

**§ 155-12.2 Transitional Business Districts (TB)**

- A. Purpose and Intent: This zoning classification is intended to permit the development of low-impact professional, retail, personal service and business establishments in convenient proximity to residential neighborhoods while minimizing the impact such uses may have on adjacent residential neighborhoods. Included, but not limited to, Site Plan Review shall include, but is not limited to, pedestrian access, lot coverage, parking, screening, lighting, noise, ingress/egress, and the overall aesthetics of the proposed development.
- B. Design Principles: Applicants seeking permits or site plan approval for new construction and/or renovation within the CT zone must demonstrate to the satisfaction of the Planning Board that building and site designs:
- Are consistent with the design principles which predominate among the existing building and structures within the zone and the surrounding area, including residential, and will consider the impact on the desirability of the immediate and surrounding area including residential
  - Design principles to be addressed include, but are not limited to, the suitability of design and type of the proposed construction, including mass, height and line to be used in relation to the immediate and surrounding area including residential
- C. Permitted uses.
- (1) The structures and uses permitted in Transitional Business Districts are shown in Table XX. These shall be permitted upon the issuance of a site plan approval by the Town Planning Board pursuant to Article IV, § 155-28: **[Amended 5-22-2002 by Ord. No. 2002-5]**
  - (2) Nothing herein set forth shall be deemed to prevent the inclusion of two or more permitted uses in the same building.
  - (3) Notwithstanding anything to the contrary herein, the following uses are prohibited, whether primary use or accessory use; Drive-Through, Outdoor Sales, Outdoor Storage
- D. No individual parcel in a Transitional Business District shall exceed 10 acres. All structures shall be further limited to a total maximum of a 10,000 square foot footprint. No greater than 70% lot coverage shall be allowed in this district. Any structure within this district shall be set back a minimum of 100 feet from any adjoining property line of property zoned residential or restricted agricultural. A minimum of 30 feet immediately adjoining any such property line shall consist of a landscaped buffer, appropriate to the circumstances, as approved by the Planning Board.
- E. All service areas within a Transitional Business District, such as those for the loading and unloading of merchandise, the delivery of food and equipment and the collection and pickup of garbage, shall be located a minimum of 100 feet from any adjoining property line of property zoned residential or restricted agricultural. All service areas shall be screened from sight by appropriate fencing, and such additional steps shall be taken as are necessary to minimize

or, if possible, eliminate the impact of noise and light on adjoining residential properties.

- F. All signage should be in accordance with § 155-25 of the Manlius Town Code subject to the following: All signage, including requests for freestanding signs, shall be subject to site plan review by the Planning Board and shall be reviewed by the Planning Board to ensure that signage design is consistent with the design principles which predominate among the existing and proposed buildings within the zone and the surrounding area, including residential, and will not adversely affect the desirability of the immediate and surrounding area, including residential. Design principles to be addressed include, but are not limited to, the suitability of design and type of proposed sign, including height, line, color and texture of materials to be used in relation to the immediate and surrounding area, including residential. **[Added 5-22-2002 by Ord. No. 2002-5]**
- G. Freestanding signs shall not exceed eight feet in width and 7 1/2 feet in height and shall only be permitted after site plan review and recommendation by the Planning Board and upon the granting of an area variance by the Zoning Board of Appeals. **[Added 5-22-2002 by Ord. No. 2002-5]**

#### § 155-13. -Neighborhood Shopping Districts N-S.

~~A. A. Neighborhood Shopping Districts are~~ Purpose and Intent: This zoning classification is intended to permit the development of small-scale commercial, retail and personal service establishments in convenient proximity to residential neighborhoods while at the same time minimizing the potential impact and disruption that the uncontrolled introduction of such uses intonear residential neighborhoods could have. Site Plan Review shall include, but is not limited to, pedestrian access, hours of operation, lot coverage, parking, screening, lighting, noise, ingress/egress, and the overall aesthetics of the proposed development.

~~B. B. Design Principles: Applicants seeking permits or site plan approval for new construction and/or renovation within the NSD zone must demonstrate to the satisfaction of the Planning Board that building and site designs:~~

- Are consistent with the design principles which predominate among the existing building and structures within the zone and the surrounding area, including residential, and will consider the impact on the desirability of the immediate and surrounding area including residential
- Design principles to be addressed include, but are not limited to, the suitability of design and type of the proposed construction, including mass, height and line to be used in relation to the immediate and surrounding area including residential

~~C. C. Permitted uses.~~

~~(1)~~

The ~~following~~ structures and uses ~~only shall be~~ permitted in Neighborhood Shopping Districts are shown in Table XX. These shall be permitted upon the issuance of a site plan approval by the Town Planning Board pursuant to Article IV, § 155-28:

