

**LOCAL LAW No. _____ of 2021 of the Village of South Nyack to Establish a
Light Industrial Office (LIO) Zoning District**

Section 1: The Zoning law, Chapter 330, of the Village of South Nyack is hereby amended to establish a new Light Industrial Office (LIO) zoning district.

Section 2: The Zoning law of the Village of South Nyack is hereby amended to establish the following new additional Definitions (Subsection 330-4 Terms defined):

LIGHT INDUSTRIAL:

Fabrication or assembly of materials that are in an already prepared or refined form and that do not within the process of transformation involve the creation of smoke, gas, odor, dust, soot, light, vibration or noise and that is offensive and continuous when the associated effects are measured at the property line of subject property. It is recognized that the products compiled are generated for commercial purposes and there will be transportation deliveries and shipping involving base components as well as the constructed products.

WAREHOUSE/ STORAGE FACILITY:

A place where goods or equipment are stored prior to their use, distribution or sale, either indoors or outdoors, excluding bulk storage of materials that are inflammable or explosive. Inclusive of the process of receiving, storing and shipping items onsite, incidental assembly is allowed inside of the building as such a facility functions as a staging workshop supporting this type of operation.

Section 3: Add Light Industrial Office District (Subsection 330-6 List of Districts).

Section 4: Add characteristics of the Light Industrial Office (LIO) zoning district lot and bulk regulations in Zoning Article V: District Use, Area & Bulk Regulations (Subsection 330-12 Schedule of restrictions & controls; interpretation.), and as specifically set forth within an amendment to its Schedule 1 as follows within the attached Table 1 ‘Proposed Amendment of Use & Bulk Requirements (Schedule 1) with Creation of a Light Industrial Office District’.

Section 5: Amend Off-street parking requirements, Subsection 330-65, by adding the Light Industrial Use and ascribing Required Off-Street Parking Spaces as 1 space for each 1,000 square feet of gross floor area; and adding a Warehouse/ Storage Facility and ascribing Required Off-Street Parking Spaces as 1 space for each 1,000 square feet of gross floor area.

Section 6: Amend Zoning Map, Subsection 330-7 Zoning Map – The Zoning Map of the Village of South Nyack, which establishes the areas and boundaries of the various Village zoning districts, is hereby amended to change the zoning district affixed to the zoning map for the following property: 65 Brookside Ave, South Nyack, New York, 10960 (Tax Map Designation Section 66.53 Block 3, Lots 6.2 and 6.1), more commonly known as the South Nyack Public Works Garage and adjacent parking lot, removing this property from the “RG-4” (Residential) zoning district and adding it to the new Light Industrial Office (LIO) zoning district. A description of this amendment shall be labeled on the latest version of the Zoning Map.

Section 7: Add a new §330-9.H Effect of establishment of districts. Notwithstanding any other provision of law, site development plan approval is not required for the use or change of use of any buildings or structures within the LIO zoning district in existence as of the effective date of such zoning district, provided that such principal use or changed principal use conforms to the use requirements of the LIO zoning district.

Within thirty (30) days after the effective date of the LIO zoning district, the owner of any property in the LIO zoning district shall file with the building inspector a drawing, signed and sealed by a licensed New York

State surveyor or professional engineer, showing the existing conditions thereof as of the date of said drawing. Said existing conditions drawing shall be accepted by the building inspector in lieu of an approved site development plan, and shall be treated as an approved site development plan for all purposes of this chapter. Upon acceptance by the building inspector, such existing conditions shall be deemed the approved site development plan for the property in the LIO zoning district. Any future changes in use shall require Planning Board approval for either a new or modified site development plan in accordance with the Village of South Nyack Zoning Law.

Section 8: **This law shall take effect immediately upon filing with the Secretary of State.**