

**TOWN OF SULLIVAN
PROPOSED LOCAL LAW NO. C OF 2018**

**A LOCAL LAW CREATING A NEW SECTION FOR CHAPTER 275 (ZONING)
OF THE CODE OF THE TOWN OF SULLIVAN TO PROVIDE FOR
AGRICULTURAL ASSOCIATED LOW-IMPACT STORAGE/WAREHOUSING
IN THE TOWN OF SULLIVAN**

Be it enacted by the Town Board of the Town of Sullivan as follows:

SECTION 1. **AUTHORITY.**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. **PURPOSE**

The Town of Sullivan recognizes that certain established agricultural operations within the Town's Agricultural Zoning District with existing large agricultural buildings may provide the property owner, in certain instances, the ability to provide for low-impact storage/warehousing services with no detriment to surrounding neighbors. It is therefore deemed desirable to provide for agricultural associated low-impact storage/warehousing in such areas upon issuance of a Site Plan Approval by the Town's Planning Board.

SECTION 3.

Section 275-2 ("Definitions") of Chapter 275 of the Code of the Town of Sullivan is hereby amended by adding a new definition of "Agricultural Associated Low-Impact Storage/Warehousing" alphabetically therein to read in its entirety as follows:

"Agricultural Associated Low-Impact Storage/Warehousing - An existing agricultural parcel providing large onsite agricultural storage/warehousing services on premises, including but not limited to existing enclosed pole barns, enclosed masonry storage buildings and enclosed farm structures with a minimum individual square footage of 10,000 sq. ft., which enclosed structures were constructed prior to January 1, 1985. 'Agricultural Associated Low-Impact Storage/Warehousing' does not include retail business or other uses separately listed in this Chapter. Agricultural Associated Low-Impact Storage/Warehousing is allowed upon the granting of Site Plan Approval, only in the Agricultural District and as otherwise authorized by §275-____."

SECTION 4.

275 Attachment 2 ("Zoning Use Table") of the Code of the Town of Sullivan is hereby amended by adding a new permitted use (P) in the "A" (Agricultural) District as follows:

"Agricultural Associated Low-Impact Storage/Warehousing"

SECTION 5.

Article V (“Special Procedures and Standards”) of Chapter 275 of the Code of the Town of Sullivan is hereby amended by adding a new subsection 275-____ to read in its entirety as follows:

“§275-____. Agricultural Associated Low-Impact Storage/Warehousing.

Low-impact storage/warehousing services shall be allowable only within the Agricultural District subject to the granting of Site Plan Approval [by the Town Planning Board] and specifically upon the following additional requirements:

- A. The property on which the agricultural associated low-impact storage/warehousing business is located shall be a minimum of 4 acres.
- B. The agricultural associated low-impact business must be contained within an existing structure having a minimum total building area of 8,000 sq. ft. Such existing building must have been constructed prior to January 1, 1985. Expansion of the existing facilities shall be prohibited.
- C. A detailed Site Plan shall be prepared depicting all site amenities, including ingress, egress, lighting, proposed agricultural associated low-impact storage/warehousing area, any proposed attached signage and other features as deemed necessary [by the Planning Board].
- D. All signage shall be attached to the building and must be approved by the [Town of Sullivan Planning Board].
- E. The hours of operation associated with the agricultural associated low-impact storage/warehousing business shall be within the hours of 6:00 a.m. to 10:00 p.m. for deliveries and stocking of supplies.
- F. There shall be a written operation/business plan for the agricultural associated low-impact storage/warehousing business, which shall include a summary narrative specifically describing the proposed use, the nature of the storage, the existing buildings with drawings, access points and proposed hours of operation.
- G. There shall be no outdoor storage of any type associated with agricultural associated low-impact storage/warehousing business other than farm equipment.
- H. Agricultural associated low-impact storage/warehousing shall not include direct retail sales but shall be limited to storage and warehousing of goods or items onsite.

- I. Such agricultural associated low-impact storage/warehousing business must front upon, have direct access to or be within 100 feet of a County or New York State Highway with sufficient and safe sight distance for ingress and egress.
- J. All exterior lighting shall be maintained so as to not shine or spill onto neighboring properties or onto adjacent highways and shall be properly shielded.
- K. The parking of vehicles on-site in connection with the storage/warehousing use shall be limited to only those necessary to conduct the low-impact agricultural associated storage/warehousing business.
- L. No overnight parking visible from the road or adjoining properties shall be permitted.
- M. If deemed appropriate by the Planning Board, there shall be an annual inspection of the operations of the agricultural associated low-impact storage/warehousing business conducted by the Town Zoning Enforcement Officer.
- N. The Planning Board may establish appropriate screening to protect impacts to surrounding properties, including but not limited to fencing, berms and tree and/or hedge plantings upon appropriate findings.

SECTION 6. **SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. **EFFECTIVE DATE**

This Local Law shall take effect upon filing with the Secretary of State.