



TOWN CLERK

PUBLIC HEARING
655 Main Street
Islip, NY 11751

March 14, 2023
2:00pm

-
- 1. To consider amending Islip Town Uniform Traffic Code.**
 - 2. To consider amending Chapter 68 of the Islip Town Code entitled "Zoning".**
 - 3. To consider enacting Local Law 2 of 2023 amending Local Law 3 of 1989, Islip Town Code Chapter 68, 68-324.**

GIVEN that any person who needs a sign language interpreter or has concerns regarding accessibility to the Town Board Meeting, please call Constituent Services at 631-224-5380.

Dated at Islip, NY
TOWN OF ISLIP
Published
OHM/tb

TOWN BOARD,

By: OLGA H. MURRAY
TOWN CLERK

TOWN BOARD RESOLUTION

March 14, 2023
Public Hearing #2

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code amendments; and

WHEREAS, on March 14, 2023, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby that the Town Board hereby amends the Islip Town Code Chapter 68, as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

Article I General Provisions

§ 68-3 Word usage and definitions.

B. Definitions.

ACCESSORY STRUCTURES, COMMERCIAL

A structure, including buildings, customarily incidental and subordinate to the principal building or use and located on the same lot.

ACCESSORY BUILDING, STRUCTURES OR USE, RESIDENTIAL

A building, structure, including buildings, or use customarily incidental and subordinate to the principal building or use and located on the same lot, with such principal building or use. Accessory buildings may not be used for habitable purposes, including, but not limited to, living, sleeping, eating, or cooking. All accessory buildings shall be limited to one story in height, except if otherwise permitted in the zoning district. Accessory structures shall maintain the same dimensional requirements as those required for accessory buildings. Accessory buildings connected to a main structure with walkways, decking, or breezeways shall not be used for habitable purposes, including but not limited to living, sleeping, eating, or cooking. Accessory structures shall be limited in the following ways:

- Accessory buildings connected to a main structure with walkways, decking, or breezeways shall not be used for habitable purposes.
- If constructed on a foundation, only a slab foundation shall be permitted, except those regulated by flood zone construction standards;
- Shall not be used for habitable purposes;
- Shall be limited to one story in height;
- Shall not contain indoor showers, tubs, spas or the like. Bathrooms shall be limited to a sink and toilet with a maximum size of 20 square feet;
- Shall not have interior walls, except for a bathroom;
- Shall not have heat or air conditioning;
- Shall be limited to a maximum of 400 square feet if plumbing fixtures are located within, except as otherwise prohibited or limited herein;
- Shall not contain cooking facilities, except if the structure is open on one or more sides.

AFFORDABLE HOUSING, SALE UNITS (SENIOR)

The initial sales price of each sale housing unit shall not exceed a multiple (two times for a one-bedroom unit, 2 1/2 times for a two-bedroom unit, and three times for a three- or four-bedroom unit) of 100% of the estimated median family income for the sale year for the Nassau-Suffolk, New York HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"). The Town Board in its discretion may permit by Town Board resolution a range of affordability levels for a particular project, provided that the average level of affordability complies with this requirement. In addition, each individual purchasing family's income shall not exceed 100% of the estimated median family income for the sale year for the Nassau-Suffolk, NY

HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"), as adjusted for family size, nor shall such purchasing household possess net liquid assets and equity in real property totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. Subsequent purchasers of such units shall have at the time of purchase an income at or below 100% of the median income for the Nassau-Suffolk primary statistical area as defined by the federal Department of Housing and Urban Development, and such purchaser shall not possess net liquid assets and equity in real estate totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. The property owner shall enter into a contract with a not-for-profit HUD Certified Housing Counseling Agency to review and certify compliance with the above provisions. This contract must be provided prior to the issuance of certificate(s) of occupancy and upon request to the Town of Islip Planning Department. To insure continued compliance with this legislation, and as a condition of a change of zone or subdivision approval pursuant to New York State Town Law, all affordable sale units shall be subject to covenants and restrictions that run with the land, and restrict the sale and resale of such units in accordance with the above requirements.