~~(a)~~

~~Retail establishments with associated drive-through services and/or associated outdoor display of goods, including grocery stores, drug stores, department stores, specialty shops and shops for the sale of general merchandise at retail.~~

~~(b)~~

~~Personal service stores, including barbershops, beauty parlors, shoe repair shops, appliance repair shops, laundromats, dry cleaners and businesses providing similar services of a personal nature.~~

~~(c)~~

~~Business offices, including professional offices, banking offices, including walk-up and drive-through services, finance, insurance, real estate, legal, medical, dental, governmental and utility service offices.~~

~~(d)~~

~~A public garage, gas station or the open storage or sale of automobiles shall be prohibited.~~

~~(e)~~

~~Indoor theaters, game rooms and other places of entertainment and restaurants serving patrons indoors, but not including establishments serving their customers with food or drink for consumption outside the establishment in the open air or in parked cars and only upon the granting of a special permit pursuant to Article IV, § 155-27.~~

~~(2)~~

Nothing herein set forth shall be deemed to prevent the inclusion of two or more permitted uses in the same building.

~~C.~~

~~No(3) Notwithstanding anything to the contrary herein, the following uses are prohibited, whether primary use or accessory use; Outdoor Storage~~

D. No individual parcel in a Neighborhood Shopping District shall exceed 15 acres and. All structures shall be further limited to a total maximum average of a 10,000 square feet footprint. All structures shall be further limited to a total maximum lot coverage of floor space per acre.75%. Any structure within a Neighborhood Shopping District shall be set back a minimum of 50 feet from any adjoining property line of property zoned residential or restricted agricultural. A minimum of 30 feet immediately adjoining any such property line shall consist of a landscaped buffer, appropriate to the circumstances, as approved by the Planning Board.

~~D.~~

E. All service areas within a Neighborhood Shopping District, such as those for the loading and unloading of merchandise, the delivery of food and equipment and the collection and pickup of garbage, shall be located a minimum of 100 feet from any adjoining property line of property zoned residential or restricted agricultural. ~~If, due to unique and unusual circumstances at a Neighborhood Shopping District site, it would impose a substantial hardship upon the owner to locate such service areas 100 feet from any adjoining property line of property zoned residential or restricted agricultural, the Planning Board may, in its discretion, permit such service areas to be located closer than 100 feet from such property lines. Any such reduction of the one-hundred foot setback requirement shall be the minimum necessary to relieve the hardship. Even where such hardship is shown, no such service areas shall be located closer than 50 feet to any such adjoining property line.~~ All service areas shall be screened from sight by appropriate fencing, and such additional steps shall be taken as are necessary to minimize or, if possible, eliminate the impact of noise and light on adjoining residential properties.

~~E.~~

All signage should be in accordance with § 155-25 of the Manlius Town Code subject to the following: All signage, including requests for freestanding signs, shall be subject to site plan review by the Planning Board and shall be reviewed by the Planning Board to ensure that signage design is consistent with the design principles which predominate among the existing and proposed buildings within the zone and the surrounding area, including residential, and will not adversely affect the desirability of the immediate and surrounding area, including residential.

F. Design principles to be addressed include, but are not limited to, the suitability of design and type of proposed sign, including height, line, color and texture of materials to be used in relation to the immediate and surrounding area, including residential.  
~~the immediate and surrounding area, including residential.~~

~~F.~~  
G. Freestanding signs shall not exceed eight feet in width and 7 1/2 feet in height and shall only be permitted after site plan review and recommendation by the Planning Board and upon the granting of an area variance by the Zoning Board of Appeals.

#### § 155-14. Regional Shopping Districts RSD.

Purpose and intent-

~~(1)~~

A. : This district zoning classification is ~~designed~~intended to encourage the efficient conversion of large-scale ~~indoor~~retail or commercial space into smaller, stand-alone combinations of retail, service and community uses. ~~Because Any such development will naturally result in a number of different permitted uses in close proximity to one another, it is deemed important from an aesthetic standpoint to encourage~~redevelopment shall include some ~~level of~~uniformity ~~or~~and cohesiveness in the appearance of the buildings ~~and structures within.~~ Site Plan Review shall include, but is not limited to, lot coverage, parking, screening, lighting, noise, ingress/egress and the RSD zone. Accordingly, applicants overall aesthetics of the proposed development.

B. Design Principles: Applicants seeking permits or site plan approval for new construction and/or renovation within the ~~RSDD Zone~~RSD zone must demonstrate to the satisfaction of the Planning Board that building and site designs:

~~(a)~~

Are consistent with the design principles which predominate among the existing ~~buildings~~building and structures within the zone and the surrounding area, including residential~~s~~ and

~~(b)~~

- ~~Will not adversely affect~~ will consider the impact on the desirability of the immediate and surrounding area~~s~~, including residential~~s~~.

