
APPENDIX A-4

Draft PIP Zoning Code

**Recommended Additional Town of Babylon Zoning District
Proposed as Article XLVI/Planned Industrial Park District-2 (PIP-2)
Updated draft August 16, 2024**

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§ 213-570 Purpose and intent.

- A.** The purpose of the **PIP-2 Planned Industrial Park District-2** (also referred to as the “PIP 2 District”) is to promote sustainable economic growth, stimulate job creation, foster innovation, and create a well-planned and coordinated technology, business and industrial park development which will drive economic development, significantly increase the local tax base, locate a significant number of jobs in the local Wyandanch area, and provide for a well-planned industrial/business park environment for the operation of a range of businesses.

Development will result in a modern and business and industrial park that will:

- (1) Provide a favorable operating environment for local industry;
- (2) Be developed in a manner that is respectful of surrounding land use;
- (3) Attractive particularly as visible from public spaces and right of ways;
- (4) Well designed for its purpose and potential mix of industrial tenant uses; and
- (5) Incorporate sustainable design elements to reduce potential impacts to the surrounding community and the environment.

- B.** The intent of the Town Board in enacting the new PIP-2 Zoning District is to support:

- (1) A well-designed industrial/business campus with a coordinated site development arrangement which incorporates an efficient internal street network, improves the adjoining area roadway network and intersections, and contains well designed building layouts, adequate parking, enhanced landscaping, sufficient lighting, and uniform directional and business signage.
- (2) A mix of business and industrial uses which respectfully consider the property size, the surrounding properties, and the long-term vision for the subject property.
- (3) New local employment opportunities, property and sales tax revenues for the Town and technical skills training opportunities for Town residents.

§ 213-571 Applicability; District boundary.

The provisions of the PIP-2 Zoning District promulgated herein shall apply to the property shown on the Town of Babylon Zoning Map.

§ 213-572 Reserved.

§ 213-573 Use requirements.

- A.** Permitted uses. No building, structure or land shall be used, and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained, except for one or more of the following uses. All operations and activities shall occur within fully enclosed structures, and there shall be no outdoor storage of materials, or equipment except as permitted pursuant to subsection D(3).
- (1) Light industrial establishments in which the principal activity shall be the manufacture, intermediate processing or assembly of goods or similar operations which conform to the standards of usage contained in § **213-591** of this article.
 - (2) Professional and job skills training, vocational training, industrial, medical research and development, scientific research and development, laboratory.
 - (3) Warehousing, storage and/or distribution.
 - (4) Manufacturing, assembly, and/or distribution, except that no manufacture or disposal of hazardous materials shall be permitted nor shall storage of hazardous materials in violation of law be permitted.
 - (5) Offices, as accessory to an industrial warehouse use and not to exceed 25% of the floor area of the unit or 5,000 SF for an individual tenant.
 - (6) Wholesale packaging, supply and/or distribution.
 - (7) Construction trade contractors.
 - (8) Craft/artisan production.
 - (9) Food and drink preparation and distribution.
 - (10) Cemetery purposes.
- B.** The following uses, when allowed as a Special Exception by the Board of Appeals and not to exceed more than 20 percent of the occupied floor area of the overall technology park, subject to conditions, restrictions and safeguards as may be imposed by the Board of Appeals:
- (1) Health clubs, personal fitness facilities.
 - (2) Childcare Center.
 - (3) Indoor sports and recreation.
 - (4) Banks.

- (5) Commercial kitchen.
- (6) Printing.
- C. All uses other than those expressly listed above are to be considered as prohibited uses with the following expressly prohibited uses:
 - (1) Wholesale club.
 - (2) Motor vehicle repair, painting and engine rebuilding.
 - (3) Warehousing and distribution of coal, petroleum or petroleum products as a primary use.
 - (4) Outdoor overnight storage, except as permitted pursuant to subsection D(2) below.
 - (5) Commercial laundromat.
 - (6) Any use with a drive-thru component.
 - (7) Funeral homes
- D. Accessory Uses.
 - (1) Showroom/Display Area.
 - (2) Outdoor overnight parking of registered vehicles accessory to a permitted principal use shall be limited to the following:
 - i. Trucks, box trucks, tractor trailers, delivery vans, etc. parked within loading bays, or any other area on the property approved for such parking (not to exceed 10% of the required parking for each building), so as to not interfere or infringe upon any travel aisles, site circulation, or adjacent tenancies.
 - ii. Passenger vehicles, excluding buses, limousines, cabs, or the like, when located within marked parking stalls and subject to compliance with site plan standards.

§ 213-574 Height of buildings.

In the PIP-2 District, no building or structure hereafter erected or altered shall exceed 50 feet in height.

§ 213-575 Bulk regulations.

- A. Lot area. The minimum lot area shall be 90 acres.
- B. Maximum building coverage. Building coverage shall not exceed 40% of the total lot area.

