

LOCAL LAW NO.: __ OF 2017

**A LOCAL LAW TO AMEND CHAPTER 179 “ZONING” OF
QUEENSBURY TOWN CODE TO REVISE §179-3-040(B)(1) ENTITLED
“ENCLOSED SHOPPING CENTER ESC”**

***BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF
QUEENSBURY AS FOLLOWS:***

SECTION 1. Queensbury Town Code Chapter 179, “Zoning,” §179-3-040 entitled “Establishment of zoning districts,” Section (B)(1) is hereby amended as follows:

§ 179-3-040. Establishment of zoning districts.

B. Commercial Districts.

(1) Enclosed Shopping Center ESC. The ESC District encompasses those areas where shopping center development exists or is anticipated. The intent of this district is to ensure that shopping center development, as well as compatible commercial infill development, provides safe access points, coherent and safe traffic patterns, efficient loading and unloading, aesthetically pleasing shopping environments and safe pedestrian circulation. This area of the Town formerly consisted, under the 2002 Zoning Law, of the same district boundaries as are currently established herein but with the zoning district designation of "ESC-25A."

(a) Uses allowed. The uses allowed in this district are set forth on Table 3 of this chapter. Freestanding buildings are permitted in this district.

Note: Language in ***bold italics*** is new language to be added;
Language ~~with line drawn through~~ is old language to be deleted.

- (b) Dimensional requirements. All uses in this district must comply with the requirements of Table 1 of this chapter and as follows (Note that all are minimum requirements except density and building height which are maximum restrictions.):

~~[1] Density: 1.0 acre per principal use with a minimum of 0.5 acre per 4,000 square feet of floor area.~~

[1] ~~[2]~~ Front yard setback: 40 feet. Buildings in excess of 40 feet in height shall require a front setback of 100 feet or greater.

[2] ~~[3]~~ Side yard setback: 30 feet.

[3] ~~[4]~~ Rear yard setback: 30 feet.

[4] ~~[5]~~ Shoreline/stream/wetland setback: 150 feet.

[5] ~~[6]~~ Lot width: 500 feet.

[6] ~~[7]~~ Road frontage: 75 feet.

[7] ~~[8]~~ Water frontage: 200 feet.

[8] ~~[9]~~ Building height: 70 feet. Buildings in excess of 40 feet in height shall require a front setback of 100 feet or greater.

[9] ~~[10]~~ Percent permeable: 20%.

[10] ~~[11]~~ Percent landscaped: 15%.

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- (c) Development standards. The standards and requirements set forth in Article 4 of this chapter shall apply to all uses in this district as well as expansion, remodeling or change of use to existing structures and uses.

SECTION 2. Queensbury Town Code Chapter 179, "Zoning," Attachment 1:1 entitled, "Table 1: Table of Area Requirements," is hereby amended to eliminate the density restriction for Enclosed Shopping Center.

SECTION 3. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

SECTION 4. All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local Law are hereby repealed.

SECTION 5. This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State as provided in New York Municipal Home Rule Law §27.

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Language with line drawn through is old language to be deleted.