

## Summary of proposed zoning amendments

Summary, by zoning code section, of proposed zoning amendments drafted August 5, 2022:

### Definitions 305-9

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Revise and fix typo in Agricultural processing plant  
Add smoke shop and related tobacco definitions

### ~~Zoning Map 305-11~~

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#### ~~Rezone 6 Lexington Avenue~~

\*Proposal to rezone removed following public comments received

### Uses Table 305-12

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Update reference table to match zoning district code sections

### R-1 Single Family Residential District 305-13

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### R-2 Single, Two- and Multi-Family Residential District 305-14

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### CC Central Corridor District 305-15

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### C General Commercial District 305-16

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Add Cannabis Retail uses  
Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

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### NC Neighborhood Commercial District 305-17

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### HC Highway Commercial District 305-18

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Add Cannabis On-site and Retail uses  
Remove Commercial Greenhouse that was unintentionally included  
Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### C Specialized Commercial District 305-19

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### I General Industrial District 305-19

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Correct mistake – Crematorium missing  
Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### I-1 Industrial Park District 305-21

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Clarify permissibility of cannabis uses in existing categories  
Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### I-2 Resource Recovery District 305-22

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Move required number of parking spaces in off-street parking section  
Consolidate bulk requirements using approach similar to previous code

### D Downtown 305-23

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Remove building use guidelines applicable to each floor

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### Buffer Areas 305-28

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Move buffer information to landscape section using approach similar to previous code

### Cannabis Uses 305-28

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#### Add General Regulations:

- All cannabis uses are required to obtain and maintain the applicable New York State Adult-use license.
- On-site consumption and Retail Dispensary locations may only operate between the hours of 8:00 AM and 8:00 PM.

#### Add Limitations on Location:

- No On-site consumption or Retail Dispensary shall be permitted within 1,000 feet of another On-site consumption or Retail Dispensary
- No On-site consumption or Retail Dispensary shall be permitted within 500 feet of a School, Nursery School, Daycare, or Playground.
- No On-site consumption or Retail Dispensary shall be permitted within 300 feet of a Single-Family, Two-family, or Townhouse residential use.
- No On-site consumption or Retail Dispensary shall be permitted within 200 feet of a House of Worship.
- Said distances shall be measured from property line to property line.

#### Add Preempted Cannabis Uses

- Nursery shall be a permitted use in, and regulated together with, any zoning district of Chapter 305 of the Code of the City of Auburn that allows Commercial Greenhouse or Heavy Commercial.
- Cultivator shall be a permitted use in, and regulated together with, any zoning district of Chapter 305 of the Code of the City of Auburn that allows Heavy Commercial or Urban. Agriculture
- Processor shall be a permitted use in, and regulated together with, any zoning district of Chapter 305 of the Code of the City of Auburn that allows Light Industry or Light Industrial .

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- Distributor shall be a permitted use in, and regulated together with, any zoning district of Chapter 305 of the Code of the City of Auburn that allows Heavy Commercial or Distribution Center.

### Corner and Through Lots 305-30

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Fix typos

Provide authority to specify front yard of corner lot

### Driveway, Residential 305-32

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Move information for residential driveways to off-street parking section

### Drainage and Stormwater Control 305-32

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Codify review requirements for stormwater management based on current practice:

- For development or re-development projects equal to or greater than 1 acre of disturbance, a Stormwater Pollution Prevention Plan (SWPPP) or Drainage Plan, substantially conforming to the requirements of a SWPPP, shall be required. The SWPPP shall be prepared in accordance with the specifications as set forth in the New York State Pollution Discharge Elimination System (SPDES) General Permit for Construction Activities (GP-00-10-001) and associated documents, including the New York Standards for Specifications for Erosion and Sediment Control and the New York State Stormwater management Design Manual.
- For development or re-development projects subject to site plan approval measuring less than 1 acre of disturbance, not requiring a Stormwater Pollution Prevention Plan, which result in a net increase of impervious surfaces, the following shall apply:

Plans shall be designed in accordance with the standards set forth in the New York State Stormwater management Design Manual to retain a Ten (10) Year, 24-Hour Storm event.

Runoff Reduction shall be achieved through incorporation of green infrastructure, post-construction stormwater management measures, and best management practices (BMPs) designed to increase permeable areas and to reduce pollution.

A waiver may be granted if it can be demonstrated that incorporation of design elements necessary to retain a Ten (10) Year, 24-Hour Storm event such as those set forth in subsection C are physically or economically impossible due to topographic, soil,

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or physical conditions of the site. Said waiver may instead require design elements necessary to retain a lesser storm event, as determine by the City.

### Home Occupations 305-38

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Add list similar to previous code of prohibited home occupations including:

- Animal hospital and kennel
- Motor Vehicle specific uses
- Restaurant and Nightclub
- Sale of Retail Goods
- Tobacco, Vape, and Adult-use Marijuana related uses

### Landscaping and Buffers 305-42

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Merge information from buffer section

Reduce minimum landscape to 20% to align with bulk tables

### Lighting 305-43

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Remove exemption specific to 150 watt incandescent lamps

### Off-Street Parking and Loading 305-48

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Merge and clarified requirements for residential driveways

Fix mistake regarding downtown parking

Add back downtown exception from previous code

Consolidate information on required number of parking spaces

### Outdoor Seating 305-49

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Revise to more easily permit outdoor seating

### Smoke Shops 305-61

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Add General Regulations

- Smoke shop locations may only operate between the hours of 8:00 AM and 8:00 PM.

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- Where the use in a zoning district for Retail, Goods and Services would require the approval of a site plan by the Planning Board, the approval of the Zoning Board of Appeals, a Special Use Permit, or any other approval, such requirement or requirements shall also apply to Smoke shop.
- It is unlawful for a smoke shop and tobacco store to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shop and tobacco store.
- Smoke shops and tobacco stores shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. One said sign, measuring approximately 144 square inches, shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store. It shall be unlawful for a smoke shop and tobacco store to fail to display and maintain, or fail to cause to be displayed or maintained, said signage.

### Add Limitations on Location

- Smoke shops shall be a permitted use in, and only in, any zoning district of Chapter 305 of the Code of the City of Auburn that allows Retail, Goods and Services, not including home occupations, provided that:

No Smoke shop shall be permitted within 1,000 feet of another Smoke shop.

No Smoke shop shall be permitted within 500 feet of a School, Nursery School, Daycare, Playground, or other similar uses where children regularly gather.

No Smoke shop shall be permitted within 300 feet of a Single-Family, Two-family, or Townhouse residential use.

No Smoke shop shall be permitted within 200 feet of a House of Worship.

Said distances shall be measured from property line to property line.

### General Guidelines 305-85

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Clarify application of Minor and Major site plan review  
Provide exception for smaller non-residential accessory building  
Revise to reflect DRC's advisory role

### Design Review Committee 305-97

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Revise to reflect DRC's advisory role