

**LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2025**

**OF THE TOWN OF LIMA**

A local law to amend and supersede as applicable the zoning map of the Town of Lima, Livingston County, New York, as officially adopted to create a general business overlay zone to add certain permitted uses and associated regulations relating to general business use for a limited portion of the Town that is otherwise zoned as Agricultural Use District, and to modify certain provisions of the Zoning Ordinance of the Town of Lima to effectuate such overlay zone.

Be it enacted by the Town Board of the Town of Lima as follows:

**SECTION 1. TITLE AND SCOPE.**

This local law shall be known as ***AA local law to amend and supersede as applicable the zoning map of the Town of Lima as officially adopted to create a General Business Overlay Zone, to add certain permitted uses and associated regulations relating to general business use for a limited portion of the Town that is located on the east side of Plank Road otherwise zoned as Agricultural Use District, and to modify certain provisions of the Zoning Ordinance of the Town of Lima to effectuate such overlay zone. @***

**SECTION 2. CREATION OF NEW ARTICLE XVII GENERAL BUSINESS OVERLAY ZONE.**

A new Article XVII of Chapter 250 of the Zoning Ordinance of the Town of Lima is hereby added and shall read as follows:

**“Article XVII General Business Overlay**

§250-122. Authority.

- A.** The Town Board of the Town of Lima adopts this Local Law pursuant to the authority granted to the Town Board under Chapter 250, Article I, §250-2 of the Town of Lima Zoning Ordinance and New York State Town Law §§264 and 265.

§250-123. Legislative Intent.

- A.** The Town Board of the Town of Lima recognizes that allowance of appropriate business and commercial uses within the Town of Lima is a desirable and

appropriate land use on a limited basis in certain geographic areas that are otherwise zoned as Agricultural Use District but on properties that are otherwise not conducive to agricultural uses as permitted within an Agricultural Use District.

- B.** To these ends, this local law and the zoning map that it amends and supersedes as applicable are designed to:
- (1)** Balance various forms of development that are desirable by the public while protecting the primarily rural and agricultural character of the Town;
  - (2)** Protect property values by regulating uses, buildings and structures that may impact the character of the Town and affect neighboring properties;
  - (3)** Minimize conflicts among the various land uses, both now and in the future; and
  - (4)** Protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of Lima.

**§250-124. Creation and Boundaries of General Business Use Overlay Zone.**

- A.** A General Business Use Overlay Zone is hereby created, the bounds of which shall encompass the entirety of the following properties:
- 2419 Plank Road (NYS Route 15A) - Tax Map # 47.-1-29.11 (7.51+/- acres)  
2427 Plank Road (NYS Route 15A) - Tax Map # 47.-1-27 (approx. 200' x 167')  
2453 Plank Road (NYS Route 15A) - Tax Map # 47.-1-26 (1.15 +/- acres)  
2459 Plank Road (NYS Route 15A) - Tax Map # 47.-1-25 (approx. 120' x 167')  
2463 Plank Road (NYS Route 15A) - Tax Map # 47.-1-24 (approx. 100' x 167')
- B.** Within the General Business Use Overlay Zone, all of the underlying land use district regulations shall remain in effect except as specifically modified by the provisions of this Article XVII.
- C.** All commercial or business use undertaken within the General Business Use Overlay Zone shall be governed by the provisions of Article VI General Business Use District B, excepting that in addition to the provisions thereof, any development of a commercial or business use within the General Business Use Overlay Zone created hereby shall only be permitted following issuance of a Special Use Permit upon approval of the Zoning Board of Appeals (pursuant to Article XIII, §250-65).

**SECTION 3. AMENDMENTS TO ARTICLE IV, §250-11 AGRICULTURAL DISTRICT (A) Prohibited uses.**

The current Article IV, §250-11 of the Zoning Ordinance of the Town of Lima is hereby amended to add a new subsection “T.”, which shall read as follows:

“T. Such uses as may be permitted within the General Business Overlay Zone as set forth in Article XVII (which may allow, with issuance of a special use permit, uses permitted by Article VI General Business Use Districts B).”

**SECTION 4. AMENDMENTS TO ARTICLE IV, §250-12 AGRICULTURAL DISTRICT (A) Prohibited uses.**

The current Article IV, §250-12 of the Zoning Ordinance of the Town of Lima is hereby entirely repealed and is hereby replaced with the following new §250-12:

“§250-12 **Prohibited uses.**

Explicitly prohibited uses, and any use not specifically set forth in §250-11 above as a permitted use, permitted use with special use permit, or pursuant to the General Business Overlay Zone as set forth in Article XVII (which may allow uses permitted by Article VI General Business Use Districts B), shall be prohibited within Agricultural Use Districts A.

**SECTION 4. AMENDMENTS TO OFFICIAL ZONING MAP REFERENCED IN ARTICLE II. ESTABLISHMENT OF DISTRICTS; ZONING MAP.**

The Official Zoning Map as referenced in Article II, §250-5 is hereby amended to include the General Business Overlay Zone created by this Article XVII and shall become a part of the Zoning Ordinance of the Town of Lima.

**SECTION 5. INCORPORATION OF AMENDED OFFICIAL ZONING MAP INTO TOWN OF LIMA ZONING ORDINANCE.**

- A. The Official Zoning Map of the Town of Lima as amended by this local law shall be incorporated into the Zoning Ordinance of the Town of Lima.
- B. The Official Zoning Map of the Town of Lima as amended by this local law shall be on file in the Office of the Town Clerk.

**SECTION 6. EFFECTIVE DATE.**

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.