- C. Impervious lot coverage. Lot coverage including building area and all impervious surfaces shall not exceed 80% of the total lot area, including any areas of land banked parking.
- D. Front Yard. The minimum required front yard depth shall be not less than 75 feet measured from the front property line to the front of the building. Parking shall be permitted in the front yard with a minimum setback of 50' measured from the curb along the public roadway frontage, except for parking area drive aisles which may be setback a minimum of 30' from the public roadway curblines for a maximum of 10% of the property's roadway frontage.
- E. Side Yards. The minimum side yard setback shall be 65 feet. There shall be a landscaped area with a minimum depth of 10 feet running along the entire side of each side property line, or if the minimum landscape buffer cannot be provided, a decorative wall for screening purposes may be located within the side yard. Where the side yard abuts residential uses, the side yard shall be increased to a minimum width of 100 feet and a vegetated buffer area shall have a minimum depth of 50 feet. The buffer area may also be utilized for stormwater management so long as permanent evergreen screening is provided and maintained along the perimeter.
- F. Rear Yard. The minimum rear yard setback shall be 65 feet. There shall be a landscaped area with a minimum depth of 10 feet running along the entire property line, or if the minimum landscape buffer cannot be provided, a decorative wall for screening purposes may be located within the side yard. Where the rear yard abuts residential uses, the minimum yard shall be increased to 100 feet and the vegetated buffer area shall have a minimum depth of 50 feet. The buffer area may also be utilized for stormwater management so long as permanent evergreen screening is provided and maintained along the perimeter.

§ 213-576 Reserved.

§ 213-577 Number of parking spaces required.

- A. Within the PIP-2 District, a rate of 1 vehicle parking stall for each 1,000 square feet of floor area shall be provided and satisfactorily maintained.
- B. Land banking of up to 10% of the required parking stalls may be permitted at the discretion of the Planning Board.

§ 213-578 Off street parking standards.

- A. There shall be no on-street parking permitted along internal roadways in the PIP-2 District.
- B. Each parking space shall be a minimum of 9 feet by 19 feet. In addition, there shall be sufficient aisle space for adequate ingress, egress and maneuvering, as determined by the Planning Board.

- C. Underground parking is not permissible.

§ 213-579 Loading berths and overhead doors.

- A. In addition to the required number of off-street parking spaces, a maximum of one loading berth for each 4,000 square feet of gross building floor area or fractional part may be provided and satisfactorily maintained by the tenants of each building which shall be hereafter erected, enlarged or altered.
- B. The minimum required size of each loading berth shall be 12 feet by 55 feet and shall have a vertical clearance of 14½ feet.
- C. Truck loading bays shall not directly face any public street, adjoining residential use or park.
- D. Overhead doors are prohibited along any building frontage facing any public street, adjoining residential use or park.

§ 213-580 Required landscaping.

- A. All landscaping shall consist of native or low maintenance species requiring minimal irrigation and fertilization following initial establishment.
- B. A minimum of 20% of the parcel shall be landscaped with meadow, native shrubs and trees and other groundcover in accordance with a site plan approved by the Planning Board. The minimum landscaping for front, rear and side yards, stormwater management areas, and buffer vegetation requirements set forth in this article may be included in the computation for the minimum percentage of landscaping.
- C. The front yard shall be suitably sodded, shrubbed, landscaped and neatly maintained if not otherwise naturally vegetated to a suitable degree as determined by the Planning Board.
- D. The incorporation of street trees along street frontages should be considered if and where appropriate in the context of the overall landscape design and where natural wooded buffers would not be retained.
- E. Where parking is located within the front yard, adequate screening shall be provided as determined through Site Plan review.
- F. Landscaped islands and medians shall be utilized to improve the definition of circulation patterns and for stormwater management.
- G. Street and landscape island trees and shrubs shall be located to minimize sight distance conflicts at intersections and allow sufficient clearance for motorists and pedestrians.

§ 213-581 Signs.

- A. Allowable signs are those that identify the industrial/business park; street signs; directional signs; and corporate name or logo wall signs. There shall be consistency (in size, shape, color palette, location, illumination, etc.) and standards utilized uniformly throughout the industrial/business park.
- B. Signage Plan. A signage plan will be reviewed in coordination with approval of the Site Plan. The signage plan will establish standards including size, shape and colors that will dictate all signs within the proposed development including tenant signs which will, by their nature, need to change over time. The signage plan will include design for a building directory sign and welcome sign and specifications for wayfinding and traffic control.
- C. Permitted Signs.
 - (1) Building Directory. Sign listing the names and locations of establishments within the park located near the property entrance(s) and limited to no more than one (1) sign per curb cut.
 - (2) Industrial/Business Park “Welcome Sign.” Sign identifying the name of the Suffolk Technology Center with general park information (contact information for park management, parking only permitted in designated stalls, no loitering, etc.).
 - (3) Building Identification Signs. Signs which may consist of the name of the building, or identifying letters or numbers mounted to the building wall on those sides facing the interior roadways.
 - (4) Tenant signs.
 - i. A maximum of one (1) sign per tenant lease area will be permitted with a maximum height of three feet and a maximum length of the sign shall not exceed 40% of the tenant frontage.
 - ii. The copy and font type/size and logos for all tenants will be the responsibility of the management company to ensure consistency with the approved Signage Plan.
- D. Approval of the Signage Plan consistent with this article by the Planning Board shall occur coincident with site plan review by the Planning Board. Any changes in signage other than changes in tenants will be subject to review and approval by the Planning Board as part of a modified site plan review.

