

ARTICLE XXVII Light Industrial (LI) Zoning Use District *Editor's Note: Former Article XXVII, Business G District (Tourist Business), added 1-17-1995, as amended, was repealed 12-14-2004 by L.L. No. 53-2004. [Added 6-6-2006 by L.L. No. 18-2006]*

§ 108-134. Purpose and intent.

The purpose of this zoning use district is to provide for the development of manufacturing, assembly, warehousing, research and development, processing and packaging of goods or products from raw materials in which the goods produced are generally of high value in relation to bulk and which do not generate offensive noise, vibration, glare, dust, smoke, gas or other nuisances. It is a further goal of the Light Industrial Zoning Use District to encourage the development of employment-creating enterprises within buildings in an industrial park setting in accordance with modern development standards.

§ 108-135. Uses.

No building or premises shall be used and no building shall be erected, reconstructed, altered or added to except for the following permitted or accessory uses:

- A. Permitted uses.
 - (1) Light manufacturing.
 - (2) Research and development.
 - (3) Laboratories.
 - (4) Radio and television broadcasting studios.
 - (5) Warehouse and distribution of nonhazardous materials.
 - (6) Mariculture and floriculture facilities.
- B. Special permit uses.
 - (1) Wireless communication towers and antennas.
 - (2) Public utility buildings or structures.
 - (3) Day-care facilities.
- C. Accessory uses: those uses customarily incidental and subordinate to and in furtherance of any of the aforementioned principal uses. Accessory uses shall be for the sole use of the employees, tenants and guests of the principal use and not for the use by the general public and shall include the following:
 - (1) Cafeterias, not including diners, luncheonettes, drive-in and fast-food facilities, for the use of executives, employees and visitors of the principal use.
 - (2) Indoor and outdoor recreation facilities.
 - (3) In-service training schools for employees of the principal use.
 - (4) Auditoriums.
 - (5) Day-care facilities.
 - (6) Banks, automatic teller machines.
 - (7) Private garages for the storage and service of motor vehicles owned by the owner of the principal use or the executives or employees thereof, or visitors thereto.
 - (8) Heating and power plants accessory to the principal use and the service of all structures on the premises.
 - (9) Fully enclosed storage facilities incidental to the principal use.

- (10) Maintenance and utility shops incidental to the principal use.
- (11) The owner or lessee of property in the Light Industrial Zoning Use District may, as part of site plan approval and when necessary, be granted a runway use agreement consistent with the rules and regulations on the use of the runway as adopted and/or amended from time to time.

D. Prohibited uses.

- (1) Outdoor storage.
- (2) Adult uses as set forth in Article XLII of this chapter.
- (3) Those uses set forth in 274A(6) of this chapter.
- (4) Retail sales of consumer merchandise.
- (5) Personal service uses unless permitted by § 108-135C(1) of this article.
- (6) Any uses not expressly permitted or specially permitted are prohibited.

§ 108-136. General lot, yard, and height requirements.

No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this article by reference and made part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. *Editor's Note: The Light Industrial District Schedule of Dimensional Regulations is included at the end of this chapter.*

§ 108-137. Design standards.

The following design standards shall apply to all uses within the Light Industrial Zoning Use District:

- A. Building design. The exterior appearances of buildings shall complement the character of existing development in the surrounding area. The objective of the building design standards is to provide overall high quality and complementary design of industrial and office buildings. Special emphasis is placed upon methods that tend to reduce the large-scale visual impact of buildings and to encourage imaginative design for individual buildings.
 - (1) Building mass. Solid and unarticulated buildings are discouraged. The mass and scale of buildings shall be reduced by staggered building walls or other architectural treatments at least every 150 feet to provide architectural interest and reduce the visual scale of a building. Buildings shall include the following elements:
 - (a) The use of variations in height, roof lines and grade definition is encouraged to reduce the perceived height and mass of a building.
 - (b) Building entries shall be readily identifiable through the use of canopies, marquees and architectural treatment.
 - (c) Where possible, buildings with smaller or multiple structures instead of one large building are preferred to reduce massive appearance.
 - (d) Clusters of mature landscaping and berms shall be provided along the building facade. The landscaping clusters shall include a variety of trees and tall shrubs.
 - (e) Wall texture changes shall be provided.
 - (f) Small-scale elements, such as planter walls and hedges, shall be clustered around building entrances.
 - (2) Materials.