CLUBHOUSE

An accessory structure located on the same property as, or associated with, a residential community. Said structure shall be permitted to include a sales/management office, bathrooms, showers, cooking facilities, and additional space for recreation, social gatherings, and similar type uses.

GROSS FLOOR AREA (GFA)

The total floor area, including all levels or stories, of a structure as measured from the exterior faces of the walls.

(1) Gross floor area shall include but not be limited to:

(e) Storage space-, including the area below a dwelling that has been raised for floodproofing or other purposes, with headroom of seven feet six inches or more, and fully enclosed with walls.

~~(j) Decks located on Fire Island.~~

(2) The following structures shall not contribute towards gross floor area:

(h) Decks located on Fire Island, provided that they are accessory to a permitted principal use and are not roofed over, covered or enclosed and which are a maximum of ~~five~~ six feet above average grade. For the purposes of this section, average grade shall be determined by measuring the vertical distance from the ground to the ~~bottom of the lowest horizontal joist member~~ surface of the deck at each external corner of said deck and taking the average thereof.

HABITABLE SPACE

A space in a building structure used for living (including recreation, exercising, and office space), sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

LAUNDROMAT

An establishment that offers laundry services, washing machines and dryers on a pay per use basis.

OUTDOOR STORAGE

Any overnight storage located other than in an enclosed building or structure which meets the New York State Fire and Building Code. Said storage consists of a primary inventory of goods for any commercial operation ~~and is not~~ whether or not it is intended for public viewing and/or for retail uses.

RECYCLING CENTER

An establishment which sorts and processes those components of the waste stream which are capable of being recycled or reused in place of virgin materials which may include newspaper, corrugated cardboard, ferrous metals, glass, plastics, aluminum and yard waste.

REDEMPTION CENTER

An establishment with the sole purpose of reimbursing the refund value of an empty beverage container (glass, plastic or aluminum) to a redeemer. Said establishment shall not be considered a recycling center and may not receive glass, plastics or aluminum for which a deposit is not required by New York State law.

Article II Use Districts

§ 68-12 Zoning Map; district boundaries.

B. The boundaries between use districts are, unless otherwise indicated, either along the boundary lines of various properties and lots or the center lines of streets or railroad rights-of-way or such lines extended or lines parallel thereto. Where figures are shown on the Zoning Map between a street line and a district boundary line, they indicate the distance therefrom equivalent to the number of feet so indicated. When the location of a use district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line; where the street layout actually on the ground varies from the street layouts as shown on the Zoning Map, the designations shown on the mapped street shall be applied in such a way as to carry out the intent and purpose of this ordinance for the particular area in question. Lands lying under water shall be considered as being in the same district as the abutting upland, for a distance of 100 feet from said upland, unless specifically classified and designated otherwise. When property is located in two different zones, it must meet the higher zoning classification, except in those cases where the higher zoning classification of the parcel consists of 10% or less of its overall area.

Article IV Administration; Permits and Fees; Standards and Requirements

§ 68-24 Permits.

D. Expiration and renewal of permits. A permit shall expire one year after the date issued. Upon payment of renewal fee ~~as established by the Commissioner~~, a permit may be renewed, but not more than three renewals may be granted, except in cases of financial hardship, illness, or death. In this instance the Commissioner or his/her designee may authorize additional renewals. Exception: There shall be no renewals granted for pool permits or second-story decks.

Article IVA Amendments

§ 68-32 Application and notice requirements.

C. Notification requirements.

(2) ~~At least three posters~~ Posters not less than 11 inches by 22 inches in size must be conspicuously posted along the entire length of each street frontage of the subject property at least 10 days prior to the public hearing date. One poster shall be posted every 200 feet. At least three posters overall shall be posted. Such posters shall contain the following information:

(a) ~~The current zoning and the~~ The proposed zoning district change, special permit and/or site plan modification.

(b) The date, time, and location of the public hearing.

§ 68-33 Procedure on Town's own motion.

