

ZONING

Zoning Appendix

Regulations Applicable to Former L-I Light Industrial District¹

Section 245-74. Permitted principal uses.

- A. The following are permitted principal uses in the L-I Light Industrial District:
- (1) Any light industrial or manufacturing use; operations utilizing electric power or other unobjectionable sources of power or fuel or hand labor which can meet performance standards listed below.
 - (2) Research and development establishments.
 - (3) Warehousing.
 - (4) Essential public or public utility facilities.
- B. Specifically prohibited uses shall be residential uses except those accessory to the principal used as indicated below.

Section 245-75. Permitted accessory uses.

The following shall be permitted accessory uses in the L-I Light Industrial District:

- A. Any accessory building or uses customarily incidental to the permitted uses above, including recreation for employees and tourism attractions related to the principal uses.
- B. Caretaker accommodations.
- C. Retail sales and consumer services related to principal uses only, i.e., to employees, customers or tourists.
- D. Storage facilities meeting standards below.
- E. Signs in accordance with standards below.

¹Editor's Note: The sections in this appendix are from the former Ch. 245, adopted 3-11-1970, as amended. Pursuant to Art. XIII of the current Ch. 245, these provisions are applicable to the lots and uses within the eliminated L-I District lawfully used for light manufacturing at the time of adoption of the current Zoning Law.

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Section 245-76. Size requirements.

The following are size requirements for the L-I Light Industrial District:

- A. L-I Light Industrial Districts shall have a minimum tract area of five acres and a minimum lot size of one acre.
- B. Frontage on street: minimum of 100 feet; preferred 300 feet.
- C. Percentage of lot coverage by structures: maximum of 60%; preferred 40%.
- D. Yard dimensions.
 - (1) Minimum requirements are as follows:
 - (a) Front yard: five feet, or an average of other front yards on the block, whichever is greater. **[Amended 11-16-1995 by L.L. No. 4-1995]**
 - (b) Side yard: five feet each.
 - (c) Rear yard: five feet.
 - (2) Preferred requirements are as follows:
 - (a) Front yard: 25 feet or an average of other front yards on the block, whichever is greater. **[Amended 11-16-1995 by L.L. No. 4-1995]**
 - (b) Side yard: 15 feet each.
 - (c) Rear yard: 25 feet.
- E. Height of buildings: preferred 35 feet; maximum of 75 feet, except for necessary processing towers or similarly necessary facilities, which shall be subject to special permits.
- F. The Village Board of Trustees shall approve the preferred standards in each instance; however, whenever such standards are impractical or create unnecessary hardship in compliance, the Board of Trustees may grant variations not exceeding those established as maximum or minimum as above specified.

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Section 245-77. Off-street parking and loading.

One off-street parking space, at least 180 square feet in area, not including aisles, per 1 1/2 employees; plus customer and visitor parking as appropriate; and at least one off-street loading area per principal building shall be provided.

Section 245-78. Enclosure and outdoor storage.

All permitted uses and accessory activities shall be confined within completely enclosed buildings, with the exception of off-street parking and loading berths, accessory storage tanks and employee recreational facilities. In addition, temporary outdoor storage of materials, equipment or vehicles in an orderly manner is permitted in any areas other than required yard areas or in areas devoted to park or recreation uses on the site plan, provided that such storage does not exceed 15 feet in height or 10% of the area of the lot and is effectively screened from any adjacent residential area.

Section 245-79. Surfacing.

All streets, drives and parking and loading areas shall be permanently paved with a hard-surfaced, dustless material.

Section 245-80. Performance standards.

Standards for the performance of all uses in an L-I Light Industrial District shall conform to those set forth below:

- A. Smoke and particulate matter. All uses shall meet all the requirements of the county, Village, town, state and federal air pollution standards established, now or hereafter, in the district in which the use is located.
- B. Noise. All noise shall be muffled so as not to be objectionable beyond the lot line due to intermittence, beat frequency or shrillness, in accordance with accepted sound-pressure levels as established by the Occupational Safety and Health Administration or similar regulatory agencies of the local, state or federal government or such governmental bodies themselves.
- C. Vibration. No ground vibration shall be produced which is perceptible without instruments beyond the lot line.
- D. Odor. No creation of odors of such intensity and character as to create a nuisance, public or private, or be detrimental to health and welfare, nor emission of odorous

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gas or other odorous matter in such quantity as to be detectable at any point along a lot line without use of instruments, shall be permitted.

