products, livestock and livestock products; production of fiber; keeping, raising or breeding animals whether for commercial sale or for use in commercial activities. Includes kennel, riding academy, plant nursery and on-site sales of products. Does not include uses which are normally part-time or subsistence or recreational which are primarily for use by the household conducting the uses; incidental sales may be conducted on-site if in conformance with sign, yard and parking requirements for the district.**
 - (9) Construction sales/storage (indoor or screened storage): Offices and indoor screened storage for building or plumbing/heating contractor; sheet metal assembly, “over-the-counter” sales or construction and building material, such as lumber and plumbing, electrical, heating and air conditioning supplies. For the purposes of better describing this use, the term “over-the-counter” sales shall herein mean the arrangement wherein customers must request or order their goods from a salesperson at a counter or other physical barrier that prevents customer access to the businesses’ merchandise, stock or inventory, this term expressly excludes any self-serve arrangement**

wherein merchandise is directly accessible to customers and customers can themselves physically select their purchases from the floor, shelves, racks, counters, tables or other displays. Notwithstanding the limitations of the foregoing description, an “over-the-counter” construction sales establishment may allow for incidental self-service sales of construction or building related goods or supplies in the area accessible to the general public, provided that (a) such self-service sales are only accessory to the primary business, (b) such area accessible to the general public constitutes less than fifteen percent (15%) of the area of the building in which the construction sales establishment operates (excluding any outdoor storage areas from such calculation), (c) not more than one-half (1/2) of the floor area of the portion of the building accessible to the general public is devoted to floor, shelf, rack, counter, table or other displays of goods for sale, including any area devoted to “showroom” or “set-up” space, and (d) notwithstanding the terms of Section 145-54(J) above, the total number of parking spaces for any “Construction Sales/Storage” use that includes any area for such incidental self-service sales shall be limited to (i) one parking space for each 300 square feet of Gross Floor Area accessible to the general public as described in this sentence, plus (ii) any additional parking spaces the Planning Board, on the recommendation of the Code Enforcement Officer, determines will be adequate for the balance of the “Construction Sales/Storage” use not accessible to the general public.

- (10) **Employee cafeteria food and beverage service:** Food service provided for only the employees (and their guests, clients, customers, etc.) of the building where such service is located (which building is being used for a permitted use).
- (11) **Government buildings:** Office; fire station; police station; post office.
- (12) **Group residential:** Club; dormitory; fraternity or sorority house; rooming house; Does not include private or public hospital, motel or hotel
- (13) **High traffic food and beverage:** Restaurant with or without bar which includes drive-in/drive-through, carry-out and/or similar services; exclusively drive-in/drive-through and/or carry-out food and beverage establishment; bar or tavern.
- (14) **Home occupation:** Includes uses an activities incidental and accessory or secondary to the use of the dwelling unit for residential purposes; provided, however, that any such use and/or activity shall not be considered a home

occupation and therefore shall not be subject to special permit approval under this Zoning Law in the event that (i) there are no employees, 50Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. ZONING December 2014 145103 customers, clients, students or similar individuals visiting the dwelling, (ii) there is no sale of goods and services at the dwelling unit, and (iii) no additional vehicle traffic is produced other than what would be expected for the customary use of the dwelling unit. (See §145-3)

- (15) Hospital- an institution, private or public, that provides medical, surgical, or psychiatric care and treatment for the sick or the injured, which is typically open on a 24 hour basis and patients are allowed to stay for an extended period of time if needed (does not include nursing homes or veterinary hospital).**
- (16) Indoor recreation/club: Public or private service club; social club; commercial indoor recreation; bowling; tennis; swimming pool; billiards; arcades; etc.**
- (17) Large equipment: Marine, agricultural and business and technological sales and services; trucking firm; snowmobile, travel trailer, camper sale and services. Excludes mobile home park and sales.**
- (18) Light industry/manufacturing: Manufacturing typically having few if any nuisance characteristics such as electrical equipment manufacture, welding and small metal products manufacture, soft drink bottling, clothing manufacture and pharmaceutical manufacture.**
- (19) Low impact technology: Small scale manufacturing and technology having few if any nuisance characteristics; the scale of operations utilizes primarily services such as UPS, Postal Service, Federal Express with little or no tractor trailer traffic and no loading docks; examples are: data processing; computer centers; laser technology applications; communications equipment service and repair; medical laboratories; research, testing design and training applications; custom small industry (production, assembly and packaging)**
- (20) Low traffic food and beverage: Sit-down restaurant with or without a bar where food is consumed on premises, which may include carry-out or similar service such as, bakery or café; where there is no drive-in/drive-through or separate entrance for carry-out service.**