Whenever the Town Board, on its own motion or upon recommendation of the Planning Board, ~~shall~~may consider any change of use district classification, notice shall be given to the subject property owner(s) and surrounding property owners pursuant to § 68-32 C (1). ~~the resolution setting a date for a public hearing shall contain a clause requiring that the owners of all property within the boundaries of the property proposed to change use district classification and all property owners immediately adjacent and directly opposite thereto for a distance of 200 feet from the perimeter of the property proposed to be changed in use district classification be notified of the proposed change, except as hereinafter provided. Said notice shall be sent either by certified mail or registered mail return receipt requested, to such owner at the address shown on the current Town of Islip assessment roll, and shall be mailed to such owner at least 10 days prior to the public hearing. Said notice shall contain a description sufficient to identify the property which is proposed to be changed in use district classification, together with information substantially similar to that required by § 68-32C(1) of this chapter.~~ In the following enumerated cases, the notice required by this section shall not be required:

A. In the event that the area of the proposed change of zone represents 50% or more of the property contained within the bounds of a school district within the Town of Islip.

B. In the event that the area of the proposed change of zone exceeds 50 acres, street and cross-street geographical location.

C. In all other cases where the Town Board of the Town of Islip shall determine that the notice required by this section shall be dispensed with.

§ 68-34 Special permits from Town Board and Planning Board.

B. In reviewing special permit applications, the Town Board or Planning Board may consider various factors, including but not limited to the following; traffic impacts; adequacy of parking facilities; environmental impacts; effect on neighboring properties; ability to buffer noise and aesthetic impacts on residential uses; compliance with the comprehensive plan; compatibility with the nature and character of the surrounding area; architectural impacts to the surrounding area; and the overall ability of the site to accommodate the proposed special permit use, and any other consideration involving the public health, safety, and welfare.

§ 68-36 Restrictive Covenants

G. All change of zone, special permit, site plan modifications, ~~minor subdivision, or major subdivision approvals~~ shall expire within two years of the date of grant by either the Town Board or Planning Board, unless a building permit (exclusive of demolition permits) has been secured or the property lawfully used for the purpose granted within 24 months, unless extended by the Commissioner of Planning and Development, or the Commissioner's designee and a fee is paid equal to 50% of the ~~total original~~ current application fee, except as may otherwise be provided herein. The Board issuing the approval may shorten this time frame in the event the application is made to legalize a previously unauthorized use of the property. The Board further reserves the right to revoke said approvals associated with the subject property after due public hearing if a building permit is not secured within the required time frame.

[Amended 12-17-2019]

§ 68-38 Application for change of zone or special permit after hearing.

A. No parcel or part thereof may be the subject of an application for a change of zone or special permit within two years after the Town Board or Planning Board has held a public hearing or issued a final determination on such application unless the second application seeks a change to a more restrictive zoning category than was earlier sought or seeks a less intensive special permit use, or such petition sought has the unanimous consent of the governing board. This section shall not apply to an application in which a motion to approve, deny or amend fails to be carried by a majority of all the members of a governing board.

B. An application for a change of zone or special permit which is not approved by an affirmative vote of a majority of all Town Board and/or Planning Board members within 18 months of the initial public hearing shall be required to hold a subsequent public hearing before said Board renders a decision. This requirement shall not apply to applications which receive a positive declaration under the State Environmental Quality Review Act.

Article V Use District Regulations: Residence AAA District

§ 68-45 Permitted uses.

B. Church or similar place of worship, parish house, public or parochial school, public library or municipal building, provided that a minimum buffer area of 25 feet in width in accordance with Town standards is provided and maintained adjacent to all residential uses or zones and a site plan is submitted to and approved by the Planning Board or its designee indicating compliance with all applicable land development standards.

C. Municipal use, including but not limited to park, municipal playground, or municipal recreation building or use.

§ 68-46.1 Uses permitted by special permit from Planning Board after due public hearing.

E. Private ~~or parochial~~ school, including preschool programs, elementary and secondary schools, colleges and universities. Vocational and other non-degree-granting schools shall not be considered private schools and shall not be considered permitted uses.

§ 68-48 Accessory uses.

