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& WATER RESOURCES

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THE TOWN OF GRAND ISLAND

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P. B. Agenda: September 11, 2023

August 30, 2023

To: Planning Board

From: Robert H. Westfall, PE 
Town Engineer

RE: Local Law Intro #6 of 2023
Allowable Uses in the M-1 District
Chapter 407

Planning Board:

Attached please find Local Law Intro #6 of 2023 proposing changes to chapter 407 of the Town Code.

The Town Board seeks comments/recommendation on the proposed changes to the code regarding allowable uses in the M-1 district.

RHW

Attachment
C: T. Clerk

Town of Grand Island
Local Law Intro # _ of _____
Local Law # _ of _____

**A Local Law to amend Chapter 407, the Zoning Code of the Town of Grand Island,
regarding allowable uses in the M-1 District.**

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

SECTION I.

(A) Section 407-10 **Definitions** is amended to add the following:

“Distribution facility” means lands, buildings, or structures where shipments of tangible personal property are stored or processed for delivery to customers. The term does not include an establishment where retail sales of tangible personal property are made to retail customers on more than twelve days a year. Distribution facilities, including Warehouse space, may not exceed 300,000 square feet per individual building, or 300,000 square feet of building space in total on the same campus.

“Ministorage facility” is a moving or storage office, or a warehouse establishment, for the purpose of storing personal property, where:

- (a) such facility is partitioned into individual, securely subdivided space for lease; or
- (b) such facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) such floor space or storage devices less than 500 square feet in area are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

“Warehouse” means lands, buildings, or structures used or designed for the storage of goods which will be sold elsewhere or subsequently transported to another location for sale, including the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, provided that the warehouse use is located within an industrial zone as defined in the City’s zoning by-laws. Warehouses, including Distribution Facility space, may not exceed 300,000 square feet per individual building, or 300,000 square feet of building space in total on the same campus.

(B) Section 407-81 of the Town of Grand Island Code is amended to remove “warehouse and distribution facilities, including ministorage facilities” and add “ministorage facilities” as a permitted use in the M-1 Light Industrial and Research District and shall read in its entirety as follows:

§ 407-81 Principal uses and structures

- A. Principal uses allowed in the B-1 District.
- B. Executive or administrative offices.

C. Uses of a light-manufacturing nature employing electricity or other unobjectionable motor power or processes free from objectionable odors, fumes, dirt, dust, vibrations, or noise beyond the limits of the walls of an enclosed building.

D. Trade or industrial schools, educational facilities.

E. Laboratories and related facilities for research, experimentation, testing and product development when conducted entirely within a building.

F. Office buildings for general purposes.

G. Research and development and light manufacturing supported by research and development.

H. Computer programming and other software services.

I. Bulk storage facilities.

J. Saw, knife and tools sharpening shops, small equipment repair (chain saws, lawn mowers, outboard motors, hedge trimmers, etc.) shops.

K. Wholesale establishments, packaging, distributing and parcel delivery services, including retail incidental to wholesale.

L. Lumberyards, building materials, welding supply shops and supplies stores.

M. Gunsmith, locksmith, engraving and taxidermy shops.

N. Ministorage Facilities

(C) Section 407-83 of the Town of Grand Island Code is amended to add "Warehouse and Distribution Facilities not exceeding 300,000 square feet per individual building, or 300,000 square feet of building space in total on the same campus" as a specially permitted use in the M-1 Light Industrial and Research District and shall read in its entirety as follows:

§ 407-83 Uses permitted upon issuance of special permit.

The following are special permitted uses subject to the provisions of Article XXV:

A. Special uses permitted in the B-1 District.

B. When developed as part of the principal use:

(1) Restaurants or cafeterias.

(2) Convenience stores.

(3) Day-care facilities.

(4) Banks, savings-and-loans and credit unions.

C. Retail sale of material manufactured, prepared or assembled on site.

D, Warehouse and Distribution Facilities not exceeding 300,000 square feet per individual building, or 300,000 square feet of building space in total on the same campus.

(D) Schedule IV is hereby amended to remove from the schedule of principle uses in the M-1 District “warehouse and distribution facilities, including ministorage facilities,” add “ministorage facilities, and add to the schedule of specially permitted use “warehouse and distribution facilities not exceeding 300,000 square feet per individual building, or 300,000 square feet of building space in total on the same campus.”

SECTION II. VALIDITY

The invalidity of a word, section, clause, paragraph, sentence, or part of provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

SECTION III. EFFECTIVE DATE

This law shall take effect immediately, as provided by the law, upon filing with the Secretary of State