- (21) Members only fuel station:** Fueling facilities for vehicles, including gasoline, diesel, ethanol, methanol, liquid petroleum gas, compressed natural gas, electric charging and similar fuel products, which facilities are (i) associated with a specific shopping club (e.g., BJ's Wholesale, Sam's Club, Costco, etc.); (ii) available only to the members of such specific shopping club; and (iii) located on the same premises as the building housing the specific shopping club.
- (22) Mixed use:** see definitions, § 145-3.
- (23) Mobile home:** Includes only those constructed after 1973 and conforming to the New York State Uniform Fire Prevention and Building Code. See § 145-60B.
- (24) Motel/hotel:** Provision of living accommodations on a primarily transient basis.
- (25) Multiunit residential building:** Includes accessory facilities and residential activities, including gardening and keeping of pets. A dwelling unit housing with more than three (3) dogs, over six (6) months old, is considered a kennel.
- (26) Museum/public buildings:** Museum; art gallery; observatory; library.
- (27) Natural parks:** Undeveloped land without site improvements or facilities.
- (28) Office/studio/service:** Architect; insurance; lawyer; realtor; doctor; dentist; physical therapy; veterinarian (includes animals under treatment); secretarial; printing; multicopying; testing lab; administrative office; adult education and training; photography; tailoring; barber; beauty shop; spa; tutoring.
- (29) One-unit residential building:** Includes accessory facilities and residential activities, including gardening or farming and keeping of pets. A dwelling unit housing more than three (3) dogs, over six (6) months old, is considered a kennel.
- (30) Outdoor recreation/club:** Public or private developed park; golf; tennis; rod and gun; boating; swimming; and commercial recreational uses. Excludes stadiums, sports arenas, snowmobile and motorbike trails, amusement parks and drive-in theaters.
- (31) Planned development area clustered housing:** Multiple residential buildings for rental occupancy grouped on a single un-subdivided parcel which is incorporated as part of an authorized Planned Development Area and owned and controlled by a single entity; subject to Special Permit additional condition set forth in subsection O of § 145-60; the density (including the

number of buildings and residential units), dimensions, setbacks and related requirements are to be determined and established as part of required Special Permit review and action; such density, dimensions, setbacks and related requirements so authorized will supersede any inconsistent district regulations and requirements otherwise applicable.

- (32) Religious facility: see definitions, § 145-3.**
- (33) Research/design/prototype production: See § 145-45.**
- (34) Reserved**
- (35) Sales/repair/maintenance: All retail soft and hard goods; laundromat; cleaners; bank; bar or tavern; drive-in restaurant; carry-out service.**
- (36) Schools: see definitions, § 145-3**
- (37) Small scale sales: All retail of soft and hard goods with a maximum average size of 10,000 square feet per tenant, which may include but not exceed one accessory drive-through that is clearly incidental in nature to the primary business use; jewelry; clothing; pet store; pharmacy; bank; book store; laundromat**
- (38) Special care facility: Convalescent, progressive care, senior housing, or nursing home, adolescent or outpatient housing**
- (39) Theater/nightclub/discotheque: Does not include drive-in theater.**
- (40) Temporary commercial activities and temporary non-commercial activities.**
 - a. Temporary commercial activities: (see subsection C under §145-58)**
 - b. Temporary non-commercial activities: Private activities or gatherings related to the principal uses permitted in a particular district where no required entry or participation fee is charged, the primary purpose of which is not sale of goods or services; including events conducted by and for the employees and invitees associated with the uses permitted in that particular district. Temporary Commercial Activities.**
- (42) Transportation services: Bus companies; taxi services; car rental agencies.**
- (43) Two-unit residential building: Includes accessory facilities and residential activities, including gardening or farming and keeping of pets. A dwelling unit housing more than three (3) dogs, over six (6) months old, is considered a kennel.**
- (44) Undertaking: Funeral home; mortuary.**
- (45) Utility service underground: Electric; communications; and gas, sewer and water lines providing essential services to normal land use activities.**

(46) Utility transmission/storage/plants: Electric; communications; gas, sewer and water transmission lines; and service including stations, substations, treatment plants, pumping stations and storage tanks.

(47) Warehousing/storage/distribution: Moving firm; temporary storage; distribution and delivery systems and facilities (including overnight and similar distribution and delivery services).

SECTION III. SUPERSEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.