

**TOWN OF WARSAW  
A PROPOSED LOCAL LAW ENTITLED,  
"2014 AMENDMENT TO THE TOWN OF WARSAW ZONING LAW TO INCLUDE  
ARTISAN / CRAFTSMAN FACILITIES"**

**BE IT ENACTED** by the Town Board of the Town of Warsaw, Wyoming County, New York as follows:

**SECTION I.           AUTHORITY**

The Town Board of the Town of Warsaw enacts this local law under the authority granted by Article IX of the New York State Constitution, §2; New York Statute of Local Government, §10; New York Municipal Home Rule Law, §10; and New York Town Law, §64.

**SECTION II.          PURPOSE**

The Town Board of the Town of Warsaw after working with and applying its Zoning Law has discovered shortcomings, inconsistencies, and need for clarification of some of its contents adopts this local law amending the same.

**SECTION III.         TITLE**

This local law shall be known as "2014 Amendment to the Town of Warsaw Zoning Law."

**SECTION IV.         ENACTMENT**

The Town Board of the Town of Warsaw hereby adopts the following changes to the Town of Warsaw Zoning Law as follows:

**1.     ARTICLE IX – DISTRICT REGULATIONS**

***Section 904 – Business District***

**D.     Special Permit Uses**

Add           6.   Artisan / Craft Facilities

**Article IX- Regulations Governing Special Use Permits**

Add           Section 1121 Artisan / Craft Facilities

Add           A.     Findings; Statement of Policy;

It is recognized that certain industrial activities, though typically most frequently sited within Industrial Zones, may with proper attention being paid to certain elements of their activity may be sited within a Business District, so

long as they have a retail component. Therefore it is recognized the special regulation of these uses is necessary to ensure the adverse effects will not contribute to the blighting or downgrading of the surrounding neighbors, businesses or land uses.

B. Artisan and Craft Facilities- An establishment where raw materials are refined, milled, processed into finish grade for sale on premises and entered into a general stream of commerce.

The facility for this activity may include:

- (i) a loading dock for delivery of raw materials
- (ii) a processing plant for creation of final products
- (iii) a warehousing facility for storage of final product awaiting delivery
- (iv) a loading facility for re-entry of final product into general commerce
- (v) twenty percent (20%) of the entire facility must be utilized for retail purposes.
- (vi) on site consumption of goods is permitted

Note: This shall mean that either retail space of twenty percent (20%) of the whole facility is utilized for retail space or in the alternative that a processing facility is constructed in such a manner that retail customers are brought into the processing area for Artisan / Craftsman experience.

(i.e.- artisanal cheese makers, craft breweries, wineries, bakeries, graphic design with retail outlet, pasta / bread makers, maple syrup makers, pottery, glass blowing, soaps / oils etc.)

1. Permitted District- Artisan / Craft Facilities are permitted within a Business District only by Special Use Permit Granted by the Town Planning Board following the Site Plan Review process.

2. Permitted Structures- Artisan / Craft Facilities are permitted within an existing facility either in the principal building or an accessory structure.

3. Limitations or Thresholds- Recognizing that the primary purpose of the District is commerce, the Burden shall fall upon the applicant to demonstrate compliance with the above noted regulations. It shall be the applicant's responsibility to develop and maintain an Artisan / Craftsman Facility within the District.

a. Location- This activity must be on a <sup>have access</sup> ~~(State Highway)~~ <sup>BD + BDI</sup> must be within the Business District and may not to be within 500 feet of a residential use.

*add existing*

*Public access*

- b. Signage- See Town Code, Article X, Section 1002 “ Sign and Billboard Regulations” which refers to applicable signage.
- c. Hours of Operation- Operational hours may be from 6:00 A.M. to 11:00 P.M. for loading, unloading and manufacturing purposes, and retail operational hours from 6:00 A.M. to 2:00 A.M.
- d. Outdoor Storage- (A) May contain outdoor storage of materials / goods. However, Must be fully enclosed by a structure; fence or combination of both, or fully buffered from neighboring properties.
- e. Hazardous Materials- No highly toxic, explosive, flammable, combustible, corrosive, radioactive or similar waste shall be used, stored, manufactures on premises in amounts exceeding those which are typically found in normal business uses.
- f. Lot size- Entire Area intended for retail parking shall be of a hard surface (asphalt or concrete). These facilities shall be considered multi-use facilities, as the minimum percentage to be utilized for retail space shall be 20%. Parking shall be calculated based upon both uses. Percentage of retail parking must comply with said parking schedule. Percentage of manufacturing parking must comply with said schedule.
- g. Additional Storage- If the use requires storage in bulk of any chemical or material, said storage vessel or tank shall be fully set forth in site plan.
- h. Height- No structure shall exceed 35 feet in height.
- i. Use of animals- The Town will not authorize the confinement or use of animals on site in any Artisan/ Craftsman Use.

4. Neighborhood Character- The appearance of the property shall not be conducted in a manner that would cause the premises to differ significantly from other properties in the neighborhood either by the use of lighting or by emissions of noises, odors or vibrations. All accessory buildings shall be of

a building type that is consistent with the appearance of the surrounding area or neighborhood.

**SECTION V. SEPARABILITY**

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

**SECTION VI. INCONSISTENCY**

All resolutions, ordinances or local laws or portions thereof of the Town of Warsaw not consistent with this Law, in whole or in part, shall be repealed.

**SECTION VII. EFFECTIVE DATE**

This local law shall become effective upon the filing with the New York State Department of State.

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