A. Permitted accessory uses.

(1) The following accessory uses shall be permitted when located on the same lot with the authorized use:

(a) Private garages, provided that the gross floor area of the garage does not exceed the ground floor area of the main dwelling and provided that the height does not exceed the accessory structure requirement. Buildings attached to a main residential structure by a breezeway extending beyond 10 feet must meet accessory structure setbacks and regulations. For breezeways of 10 feet or less, main building setbacks and regulations must be adhered to, other than building height which must meet accessory structure regulations. The design of any private garage shall be compatible with the residential character of the area. Use of exposed concrete block exceeding 20% of the façade, or similar materials shall be prohibited.

(j) Other customary accessory uses, structures and buildings, provided that such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business. ~~No customary accessory structure, building or use shall contain indoor showers or other facility used for bathing. Any shower shall be accessible from the exterior only.~~

Article XI Use District Regulations: Residence BAA District

§ 68-136 Permitted uses.

(3) Public or parochial school.

§ 68-137 Uses permitted by special permit from Planning Board after public hearing.

E. Private, ~~parochial~~ school or college or municipal use, including but not limited to a firehouse.

Article XII Use District Regulations: Residence CAA District

§ 68-150.2 Permitted uses.

In a Residence CAA District, no building, structure, or premises shall be used or occupied and no building or part thereof or other structure shall be so erected or altered, except for one or more of the following purposes:

C. A single three- or four-family dwelling ~~when~~ with a side yard adjacent to a property zoned Residence C, Residence CA, Business District, Business 1, Business 2 or General Service T District and having no uses other than accessory uses on the subject parcel. The subject parcel shall meet the requirements of §§ ~~68-500~~ and ~~68-501~~. The building must have a lobby/foyer from which all units are accessible (via hallways, elevators). No visible entry doors to each individual unit are permitted. Only one visible front entrance shall be permitted, unless a determination is made by the Commissioner of Planning or his or her designee that the architectural character of a preexisting building will be preserved by allowing one additional visible front entrance.

Article XIX Use District Regulations: Business District

§ 68-256 Permitted uses.

I. Laundromat, provided a maximum of 30% of the overall building street frontage is utilized for the use.

§ 68-260 Height.

A. Buildings and structures.

(1) In Business BD District, no building or structure shall be erected or altered to a height in excess of ~~35~~ 37 feet or three stories.

~~B. Dwellings.~~

~~(1) The height regulations for detached dwellings shall be the same as those in the Residence AAA District.~~

§ 68-261 Percentage of lot occupancy.

A. The total building area, including all buildings, shall not exceed an FAR of 0.60.

~~B. The total building area, including all buildings, shall not exceed an FAR of 0.25 for a single-family dwelling.~~

§ 68-262 Area density.

~~A. The minimum required plot area for a single-family detached dwelling or two-family dwelling shall be 20,000 square feet.~~

§ 68-264 Width of lot.

A. Minimum requirements.

~~(1) The minimum width of lot for a single-family detached dwelling, a two-family detached dwelling, lodging house or boardinghouse shall be 100 feet throughout.~~

(2) The minimum width of lot for all permitted buildings shall be 65 feet except as otherwise provided herein.

(3) ~~The minimum width of lot for a hotel, motel, boathel shall be 150 feet throughout.~~

(4) The minimum width of lot for ~~an indoor moving picture theater,~~ a community building, church or other similar place of worship, parish house shall be 100 feet throughout.

(5) The minimum width of lot for all uses permitted pursuant to §§ 68-257 and 68-258 shall be 100 feet throughout.

(6) The minimum width of lot for all other permitted uses shall be 100 feet throughout.

§ 68-268 Permitted encroachments.

~~No encroachments shall be permitted.~~

The following encroachments are hereby permitted:

A. For mixed use buildings, the following shall be permitted to exceed the maximum height permitted by 5 feet:

1. Gable or similar type roofs, elevator shafts, parapet walls and railings, mechanical equipment, including those used for renewable energy (must be properly screened pursuant to the satisfaction of the Commissioner of Planning or his/her designee), cupolas, steeples, chimneys, rooftop gardens or similar amenities, or other architectural features intended to provide superior architectural design.

§ 68-269 Exterior site improvements and parking.