- (a) One dominant material shall be selected and used through each building on a site.
 - (b) It is encouraged that the front and two side elevations of all buildings and/or structures be constructed of brick, architectural block or architectural precast concrete. Painted or natural utility concrete panels or masonry units should be confined to rear elevations and in loading dock areas.
 - (c) Roof design shall be as aesthetically pleasing as possible (e.g., color, material, grouping).
 - (d) Glass windows or some similar architectural treatment shall occupy at least 10% of the front elevation of a building.
- (3) Color and texture.
- (a) Texture patterns are encouraged to create shadow patterns which will reduce the high visibility of the building.
 - (b) Variations in color shall be kept to a minimum.
 - (c) Colors shall be subdued in tone.
 - (d) Accent colors may be used to express corporate identity.
- (4) Location.
- (a) No building shall be constructed closer than 25 feet to an adjacent building.
 - (b) Planters, walls and sign elements not exceeding six feet in height shall be permitted in yard areas. Roof overhangs may extend a maximum of six feet into setback areas.
- B. No more than 10% of the required parking shall be located in the front yard setback area.
- C. All service and loading areas shall be screened from the view from streets by a combination of walls, fencing, vegetation or berms.
- D. The front and side facades shall be constructed with masonry materials. At least 50% of the linear width of the front facade shall consist of transparent windows. Metal and prefabricated buildings are prohibited.
- E. Building shape, massing and siding shall reflect the prevalent character of surrounding buildings on the block.

§ 108-138. Additional requirements.

- A. Performance criteria.
- (1) All development subject to the provisions of Article 6 of County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
 - (2) All development shall be connected to the appurtenances of the Calverton Sewer District.
 - (3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.
 - (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.
 - (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a nondisturbance buffer area which shall be in accordance with Article 24

of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Stricter buffer areas may be established for wetlands as appropriate. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation easement or similar instrument.

- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which results in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.
- (8) No more than 65% of the LI District shall be cleared pursuant to the Central Pine Barrens Comprehensive Land Use Plan and the Pine Barrens Overlay District (Article XXXV) of the Zoning Code of the Town of Riverhead. The applicable clearance percentage shall be calculated over the entire parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities, and shall contain calculations for the amount of disturbances of native vegetation and indicate the clearing limits thereof.
- (9) Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings.
- (10) Development projects shall place no more than 15% of the entire site in fertilizer-dependent vegetation. Development designs shall consider native planting suggestions made part of the plan.
- (11) Development which will have a significant negative impact upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened or of special concern, or upon the communities classified by the New York State Natural Heritage Program as G1, G2 or G3 or as S1, S2 or S3 or upon any federal listed endangered or threatened species, appropriate mitigation measures, as determined by the state, county or local government agency, shall be imposed to protect such species.
- (12) Development projects shall minimize disturbance of the natural grade and/or natural vegetation where slopes exceed 10%. Construction in areas with slopes exceeding 10% may be approved if the site design incorporates adequate soil stabilization and erosion control measures so as to mitigate negative environmental impacts. Where applicable, nondisturbance buffers shall be placed on those portions of the site where slopes

exceed 10%. Development plans shall include a slope analysis depicting existing slopes in the ranges of 0% to 10%, 11% to 15% and 15% or greater. Erosion and sediment control plans and details of retaining walls and erosion control structures shall be referred for construction in areas where slopes exceed 15% and for roads and driveways traversing slopes of 10%.

- (13) Prior to construction, soil erosion and sediment control plans shall be prepared and approved which achieve the following objectives:
 - (a) Minimize potential impacts associated with soil erosion and resulting in sedimentation of surface waters.
 - (b) Limit work areas to the immediate area of construction in order to minimize disruption of adjacent lands.
- (14) In order to provide for orderly development and the efficient provision of infrastructure, applications for development projects depicting either open space or reserve areas shall specify the conditions of ownership and the use of such lands, and such conditions shall be set forth in the deed of dedication, declaration of covenants, conservation easement or similar instrument.
- (15) Where applicable, development pursuant to the provisions of Article XX of this chapter shall be encouraged to preserve open spaces.
- (16) Any existing, expanded or new activity involving agricultural production or horticulture shall comply with best management practices as set forth in the plan, as may be amended from time to time.
- (17) Development plans shall indicate established recreational and educational trails and trail corridors, active recreational sites, scenic corridors, roads, vistas and viewpoints, sites of historical or cultural significance, including historic districts, sites on the State or National Register of Historic Places and historic structures listed on the State or National Register of Historic Places, or recognized by local law or statute, sensitive archaeological sites as identified by the New York State Historic Preservation Officer or the New York State Museum, within 500 feet of the proposed development, and shall provide adequate measures to protect such natural resources. The use of existing natural buffers or the restoration of degraded buffer areas, the use of signs or other man-made structures, consistent in style and scale with the community character, or other similar measures shall be taken to protect roadside areas as well as scenic and recreational resources.
- (18) All commercial or industrial development shall comply with the applicable provisions of the Suffolk County Sanitary Code and all other applicable federal, state or local laws.
- (19) A buffer of 1,000 feet and no more than 50% disturbance shall be permitted around verified endangered species breeding ponds pursuant to New York State Department of Environmental Conservation (NYSDEC) freshwater wetlands permit requirements.
- (20) Development within the LI District shall comply with the Noise Ordinance [Editor's Note: See Ch. 81, Noise Control.](#) of the Town of Riverhead, which limits such noise levels from commercial and industrial properties to neighboring properties to 65 dBA. In the event that such noise levels are exceeded, such additional noise abatement measures, including increasing such setbacks or the provision of noise walls or the provision of berms, fences, vegetation and the like, shall be provided for.