

§ 270-24.1 Overlay Zoning Districts

The following overlay zoning districts exist within the Town of Glenville.

Note: Section A and B to remain. The below section is new.

C. Storage Overlay District

(1) Purpose.

- (a) The intent of this section is to accommodate storage of automobiles associated with automobile dealerships, automobile towing operations and automobile rental operations and provide for self-storage uses. However, in accommodating such activities, it is the intent that there be no appreciable degradation of the character of the surrounding neighborhoods in which these activities occur.
- (b) The implementation of this district shall be established as an overlay district which imposes additional criteria on the underlying zoning districts. The overlay district shall be a floating zone in the GB and HC Districts as additional permitted uses provided the following conditions are met herein.

(2) Specific regulations. Storage of automobiles for automobile dealerships, automobile towing operations, automobile rental operations, self-storage uses are permitted by site plan review in the GB and HC Districts, provided the use meets all of the following conditions:

- (a) Lot requirements. The site shall be a minimum of 3 acres, shall not be located in a floodplain or flood-prone area, and shall not be located adjacent to a residential use.
- (b) Site plan review. Accessory or off-site storage of automobiles associated with automobile dealerships, automobile towing operations, automobile rental operations, and self-storage uses is subject to the Town of Glenville's site plan review procedures, as detailed in Article XVI of this chapter, as well as all other provisions outlined herein.
- (c) With the exception of automobile dealerships where vehicles are parked on the sales lot, parking lots will not be used to display vehicles for sale.
- (d) For self-storage uses, all storage shall be inside a structure.
- (e) For automobile towing operations, the storage permitted is temporary only; no vehicle may be stored longer than thirty (30) days. This use does not permit the site to be used as a Junkyard or a Salvage Yard.

(3) Materials to be submitted:

- (a) Site plan with all the items spelled out in the site plan checklist portion of the application packet included on the plan/map. (See § 270-106D.)

- (b) Additionally, the site plan must show all proposed improvements, including driveways, parking, fencing, landscaping, and area for snow storage.
- (c) Landscaping plans shall conform to Article XIX of this chapter.
- (d) Stormwater pollution prevention plan. A stormwater pollution prevention plan (SWPPP) consistent with Local Law No. 4 of 2007 shall be required for site plan approval. The SWPPP shall meet the performance, design criteria and standards set forth in Local Law No. 4 of 2007. The approved site plan shall be consistent with the provisions of Local Law No. 4 of 2007.
- (4) Existing vegetation. Existing on-site vegetation must be preserved to the maximum extent possible. No cutting of trees exceeding four inches in diameter at breast height (DBH) shall take place prior to the approval of the site plan.
- (5) Screening and Landscaping. A combination of deciduous and evergreen tree plantings shall be required to screen the parking lot from nearby residential properties and on the perimeter of the parking lot. Landscaping requirements for landscaping within the parking lot shall conform to Article XIX of this chapter. Interior landscaped parking islands and peninsulas are encouraged, but where they are used, the preferred layout is that of larger islands and peninsulas instead of numerous small islands.
- (6) Paving and stormwater management.
 - (a) The entire area used for parking must be paved or use permeable or porous pavement. Surfaces shall provide dust-free, all-weather material and will be graded and drained so as to dispose of all surface water without erosion, flooding, or negative impacts onto neighboring properties.
 - (b) All parking areas shall address stormwater on the site be subject to stormwater requirements in Article XI. Where practical, stormwater management facilities should utilize green infrastructure Best Management Practices (BMPs) to reduce impervious surfaces in the site design using on-site infiltration practices including rain gardens, vegetated swales, filter strips, stormwater planters, permeable pavement, and porous pavement. Further details about site infiltration practices can be found in the Capital District Regional Planning Commission Green Infrastructure Toolkit found at cdrpc.org.
- (7) Setbacks. Setbacks for self-storage units shall follow the setbacks for the underlying districts, however in no case shall parking lots be located closer than 25 feet to any street right-of-way, nor closer than 10 feet to the rear or side property lines may not be located any closer than 40 feet to the property line of residential properties. Additionally, with the exception of entrance and exit driveways, only green space and vegetation will be permitted within the twenty-five-foot strip/setback between the parking lot and street right-of-way and must conform to the requirements set forth in Article XIX.
- (8) Access management. Off-street parking should be designed to minimize traffic conflicts and utilize space through combined access.

- (a) There will be no more than one driveway on each street abutting the property.
- (b) Driveways are not to exceed 30 feet in width.
- (c) On corner lots, no driveways will be permitted within 50 feet of the intersection.
- (9) Lighting. Any lighting associated with parking areas will be directed into the parking area and away from adjacent properties and public rights-of-way.
- (10) Initiation of application. Any person or corporation having ownership of the property, or a possessory interest entitled to exclusive possession, or a contractual interest or future ownership, may file a request for use of the overlay district.
- (11) Preliminary application.
 - (a) The applicant shall submit 23 copies of a preliminary site plan as required above with a written application for a change in district to a Storage Overlay District.
 - (b) Review by the Town Board.
 - [1] Findings required. The Town Board may recommend establishment of a Storage Overlay District, provided that the preliminary site plan establishes that:
 - [a] The uses proposed will not be detrimental to surrounding uses, but will have a beneficial effect, which could not be achieved in another district.
 - [b] Land surrounding the proposed development can be planned in coordination with the proposed development and that it be compatible in use.
 - [c] The proposed zoning change is in conformance with the general intent of this chapter and the Town of Glenville Comprehensive Plan.
 - [d] The proposed location does not create any adverse visual impacts to surrounding uses.
 - (c) Public hearing by the Town Board. The Town Board shall conduct a public hearing on the proposed change of zoning. The public hearing on the proposed zoning map amendment to the Storage Overlay District shall be given public notice as required for all zoning map amendments. After the public hearing, the zoning map may be amended, but such action shall only have the effect of granting permission for preparing site plans for development of the specific proposal incorporating any conditions or modifications requested by the Town Board. The Town Board may deny approval of the zoning map amendment and any preliminary development plans.
 - (d) Review by the Planning and Zoning Commission. Upon approval by the Town Board for amendment(s) to the zoning map, an application for said approved use through an overlay shall be submitted to the Planning and Zoning Commission for review and approval as required by Town Code.

Section 270-3, Definitions, of the Code of the Town of Glenville is amended to add:

AUTOMOBILE TOWING OPERATION STORAGE YARD

A lot or parcel of land used by a licensed automobile towing operation, approved by the Chief of Police for the temporary storage of motor vehicles for the purposes set forth in Section 255-9 of the Code of the Town of Glenville. This use is distinguished from a Junkyard or Salvage Yard in that it permits the storage of motor vehicles only and no vehicle may be stored for more than thirty (30) days; no salvage or junkyard operations are permitted. This storage yard use is designed to permit a convenient location for motor vehicle owners to redeem a vehicle which has been towed for the reasons set forth in Section 255-9. Abandoned vehicles must be expeditiously processed for disposition and removal from the site.

AUTOMOBILE TOWING OPERATION

A business, licensed by New York State and engaged primarily in the towing and temporary storage of motor vehicles for the purposes set forth in Section 255-9 of the Code of the Town of Glenville.