This district is specifically designed to encompass the so-called "downtown" areas of the Town of Islip. These areas do not have adequate parking, and in each "downtown" section the Town has endeavored to purchase land and provide parking itself. Therefore, the following guidelines are to be followed:

~~A. For other than residential buildings, whenever there is a reconstruction of a building, as long as the reconstruction is not eliminating any existing parking, there shall be imposed no parking requirements.~~Parking. Any new building or change of use to a use requiring more parking, shall be required to provide parking on site pursuant to the Table of Minimum Required Parking Spaces, which is located in Town of Islip Subdivision and Land Development Regulations (<https://www.islipny.gov/community-and-services/documents/planning-development/engineering/303-town-of-islip-subdivision-and-land-development-regulations/file>), except as provided herein. Where there is more than one use, the minimum requirements shall be cumulative for all uses. If requesting a parking relaxation, Applicant shall submit a Parking Management Plan to demonstrate that the parking arrangement will satisfy the purposes of the parking requirements, resulting in approvals if demonstrated to the satisfaction of the Planning Board. An applicant may demonstrate alternative methods of providing parking, including but not limited to, off-street parking requirements on another site, within walking distance, upon review and approval of the Planning Board, pursuant to agreements in place.

G. Buildings. Windows of occupied or unoccupied buildings shall not be removed nor shall such windows be boarded up for a period exceeding 10 working days without the approval of the

Commissioner of the Department of Planning, ~~Housing~~ and Development. Such approval may be granted by the Commissioner in those circumstances where the building is under construction or reconstruction, has been damaged by fire or when the owner or occupant, for reasons beyond his control, is unable to obtain replacement materials.

§ 68-270 Architecture.

Prior to the submission of any new construction building permit applications, representative exterior architectural drawings shall be approved by the Planning Division. The Planning Division shall review the plans for overall building design, materials, colors, screening and other architectural consideration. A denial of architectural approval by the Planning Division may be appealed to the Planning Board.

A. Building materials. All new buildings should preserve or improve the neighborhood character achieved through the integration of form, style, and the use of materials. Exterior walls shall be designed and constructed using quality building materials appropriately applied to create aesthetically pleasing and enduring structures that contribute positively to the overall character of the area. Building materials shall be of high quality and shall be utilized in a manner appropriate to their properties, where heaviest appearing materials are kept at the base. The use of EIFS and decorative concrete block shall be limited.

~~**B. Architectural features.** A minimum number of architectural features shall be incorporated into building facades visible from roadways. This may include canopies over doorways, cornices, decorative ornament appropriate for the architecture, window wall framing, or decorative lighting. The use of windows is encouraged on the ground floor.~~

~~**C. Building façade and design.** A cohesive building design shall be utilized from the top to bottom of the structure. Corner properties should be a focal point of design and utilize high-quality design. [Extend cohesive design to second story (do not stop at first floor), focus on corner properties as they are the most prominent.]~~ Building facades that face the street or have a prominent exposure to other public areas shall include design measures that increase the building's aesthetic appeal to enhance and reinforce existing design qualities found in the neighborhood. Such measures shall include:

1. All buildings should provide at least two horizontal expression lines appropriate for the scale of the building to differentiate between the base, middle or top of buildings and emphasize a massing transition or change of use, articulated through the use of material, moldings, shading devices, changes of material, changes of color, cornices, and other similar architectural elements.
2. Façade elements, including visual structural elements, openings, and details should utilize a coherent system of vertical proportions achieved by, and not limited to, changes in material, color, recessed sections, different cornice height or different roof condition.
3. Articulation of the building façade by incorporating elements such as porches, terraces, bay windows, dormers, pilasters, or building setbacks.
4. Architectural details (such as brackets, banding, railings, chimneys, entry columns, or window shutters) shall be designed to incorporate compatibility with the architectural qualities of prominent buildings in the neighborhood.

5. Buildings shall have a first level façade of the primary street frontage that is transparent [glass] between three feet and eight feet above the ground for at least 70% of the horizontal length of the building façade.
6. There shall be at least one commercial door entrance for every 75 feet of street frontage.
7. 50% of the Ground level structured parking on primary street frontage shall have at least 10' of building space as a lining use.

D. Screening. Rooftop equipment, mechanical equipment, structured parking, dumpsters, loading areas, etc., shall be screened consistent with the building style or, for ground-level features, with fencing and/or landscaping.