- E. Glare and heat. No direct glare shall be permitted from exterior or interior lights, or sky-reflected glare from high-temperature processes, which shall be visible at a lot line. No emissions of heat of 85° F. or greater shall be discernible by instruments at a lot line.
- F. Radiation. The emission of any radiation, be it either nuclear or radio frequencies in nature, is prohibited without the approval of the Village, town, state and federal governments or agencies thereof having jurisdiction and the Chemung County Board of Health or its successor, and in no event shall there be any radiation permitted beyond the lot lines in any district.
- G. Dust, fly ash and liquid particles. No solid or liquid particles shall be emitted in such quantity as to be readily detectable at any point along lot lines or in sufficient amounts as to produce a public or private nuisance or hazard to health or general welfare of the public beyond a lot line.

Section 245-81. Sign regulations.

Signs or display devices not to exceed 250 square feet nonilluminated, or 100 square feet illuminated, per establishment shall be permitted. There shall be no flashing signs or signs extending above a wall of a structure or roof. The wording of a sign or display shall be limited to the identification of a business or the products of the firm occupying the premises. Signs visible from an expressway, arterial or major thoroughfare shall be limited to no more than 10 words, syllables, symbols or combinations thereof not exceeding 10 in number. Advertising (billboard) signs are prohibited.

Section 245-82. Landscaping of yards.

Any required yards shall be landscaped with grass, trees and shrubs, except when required for access drives, parking and loading, storage, sidewalks, walkways or other accessory uses. Required front yards shall not be devoted to any use except for access drives, sidewalks and landscaping.

Section 245-83. Site plan approval.

- A. No building or structure shall be erected on any lot within an L-I Light Industrial District except in accordance with all regulations herein contained and in accordance with site development plans, architectural design plans and landscaping

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plans for such lot as approved by the Village Board, or an authorized industrial development agency in the event that the industrial park is owned by such industrial development agency. If owned by an industrial development agency, such industrial development agency, such plans shall be submitted simultaneously to the Village Planning Board and the County Planning Department for their review and recommendations to the industrial development agency within 30 days of said submission. Substantial changes or alterations to the above plans made subsequent to initial approval shall be resubmitted for approval. In acting on any site plan, the Village Planning Board or the industrial development agency shall consider the following:

- (1) The layout of the site with respect to the arrangement and widths of driveways and roadways on the site and access thereto.
 - (2) The amount of space required for automobile parking and for the loading and unloading of goods and materials, and the location of such space and access thereto.
 - (3) The proposed improvement of roadways, parking areas and loading and unloading areas by grading, surfacing and the installation of drainage structures; the proposed installation of water and sanitary sewers and their connection with facilities existing in the industrial park; and the proposed plan for landscaping all areas not to be utilized for buildings, driveways, walkways, railroad rights-of-way, parking or loading facilities or similar uses; all to such extent and in such manner as the Village Board may deem to be required by the circumstances of the particular case.
 - (4) The appropriateness of the proposed site plan and of the proposed design of the buildings in relation to the physical characteristics of the site, including floodplains, and conformity with development on adjacent sites as well as within the industrial park as a whole. In the use of building materials, color and/or texture, massing, fenestration and advertising features, every effort shall be made to relate these elements harmoniously to similar elements in surrounding buildings or structures.
- B. Preliminary site plan approval. Preliminary approval of site development plans can be obtained to speed construction of a facility; however, this does not constitute approval of either architectural design plans or landscaping plans.
- C. Security. The Village Board may require any developer of a light industrial park to post adequate security by performance or compliance bond or otherwise, so as to assure the complete development of the proposed park.