

## ARTICLE XX GI General Industrial District

### § 280-133.1 Intent.

The purpose of this district is to provide areas in the Town for general industrial use and manufacturing that is most compatible in scale and location with other nearby and adjacent transportation, commercial, and industrial uses.

### § 280-133.2 Permitted uses and structures.

Uses and structures permitted in the GI District are as follows:

A. Principal uses and structures:

- (1) Principal uses and structures permitted in the LI District, but without the requirement of being within a completely enclosed building.
- (2) Lumberyards and coal yards.
- (3) (Reserved)<sup>1</sup>

[1] Editor's Note: Former Subsection A(3), Incinerators, was repealed 4-9-1990 by L.L. No. 5-1990.

- (4) Railroad freight yards.
- (5) Manufacturing of abrasives.
- (6) Automobile assembly and fabrication.
- (7) Manufacture of heavy machinery.
- (8) (Reserved)<sup>2</sup>

[2] Editor's Note: Former Subsection A(10), regarding bituminous products, was repealed 1-23-2023 by L.L. No. 2-2023.

- (9) Metal casting and foundry products.
- (10) Other similar uses to items (1) – (9) as determined by the Code Enforcement Officer.
- (11) Adult uses, subject to the provisions of § 280-270.

B. The following uses by special use permit authorized by the Planning Board (see Article XLVI):

- (a) (Reserved)<sup>4</sup>

[4] Editor's Note: Former Subsection A(14)(a), Wind energy conversion systems (WECS), was repealed 6-25-2007 by L.L. No. 3-2007. See now Art. L, Commercial Wind Energy Conversion Systems (WECS).

- (b) Nursery schools and day-care centers. **[Added 1-11-1993 by L.L. No. 1-1993<sup>5</sup>]**
- (c) Concrete products manufacturer: concrete or cement mixing plants.
- (d) Storage of petroleum and petroleum products.
- (e) Truck terminals, dispatch and transfer, provided that no vehicle loading, unloading or parking shall be permitted in a public right-of-way.
- (f) AI (Artificial Intelligence) Data Centers.
- (g) Battery Energy Storage Systems (BESS).

C. Accessory uses and structures:

- (1) Accessory uses permitted in the LI District.
- (2) Accessory uses and structures customarily incidental to permitted principal uses.
- (3) Open storage yards not otherwise regulated in this section. Junkyards are prohibited as defined in the Town's Junkyard Law.<sup>3</sup> **[Amended 11-28-2011 by L.L. No. 12-2011]**

D. Limitations on uses in the GI District.

- (1) No use of land, building or structure shall be permitted, the operation of which normally results in any:
  - (a) Fire or explosive hazard beyond the boundaries of the district in which such use is located. Any approved use shall conform with the New York State Uniform Fire Prevention and Building Code and the Town of Hamburg Fire Prevention Code, Chapter 113.
  - (b) Dissemination of atmospheric pollutants, noise or odor into any R, C, or LI District.
  - (c) No vibration shall be registered beyond the property line.
- (2) No un-neutralized refuse material shall be discharged into sewers, streams or ditches.
- (3) No cryptocurrency mining facilities.

**§ 280-134. Minimum lot size.**

There shall be no minimum lot size requirement in the GI District.

**§ 280-135. Maximum height of buildings.**

There shall be no maximum building height requirement in the GI District, but buildings over 50 feet in height shall require a special use permit.

### **§ 280-136. Required yards.**

Unless otherwise provided, the minimum required yards and other open spaces in the GI District shall be as specified in this section.

- A. Front yard: 40 feet, except that, when opposite any R District or when used for accessory parking, it shall be not less than 50 feet.
- B. Side yards:
  - (1) Minimum: 10 feet.
  - (2) Where a side yard abuts any R District boundary, it shall be not less than 75 feet or the height of the principal building, whichever is greater.
  - (3) Where a side yard abuts a C-1 District boundary, it shall be not less than 25 feet in width.
  - (4) All side and rear lot lines abutting any lot in any R District or a C-1 District shall be fenced or screened in the same manner as prescribed in the LI District. All open storage yards not otherwise limited in this section, including junkyards, shall be fenced to a height of not less than eight feet nor more than 10 feet, as determined by the Planning Board, to screen such storage from adjacent view.
  - (5) Unless otherwise provided, required side yards shall be used only for landscaping and/or the off-street parking of employees', customers' and visitors' cars.
- C. Rear yard:
  - (1) Minimum: 10 feet.
  - (2) Where a rear yard abuts the boundary of any R or C-1 District: same distance as for a side yard.
- D. Other yard and screening requirements
  - (1) As described previously, where yards abut a residential district, an increase in setback will be required. In addition, the Planning Board can require greater setbacks and higher levels of screening depending on the proposed use and any potential higher impacts to the adjoining residential uses. This is especially important for the redevelopment of sites or additions to existing sites where the new use can cause greater impacts to these adjoining residential uses.

### **§ 280-137. Off-street parking.**

For applicable off-street parking regulations, see Article XXXII.

### **§ 280-138. Signs.**

For applicable sign regulations, see Article XXXVI.

**§ 280-139. Supplemental regulations.**

For applicable regulations pertaining to use, height, area or open space, see Articles XXXVII through XXXIX.