F. Mixed use buildings. All mixed-use buildings shall:

1. Have a minimum of 12 feet floor-to-floor for the first floor of commercial uses, and a minimum of eight feet for upper floors.
2. Differentiate between the base, middle or top of the building, and emphasize a transition of a change of use.
3. Provide a residential lobby for buildings with four or more apartments, in a location that is convenient to its residents.

Article XX Use District Regulations: Business 1 District

§ 68-271 Permitted uses.

D. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-274 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot of the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXI Use District Regulations: Business 2 District

§ 68-286 Permitted uses.

B. ~~Reserved~~ Laundromat

C. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-289 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXII Use District Regulations: Business 3 District

§ 68-301.1 Permitted uses.

C. Store, office, medical office, delicatessen, bank, broadcasting studio, laundromat and community building.

R. Laundromat

§ 68-302 Uses permitted by special permit from Town Board after public hearing.

A. ~~Any outdoor storage as defined in § 68-3, except where provided herein~~ Outdoor storage of primary goods accessory to a permitted retail use. The outdoor and overnight parking of vehicles, including construction equipment, shall not be permitted in conjunction with this special permit. Outdoor storage shall be screened from public view of any right-of-way at the direction of the Town Board.

§ 68-305 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(6) The sale and filling of propane exchange tanks.

Article XXV Use District Regulations: Industrial 1 District

§ 68-338 ~~Permitted uses.~~

C. ~~(Reserved)~~ The sale and filling of propane exchange tanks.

F. ~~Banks~~ Redemption Center.

§ 68-343 Height.

A. In an Industrial 1 District, no building or structure shall be erected or altered to a height in excess of 60 feet or four stories. Any portion of the building which is erected in excess of 35 feet shall be set back ~~one additional foot for each additional foot of height~~ the height of the building with relation to front yards, rear yards and side yards or the minimum required setback, whichever is greater.

Article XXIX Signs

§ 68-395 Permitted signs.

B. The following signs are permitted in the zoning districts as specified in the Schedule of Sign Regulations and in conformance with all other provisions of this article:

(17) Historic Marker: Any sign erected at a historically significant location, facility, or building that is used to interpret, promote, or protect the historic and cultural character of the location, facility, or building. See § 68-400 E. for requirements.

§ 68-396 Prohibited signs.

J. Any sign in any street right-of-way, except historic markers erected pursuant to § 68-400 E.

§ 68-400 Miscellaneous provisions.

E. historic markers do not require a sign permit, but shall comply with the following:

- (1) Meet the design and construction standards set forth in NYS Code.
- (2) Obtain written approval from the Town Historian for the contents of the sign to ensure historical accuracy, validity, and proper spelling.
- (3) One sign per historical location, facility, or building.
- (4) These requirements refer only to ground signs as described in NYS Code. All other signage shall follow the appropriate provisions set forth in this article.

F. Long Island MacArthur Airport (ISP). It is understood that certain signage is necessary on ISP property in order to facilitate the safe and proper movement of internal operations and aircraft at the facility. Signage which is not visible from any public right-of-way or residential property is not subject to the requirements in §68-397. In no case shall a prohibited sign type as outlined in §68-396 be erected unless the required variance(s) from the Zoning Board of Appeals is obtained.

Article XXX Sight Obstructions, Fences and Walls

§ 68-406 Fences and walls.

B. No portion of any fence or wall shall be higher than four feet above the ground at any point when set back less than 15 feet from a street property line. For corner lots, no fence, or wall, shall be higher than four feet above the ground at any point when set back less than 10 feet from the second front yard property line. This provision shall not apply to retaining walls, which shall be set back from street and second front yard property lines in accordance with § 68-406F. For through lots, a fence up to six feet in height may be located on a through lot front yard property line, however, it shall be set back at least five feet from a sidewalk or edge of road pavement. No fence shall be higher than six feet when set back less than 15 feet from a through lot front yard property line.

(2) Exception: For commercial properties with frontage along Sunrise Highway (SR 27), Veterans Memorial Highway (SR 454) or the Long Island Expressway (Interstate 495), a fence, no higher than eight feet, may be located on the rear or side property line abutting a residential use. Within the Industrial Corridor District pursuant to § 68-482.1C, an eight foot sound attenuation wall shall be permitted.