~~(2)~~

- Design principles to be addressed include, but are not limited to, the suitability of design and type of the proposed construction, including mass, height, ~~line, color~~ and ~~texture of materials~~ line to be used in relation to the immediate and surrounding area including residential.

~~B.~~

C. Permitted Uses: The ~~following~~ structures and uses ~~only shall be~~ permitted in Regional Shopping Districts are shown in Table XX. These shall be permitted upon the issuance of a site plan approval by the Town Planning Board pursuant to Article ~~IV, § 155-28:~~ IV, § 155-28:

~~(1)~~

~~Retail establishments with associated drive-through services, including, but not limited to, department stores, specialty shops and drug stores.~~

~~(2)~~

~~Personal service stores and shops, including barbershops, beauty parlors, shoe repair shops, appliance repair shops, laundromats, dry cleaners and businesses providing similar services of a personal nature.~~

~~(3)~~

~~Business offices, including professional offices, banking offices, including drive-in banks, finance, insurance, real estate, medical, dental, governmental and utility service offices.~~

~~(4)~~

~~A public garage, gas station or the open storage or sale of automobiles shall be prohibited.~~

~~(5)~~

~~Indoor theaters.~~

~~(6)~~

~~Indoor places of amusement, restaurants or stands, community centers, recreation facilities (both public and private), churches and other places of worship, home for elderly, adults, convalescent home, nursing homes, and similar facilities, public libraries, public and private schools, including day-care facilities.~~

~~C.~~

~~Any retail business or personal service carried on in enclosed buildings may include such preparation and processing as is incidental to the preparation of products to be sold on the premises to the ultimate consumer.~~

~~D.~~

- (1) Nothing herein set forth shall be deemed to prevent the inclusion of two or more permitted uses in the same building.

~~E.~~

- (2) Notwithstanding anything to the contrary herein, the following uses are prohibited, whether primary use or accessory use; Outdoor Storage

All signage shall be in accordance with § 155-25 of the Manlius Town Code subject to the following:

D.]

~~(1)~~

~~(1)~~ Business signs shall be permitted in the Regional Shopping District, for businesses located in the district that are not immediately adjacent to public streets. Said signs shall not exceed 5% of the building face and shall be affixed to the building.

~~(2)~~

~~(2)~~ Business signs permitted by the Town Code and directory signs shall be permitted in the Regional Shopping District for businesses located in the district that are immediately adjacent to public streets. Directory signs may provide building addresses and occupant(s) information and shall be located along the internal drives only and not along the public street. Directory signs shall be of a size adequate to identify building occupants to motorists traveling on the internal drives.

~~(3)~~

(3) All signage, including requests for freestanding signs, within the ~~Towne Center~~District shall be subject to site plan review by the Planning Board, with the size and design to be reviewed with the Planning Board to insure compatibility with the architectural theme established for the ~~Center~~District. Freestanding signs along road frontage shall not exceed 14 feet in width and 19 feet five inches in height and shall only be permitted after site plan review and recommendation by the Planning Board and upon the granting of an area variance by the Zoning Board of Appeals.

~~to be sold on the premises to the ultimate consumer.~~

~~C.~~

~~Banks, including drive-through services.~~

~~D.~~

~~Retail establishments with associated drive-through services.~~

~~E.~~

~~Indoor theaters.~~

~~{Amended 1-25-2017 by L.L. No. 1-2017}~~

~~F.~~

~~A. Restaurants serving patrons indoors. Such indoor restaurants may serve patrons outdoors as well as structures and uses permitted in Residential District R3. These shall be permitted upon the issuance of a special use permit site plan approval by the Town Planning Board pursuant to Article ~~IV, § 155-27.~~ IV, § 155-28.~~

~~{Added 1-25-2017 by L.L. No. 1-2017}~~

~~G.~~

~~Outdoor sales on a small scale, as determined by the Town Board, shall be permitted only upon the issuance of a special use permit, pursuant to Article ~~VI, § 155-27.~~~~

**§ 155-15. Commercial District A CA.**

B. Purpose and intent: This zoning classification is intended to include the commercial, retail and personal service uses permitted in Regional Shopping and Residential R-3 zones, subject to the same restrictions. Some additional permitted uses are also allowed. Site Plan Review shall include, but not be limited to lot coverage, parking, screening, lighting, noise, ingress/egress and the overall aesthetics of the proposed development.