§ 213-582 Outdoor lighting.

- A. Outdoor lighting must be compliant with Town Code Article XVII Supplementary Regulations **§213-245** Exterior lighting standards and must be Dark-Sky compliant, except as specified herein.

- (1) An outdoor lighting plan shall be submitted to the Planning Board as part of the site plan application, and shall provide the type, height, location, intensity, and hours of operation of all exterior lighting devices.
 - (2) In reviewing the outdoor lighting plan, the Planning Board shall consider the potential impacts of outdoor lighting on adjoining properties. Exterior illumination of building entrances, parking areas, common areas, and accessways shall be limited to providing illumination for security and safety and shall direct light downward. The intensity of such illumination shall be the minimum necessary for such purposes. Site lighting shall be provided along walkways throughout the project that is pedestrian scale, and low in height and intensity. Lighting devices shall be so shielded or arranged that no direct glare be cast toward any residence or adjoining property.
- B.** The outdoor lighting pursuant to this article shall be subject to the approval of the Planning Board at the time of site plan review.

§ 213-583 Utility facilities.

- A.** All wiring, feed lines, energy sources and all equipment accessory to all utilities shall be placed underground. Alternate energy systems are encouraged and shall be reviewed by the Town Board on a case-by-case basis with regard to the restrictions of this article. Alternate energy systems, if proposed, must be indicated on site plans.
- B.** All storage tanks shall be installed underground or within the primary structure. All mechanical and other equipment shall not be allowed in the front yard and shall be suitably screened according to Planning Board requirements as indicated on a site plan approved by the Planning Board.

§ 213-584 Building exteriors.

Elevations detailing the proposed building design, materials and finishes will be subject to Planning Board approval during site plan review. The architectural design of the buildings should incorporate quality materials and a character of design with compatible elements for a professional industrial/business park and create a cohesive visual relationship between the buildings.

§ 213-585 Pedestrian and multi-modal transportation amenities.

- A.** Development within the PIP-2 Zoning District shall incorporate a system of sidewalks to provide safe and accessible pathways within the property and connect parking areas to the entrances to the buildings.
- B.** A minimum of two rideshare/shuttle drop-off and pick up accommodations, including sheltered bench seating shall be incorporated within the site along internal roadways with connections via the internal sidewalk system. At a minimum, one bicycle rack shall be installed per building.

§ 213-586 Reserved.

§ 213-587 Reserved.

§ 213-588 Reserved.

§ 213-589 Reserved.

§ 213-590 Waivers.

Minor deviations from the dimensional requirements set forth herein, including parking requirements, not exceeding 10% shall be within the authority of the Planning Board. Such minor deviations would be reviewed through a Request for Waiver, to be considered coinciding with Site Plan review.

§ 213-591 Standards of usage.

It is the intent of these regulations to prevent land and/or buildings within the PIP-2 District from being used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazardous conditions; noise or vibration; smoke, dust, fumes, odor or other forms of air pollution; electrical or other disturbances; glare or heat; or the disposal of liquid or solid wastes or refuse contrary to the environmental regulations of the Town of Babylon; conditions conducive to the breeding of rodents or insects; or other dangerous or objectionable elements in an amount or manner so as to adversely affect the surrounding area

Uses within the PIP-2 Zoning District shall be in conformance with Suffolk County Department of Health Services Articles 7 and 12 for the location within Suffolk County Hydrological Zone I, a groundwater deep recharge zone.

§ 213-592 Property maintenance.

- A.** The property will be maintained in a professional manner and ensure that the property, including buildings, improvements and appurtenances are safe, aesthetically pleasing, clean, and neat condition and shall comply in all respects with all governmental requirements.
- B.** All tenants shall keep outdoor areas, including paved parking and landscaped areas, neat, well maintained, and free and clear of debris.
- C.** All solid waste containers are to be stored inside the building structure or within adequately screened enclosures to be approved by the Planning Board through the site plan review process. Trash compactors may be installed within loading bays. Solid waste shall never be disposed of on the property or by burning in open fires or incinerators. There shall be no solid waste storage in areas facing a public road or park.
- D.** During construction, the site shall be kept in a reasonably clean and neat condition, and all solid waste and construction and demolition debris shall be managed on site and periodically

removed, with final removal to be accomplished promptly after completion of such work. Stormwater management and erosion control facilities shall be maintained by the owner/operator in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP) and post construction stormwater covenants and restrictions for the duration of construction in accordance with Chapter 189 of the Town Code.

- E. All buildings, structures, signs, and landscaping shall be maintained in accordance with the provisions of this article and all other applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.

§ 213-593 Reserved.

§ 213-595 Penalties for violations.

The penalties for violations of this section shall reflect those enumerated in **§ 213-345**.