F. All walls greater than 18 inches in height from average, undisturbed grade shall be set back from any property line a minimum of four feet or a distance equal to the height of the wall above average, undisturbed grade, whichever is greater. Walls that are greater than 18 inches in height or higher, at any point above average, undisturbed grade, shall obtain a permit prior to construction. For marine bulkheads, a Town of Islip Wetlands and Watercourses Permit may constitute the required permit, subject to the review of the Divisions of Building and Engineering. All walls, as defined in § 68-3 shall receive a determination of the necessity of site plan review from the Divisions of Building and Engineering prior to construction.

Article XXXIV Miscellaneous Provisions

~~§ 68-420.7 Lighting.~~

~~A. Floodlighting or strobe or flashing lights shall not be installed or maintained in any manner that would allow any rays to fall beyond the property lines. Any lighting which impairs the vision or creates a hazard or nuisance is prohibited.~~

~~B. This section shall not apply to New York State or a public corporation, as defined by § 66 of the General Construction Law.~~

§ 68-420.8 Driveways and parking.

A. Legislative intent. In order to maintain an appropriate visual quality for residential properties, preserve property values, protect neighborhood character and safeguard quality of life, certain standards shall apply as specified herein.

(1) The amount of front yard area consisting of asphalt, gravel, stone or dirt or other nonvegetative material, to be used primarily for the parking of vehicles, shall not exceed ~~35~~40% of the area of the front yard. In the instance of corner lots, the area of the secondary front yard ahead of the front line of the main dwelling is incorporated in the front yard area.

Article XLV Use District Regulations: General Service T District

§ 68-487 Legislative intent.

D. Preferred locations for General Service T designation include properties in a transitional location with a side yard adjacent to a commercially-zoned property and another side yard adjacent to a residential district or another property designated as General Service T. The site shall not be located mid-block among other single-family dwellings unless adjacent to institutional uses or a mitigating circumstance exists whereas the goals of this article are better served.

Article LII Exterior Lighting Standards

§ 68-687 Illuminance and type of lamp for all nonresidential exterior lighting.

C. Light emitting diodes ~~rated at 4,000K or less~~ shall be used for all light sources rated over 1,800 lumens (100 watts incandescent). Metal halide (MH) with a Correlated Color Temperature (CCT) rated over 3,000K, light emitting diodes with a CCT rated over 4,000K, and mercury vapor (MV) light sources are not permitted. No luminaire shall exceed 16,000 lumens.

Article LIII Use District Regulations: Industrial Transition District

§ 68-700 Uses permitted by special permit from Planning Board after public hearing.

F. Automobile parking field and/or vehicle fleet storage yards, including but not limited to ambulettes, buses, taxis, ice cream trucks, freight facilities, private carting companies, transportation facilities, and parcel post companies, provided that all such vehicle parking or storage areas are completely screened from view with fencing, landscaping, and berms at the direction of the Planning Board.

S. ~~Sale, or lease~~ or parking of construction vehicles, emergency vehicles, storage trailers or containers and office trailers, provided that the subject site has a building with a minimum FAR of 0.10, such vehicles or trailers are located completely within the rear yard and are set back a minimum of 200 feet from any residential use, and further provided such vehicles or trailers are properly screened from view with fencing and/or landscaping pursuant to an approved site plan.

§ 68-702 Uses permitted as special exception by Board of Appeals after public hearing. (Note: See also § 68-341.1, Adult uses.)

A. ~~Brewing or distilling of beverages.~~

March 14, 2023
Public Hearing #3

TOWN BOARD RESOLUTION

Date: _____

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Article XXIV (Planned Development District) of Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code amendments; and

WHEREAS, on _____, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby enacts Local Law 2 of 2023 amending Local Law 3 of 1989, Islip Town Code Chapter 68, §68-324 as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

Article XXIV Use District Regulations: Planned Development District

§ 68-324 Subdistrict regulations.

B. Research and industrial.

(1) Permitted uses.

(a) Office buildings, including medical offices.