C. Design Principles: Architectural design is encouraged to respond to local history, topography and climate, as well as vernacular building practice

Permitted Uses: The structures and uses permitted in Commercial A Districts are shown in Table XX. All structures and uses permitted in Residential Districts R-3 and NeighborhoodRegional Shopping Districts shall be permitted in the Commercial District A, subject to the same restrictions. In addition thereto, the following structures and uses shall be permitted with site plan approval pursuant to Article ~~IV, § 155-28~~:

~~A.~~

~~Hotels.~~

~~B.~~

~~Any retail business or personal service carried on in enclosed buildings and such manufacturing which is incidental to the preparation of products to be sold on the premises to the ultimate consumer.~~

~~C.~~

~~Banks, including drive-through services.~~

~~D.~~

~~Retail establishments with associated drive-through services.~~

~~E.~~

~~Indoor theaters.~~

~~F.~~

~~D. Restaurants serving patrons indoors. Such indoor restaurants may serve patrons outdoors as well as structures and uses permitted in Residential District R3. These shall be permitted upon the issuance of a special use permit site plan approval by the Town Planning Board pursuant to Article ~~IV, § 155-27~~. IV, § 155-28.~~

~~G.~~

~~Outdoor sales on a small scale, as determined by the Town Board, shall be permitted only upon the issuance of a special use permit, pursuant to Article ~~VI~~,~~

#### **§ 155-16. Commercial District B CB.**

A. Purpose and intent: This zoning classification is intended to include the uses permitted in Commercial A, subject to the same restrictions, and to add some additional permitted uses. Site Plan Review shall include, but not be limited to, lot coverage, parking, screening, lighting, noise, ingress/egress and the overall aesthetics of the proposed development.

B. Design Principles: Architectural design is encouraged to respond to local history, topography and climate, as well as vernacular building practice

C. Permitted Uses: The structures and uses permitted in Commercial B Districts are shown in Table XX. As shown, all structures and uses permitted in

Commercial District A shall be permitted in Commercial District B, ~~subject to the same restrictions. In addition thereto, there. These~~ shall be permitted ~~with~~ upon the issuance of a site plan approval ~~by the Town Planning Board~~ pursuant to Article ~~IV, § 155-28~~; IV, § 155-28.

~~A.~~

~~Drive-in establishments.~~

~~B.~~

~~Places of amusement, restaurants or stands.~~

~~C.~~

~~Warehouses, wholesale establishments, lumberyards and farm implement distributors' establishments.~~

~~D.~~

~~Outdoor theaters.~~

~~E.~~

(1) For Commercial repair garages, Automobile Sales, parking lots and drive-in retail fuel stations, ~~provided that the pumps are:~~

- ~~Pumps must be~~ set at least ~~20~~100 feet from the public street line or right-of-way line, ~~and provided that if~~
- ~~If property is~~ next to a residence, church, school or hospital or any other uses permitted in Residential Districts R-3, ~~such filling stations~~ shall have a screen or fencing of evergreens on the side next to such residences, etc., ~~and provided that no pumps or grease pits shall be nearer than 25 feet from the side property lines, and provided that no outdoor storage of broken-down cars or parts of cars shall be permitted.~~
- ~~No pumps or grease pits shall be nearer than 25 feet from the side property lines~~
- ~~No outdoor storage of broken-down cars or parts of cars shall be permitted.~~

**§ 155-17. Industrial Districts ID.**

A. ~~All~~ Purpose and intent: This zoning classification is intended to include the uses permitted in Commercial B, subject to the same restrictions, and to add some additional permitted uses. Site Plan Review shall include, but not be limited to, lot coverage, parking, screening, lighting, noise, ingress/egress and the overall aesthetics of the proposed development.

B. Design Principles: Architectural design is encouraged to respond to local history, topography and climate, as well as vernacular building practice

C. Permitted Uses: The structures and uses permitted in Industrial Districts are shown in Table XX. As shown, all structures and uses permitted in Commercial District B shall be permitted in ~~the Industrial Districts, subject to the same restrictions;~~ provided, however, that no Commercial District B. These shall be permitted upon the issuance of a site plan approval by the Town Planning Board pursuant to Article IV, § 155-28.

(1) No residential use shall be allowed in an Industrial District, except upon the issuance of a special permit by the Town Board pursuant to Article ~~IV, § 155-27.~~ IV, § 155-27.

(2) No uses related to "Congregate Services" or "Gathering Places" as shown in Table XX shall be allowed in an Industrial District, except upon issuance of a special permit by the Town Board pursuant to Article IV, § 155-27.

~~(1)~~ In addition thereto, there shall be permitted businesses that operate self-storage units, certain manufacturing, industrial establishments and uses only after the issuance of a special permit by the Town Board pursuant to Article IV, § 155-27. B.

~~(2)~~(3) \_\_\_\_\_ Public utility structures necessary for the servicing of the area or for general Town use shall be permitted in the Industrial Zone, but excluding radio, microwave, television or other similar forms of energy transmission towers or facilities which shall be permitted only after the issuance of a special permit pursuant to Article IV, § 155-27, of this chapter.