

## ARTICLE XIX

### LI Light Industrial District

#### § 280-126.1 Intent.

The purpose of the Light Industrial District is to permit, where appropriate, the construction of research and development-oriented industries, high technology enterprises, light manufacturing facilities, and other moderately intensive industrial activities which would not generally be appropriate in residential areas, but which may not require the same level of separation from residential areas as more intensive industrial uses.

#### § 280-126.2 Permitted uses and structures.

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

A. Principal uses and structures:

- (1) Offices.
- (2) Research and Development.
- (3) Warehousing associated with an allowed or permitted use.
- (4) The following uses, when conducted within a completely enclosed building:
  - (a) Laboratories engaged in research, testing and experimental work, including any process normal to laboratory practice and technique, provided that all necessary safeguards are employed to prevent hazard or annoyance to the community.
  - (b) The manufacture, compounding, assembling or treatment of articles or merchandise from previously prepared materials, but not including any use first permitted in the GI District.
- (5) Full scale buildings in which interior spaces are being rented for individual storage use. Access to storage units must be within an enclosed building
- (6) The following uses by special use permit authorized by the Planning Board (see Article XLVI):
  - (a) Rental storage facilities (a.k.a. mini-storage).
  - (b) Nursery schools and day-care centers. [Added 1-11-1993 by L.L. No. 1-1993<sup>2</sup>]
- (7) Other similar uses as first determined by the Code Enforcement Officer.

B. Accessory uses and structures:

- (1) Accessory uses permitted in the C-2 District.
- (2) Accessory uses and structures customarily incidental to permitted principal uses.
- (3) Quarters for a caretaker or watchman.

- (4) The repair of trucks in association with other allowable uses. **[Added 10-15-2018 by L.L. No. 7-2018]**

C. Limitations on permitted uses in the LI 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.
  - (b) Dissemination of atmospheric pollutant, noise vibration or odor beyond the boundaries of the premises on which such use is located.
- (2) No unneutralized refuse material shall be discharged into sewers, streams or ditches.
- (3) The storage of flammable liquids shall be entirely underground and in storage tanks to conform with the New York State Uniform Fire Prevention and Building Code and the Town of Hamburg Fire Prevention Code, Chapter 113. Safety containers shall be used within any building or structure in which flammable liquids are handled.
- (4) All side and rear lot lines abutting a lot in any R District or C-1 District shall be fenced or screened by plantings. Unless otherwise provided, no fence other than one constructed of wire and commonly known as a "chain link fence" shall be permitted. Such fence shall not be more than 10 feet in height and shall not project into any required front yard.
- (5) Unless otherwise provided, required side and rear yards shall be used only for landscaping and/or the off-street parking of employees', customers' and visitors' cars.

**§ 280-127. Minimum lot size.**

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

**§ 280-128. Maximum height of buildings.**

There shall be no maximum building height requirement in the LI District, but any use over 50 feet in height shall require a Special Use Permit.

**§ 280-129. Required yards.**

Unless otherwise provided, the minimum required yards and other open spaces in the LI 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: 15 feet.
  - (2) Where a side yard abuts any R District boundary, it shall be not less than 50 feet or

the height of the principal building, whichever is greater.

C. Rear yard:

- (1) Minimum: 10 feet.
- (2) Where a rear yard abuts any R District boundary: 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.

**§ 280-130. Off-street parking.**

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

**§ 280-131. Signs.**

For applicable sign regulations, see Article XXXVI.

**§ 280-132. Supplemental regulations.**

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

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1. Editor's Note: Former Subsection A(4)(a), Wind energy conversion systems (WECS), was repealed 6-25-2007 by L.L. No. 3-2007.
  2. Editor's Note: This local law also repealed former Subsection A(4)(b), Satellite dish antennas.