

**TOWN OF GRAND ISLAND, NEW YORK
PROPOSED LOCAL LAW NO. ___ OF 2020**

1/23/2020
**DRAFT
COPY**

A Local Law Amending the Town of Grand Island Zoning Code Regarding Principal Uses on the Same Lot

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

Section 1: Section 407-10 of the Town of Grand Island Code is hereby amended by replacing the definition of USE, PRINCIPAL, to read in its entirety as follows:

USE, PRINCIPAL

The primary function of a site, building or facility.

Section 2: Section 407-167.3 of the Town of Grand Island Code is hereby added, to read in its entirety as follows:

§ 407-167.3 Multiple Uses.

A. Multiple principal uses on one lot is prohibited in all zoning districts with exceptions as follows:

- (1) In the Town Center Districts (NBD, CBD, and SBD), M-1 Light Industrial and Research District, and M-2 Industrial District, multiple principal uses are permitted.
- (2) In B-1 General Business District, B-2 Waterfront Business District, and B-3 Hamlet Business District, multiple principal uses are permitted only with the issuance of a special use permit through the process set forth in Article XXV, Special Use Permits.

B. Substantive requirements for lots containing more than one principal use.

- (1) All substantive requirements set forth in the Code are applicable except as otherwise indicated herein.
- (2) **Parking.** Determining minimum parking on a lot containing multiple principal uses shall begin with a baseline of 150% of the parking required of the most intensive use, where intensive refers the use with the highest number of parking spaces required. Then, from that baseline, the figure shall be adjusted either up or down based upon the characteristics and needs of the specific site and uses, as recommended by the Planning Board and approved by the Town Board. Determining the appropriate number of parking spaces shall be based upon the specific characteristics of the uses on the site.

- (3) Signage. The aggregate area of all signs on the lot may not exceed 125% of the maximum area of signage otherwise permitted by Chapter 295 of the Code. All other requirements of this Chapter are applicable as written.

Section 3. Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Grand Island hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 3. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.