LOCAL LAW NO.: 2 - 2026

LOCAL LAW AMENDING THE DEWITT TOWN ZONING CODE CHAPTER 192, AS HAS PREVIOUSLY BEEN AMENDED, TO ESTABLISH NEW DEFINITIONS FOR THE "WHOLESALE RETAIL CLUB" LAND USE AND RELATED "GAS PUMPS, ACCESSORY" LAND USE IN §192-14, APPLY SUCH DEFINITIONS/LAND USES TO THE BUSINESS ZONING DISTRICT, HIGH TECH ZONING DISTRICT AND INDUSTRIAL ZONING DISTRICT AS SET FORTH HEREIN, AND ESTABLISH A NEW §192-87.1 SETTING FORTH RULES AND REGULATIONS FOR THE "GAS PUMPS, ACCESSORY" LAND USE ENTITLED "ACCESSORY GAS PUMPS"

NOW, THEREFORE, be it enacted by the Town Board of the Town of DeWitt as follows:

Section 1: The DeWitt Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, is hereby further amended to include new definitions of "Gas Pumps, Accessory" and "Wholesale Retail Club" in §192-14, as follows:

GAS PUMPS, ACCESSORY

A structure and/or land use for dispensing of automotive gasoline fuel, typically consisting of gasoline fuel dispenser units with attached gasoline fuel nozzles on two sides thereof, intending to serve one user on each side, and being accessory and incidental to, integrated with, and on the same lot as a WHOLESALE RETAIL CLUB only, wherein the dispensing of automotive gasoline fuel is limited to only vehicles identified and defined per New York State Department of Transportation "Vehicle Classification Codes": F1 Motorcycles; F2 Passenger Cars; F3 Other Two-Axle, Four-Tire, Single Unit Vehicles. GAS PUMPS, ACCESSORY shall not include VEHICLE SERVICE (GAS) STATION or GARAGE, COMMERCIAL OR PUBLIC. Gasoline fuel dispenser units greater in number than 16 or with greater than 32 fueling positions are not accessory and incidental to and integrated with WHOLESALE RETAIL CLUB.

WHOLESALE RETAIL CLUB

A single, free-standing specific type of Retail Store, exceeding one hundred and fifty thousand (150,000) square feet in gross floor area, which operates exclusively on a paid membership basis, allowing only members to purchase services and also goods and food items in bulk quantity and/or with wholesale packaging and pricing, within a warehouse-style format.

Section 2: The DeWitt Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, is hereby further amended to apply the new definitions set forth in Section 1 herein to §§192-48, 192-49, 192-56, 192-57, 192-60, and 192-61, as follows:

1. Article XI Business District, add to §192-48 Permitted structures and uses:

   JJ. Wholesale Retail Club

2. Article XI Business District, add to §192-49 Specific permit uses:

   B. Gas Pumps, Accessory

3. Article XIII High Tech District, add to §192-56 Permitted structures and uses:

   GG. Wholesale Retail Club

4. Article XIII High Tech District, add to §192-57 Specific permit uses:

   F. Gas Pumps, Accessory

5. Article XIV Industrial District, add to §192-60 Permitted structures and uses:

   WW. Wholesale Retail Club

6. Article XIV Industrial District, add to §192-61 Specific permit uses:

   J. Gas Pumps, Accessory

Section 3: The DeWitt Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, is hereby further amended to establish a new §192-87.1 entitled "Accessory Gas Pumps," as follows:

§192-87.1 Accessory Gas Pumps.

Accessory Gas Pumps shall be subject to the following general requirements:

A. The site where the Accessory Gas Pumps are located may include up to two small accessory buildings of not greater than 300 square feet of aggregate floor area of both buildings, for the sole purpose of processing payments for automotive gasoline fuel and associated automotive products, employee restroom and the storage of gas pump operational equipment and supplies, provided that neither building shall be used for any other retail or non-gas sales purpose.

B. Accessory Gas Pumps must be located on the same lot as a Wholesale Retail Club.

C. Accessory Gas Pumps shall be only in the gas pump area, which is measured from the outer edges of the most exterior gas pumps, and shall not exceed 10,000 square feet.

D. No such accessory use shall be located closer than 100 feet from any residential lot or residential district boundary line as measured from the nearest lot lines.

E. No open-air outdoor storage of merchandise or materials shall be permitted unless approved through Site Plan Review.

F. Adequate screening shall be provided for Accessory Gas Pumps.

G. All signage for accessory use shall be included in the square footage requirements of §192-106(F)(3). The following additional requirements shall apply with respect to signage:

   a. No greater than one identifying sign may be placed on the canopy overhanging the Accessory Gas Pumps.

   b. The façade on the canopy overhanging the Accessory Gas Pumps shall be limited to a color scheme architecturally compatible with the primary use.

   c. The individual pump island signage may include the following: pump island numbers, fuel prices, safety information and a single logo no larger than two (2) square feet for fuel name on each side of the pump.

   d. Product display advertising on Accessory Gas Pumps is not permitted.

H. Any proposal for Accessory Gas Pumps as an accessory use to a Wholesale Retail Club shall also include a minimum of four (4) Direct Current Fast Charging (DCFC) EV Charging Stations appropriately located in the vicinity of the Accessory Gas Pumps on the same lot, which shall be a condition of approval of the Accessory Gas Pumps.

I. Branding of Accessory Gas Pumps shall be consistent with the primary structure of the Wholesale Retail Club.

Section 4: The DeWitt Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, remains in full force and effect except as hereinabove amended.

Section 5: This Local Law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State.