



## Adirondack Park Agency

**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

### MEMORANDUM

TO: Terry Martino, Executive Director

FROM: Kathy Regan, Deputy Director, Planning  
*KOR*

DATE: October 6, 2016

RE: Town of Queensbury Local Land Use Program Amendment

The Town of Queensbury seeks Agency review and approval to amend its local land use program. The Town proposes to amend its zoning code to add the use "Interior Storage Facility" and allow that use by Special Use Permit in the Neighborhood Commercial District and also add applicable standards for the use. In addition the Town proposes to amend its sign regulations to allow for LED signs for the purposes of fuel pricing. The Town also proposes to add a definition of "Indoor Firing Range" which is a subset of the defined term "Sportsmen's Club/Firing Range." The Town has proposed other changes to their zoning code at this time, however, those amendments apply to areas outside of the Adirondack Park and therefore are not subject to review.

Queensbury has administered an Agency-approved local land use program since 1982. The zoning law underwent a complete repeal, replacement and approval in 2009. Several minor amendments have been approved in the past few years to amend or clarify the 2009 zoning law.

### Proposed Changes

The Town of Queensbury proposes to amend its zoning law to address the issue of storage facilities. They have amended their definition of "Self-Storage Facility" and added a definition for "Interior Storage Facility." The new use has been added to the Neighborhood Commercial District by Site Plan Review and there are specific standards for the use that have been added to Section 179-10-070.

Queensbury has proposed adding a definition of "Indoor Firing Range" as a subset of "Sportsmen's Club/Firing Range." The use is referenced in Section 179-10-070 but was not defined. They have also added a 600 foot buffer zone for Indoor Firing Ranges and have added noise standards.

The Town has also proposed to amend portions of its sign standards in Chapter 140. The amendment proposes to prohibit Window Signs for Interior Storage Facilities in the

Neighborhood Commercial District (Section 140-7(C)). In addition the Town has proposed to amend Section 140-3(Q) to allow for LED signs on fuel pumps.

Queensbury submitted the proposed amendment to the Agency for review and approval pursuant to APA Act §807, by resolution 322-2016 dated September 26, 2016. A copy of the resolution and amendment are attached.

### **Staff Review and Comment**

The Neighborhood Commercial District covers several parcels in Moderate Intensity Use and two parcels in Low Intensity Use. The proposed amendment does not affect the Agency's Class A jurisdiction. Adding the use of Interior Storage Facility allows for the re-use of existing structures in the Neighborhood Commercial District without changing the outward appearance or character of the building.

Indoor Firing Ranges were already referenced in the zoning code in Section 179-10-070 but were not specifically defined. The definition of "Sportsmen's Club/Firing Range" did contemplate indoor ranges as it included "...that a firing range is considered any facility either out-of-doors or within a building..." Since the use was already accounted for in the zoning code, a more detailed definition does not change the Town's use lists. In addition the standards for setbacks and noise helps ensure that the use is compatible with the neighborhood in which it may be proposed.

The allowance of LED signs on fuel pumps has included provisions to mitigate any impacts of this form of illuminated signs. The fuel pump LED signs are also restricted to only contain the pricing information which is required by law.

There are several other zoning changes proposed by the Town at this time, however, they affect areas outside of the Adirondack Park and are therefore not subject to review and approval by the Agency.

Based on its review of the proposed amendment, staff believe that the proposal complies with the standards for approval of an amendment to a local land use program set forth in APA Act §807(2). Specifically, the proposed amendment is "supportive of and in furtherance of the land use and development plan," is compatible with the "character description and purposes, policies and objectives," and "reasonably applies the classification of compatible uses lists in the light of the needs and conditions of the local government."

### **Conclusion**

As explained above, Agency staff believe that the Town of Queensbury's proposed amendment complies with the standards for approval set forth in APA Act § 807(2). Accordingly, Agency staff recommend approval of the proposed amendment.