

CHAPTER 109
SITE PLAN REVIEW
Draft dated 1/8/2026

§ 109-1. Purposes and Objectives of Site Plan Review

The provisions of this chapter are designed to assure that the design and layout of particular land uses on a lot, whether such use is a permitted, special permit or accessory use, will be such as to ensure the public safety and convenience, will be compatible with man-made and natural features on and off the lot and will, in all cases, comply with the letter and spirit of those provisions of the Town Code which pertain to such design or layout and of those provisions pertaining to the use itself.

§ 109-2. Definitions.

Unless otherwise stated herein, the definitions and word usage set forth in § 133-1 of the Town Code shall apply to this chapter.

§ 109-3. Applicability.

The following specified land uses and activities shall be subject to site plan review and shall require site plan approval by the Planning Board. No land clearing, grading of land, or any other work in preparation for these regulated uses may take place until site plan approval has been granted by the Planning Board.

A. Residential zoning districts.

(1) Any use of land requiring a special permit, as well as the erection, construction, moving or enlargement of a building or structure used by a special permit use.

~~(2) Any clearing or grading of a lot or land sufficient in size to require a building permit under the provisions of this chapter, unless said clearing or grading is a necessary and integral part of another activity, such as most single family residence construction, for which a building permit has been issued, and which does not itself require site plan approval. DELETED.~~

~~(3) Garage, lawn and porch sales exceeding three days in duration. DELETED.~~

(2) With respect to any nonconforming commercial use, any activity, change or use requiring a building permit, a special permit or a variance hereunder. This provision shall not be deemed to apply to nonconforming structures on lots which only contain conforming uses.

(3) The erection or construction of any permanent building used primarily for sale of agricultural produce and which has a gross floor area greater than 500 square feet, and the erection or construction of any addition to a permanent agricultural building which increases the gross floor area of that building to an amount more than 500 square feet greater than the building's gross floor area on the date this provision was enacted, plus any structures whose

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erection, construction or installation is integrally related to the foregoing buildings, greenhouses or additions (e.g., driveways, parking areas).

B. Business and restricted business zoning districts:

(1) Any activity or land use which requires a building permit hereunder for the erection, construction, moving or enlargement of a building or structure. This provision shall not be deemed to apply to one-family or two-family dwellings, additions thereto, or buildings accessory to said dwellings, which are situated in a business or restricted business district.

(2) Any change from one category of permitted or special permit use as specified in Chapter 133 ("Zoning") to another listed category of permitted use, if such change in use increases site parking requirements ~~or requires approval of the wastewater disposal system by the Suffolk County Department of Health Services.~~ **DELETED Cross-Out Text.**

(3) Any use of land requiring a special permit.

(4) Any other activity or **physical alteration** which increases the occupancy limits of a building or increases site parking requirements. This provision shall not be deemed to apply to one-family or two-family dwellings or additions thereto.

(5) ~~All clearing and grading.~~ **DELETED, unless decision is later made to regulate land clearing or grading beyond a certain amount.**

(5) The construction or expansion of any parking area servicing a commercial property.

C. In every zoning district: any activity or use made subject to site plan review as a condition of any permission or approval granted by any local agency.

§ 109-4. Review Authorized; Approval Required.

A. Authorization. The Planning Board is hereby authorized to review and approve site plans for the activities and land uses listed herein. No person shall undertake or carry out any such activity or use, including any grading, clearing or tree removal associated therewith, without first having obtained site plan approval therefor, pursuant to the provisions of this chapter.

B. Building permits. No building permit required for any such activity or use, including clearing or regrading of land or the erection, construction, alteration, demolition or moving of any structure, shall be issued until the required site plan approval shall have been granted and the conditions of the approved site plan thereafter certified as having been met by the Planning Board Chair. Such certification shall occur only after all those conditions contained in the resolution of approval or imprinted on the site plan by or on behalf of the Planning Board, which are required to be complied with by the applicant before issuance of a building permit, have been met.

C. Certificates of occupancy. No certificate of occupancy shall be issued until all requirements and conditions of the site plan approval have been implemented and an as-built survey, including thereon the location of all buildings, structures and curb cuts, has been submitted to the Building Inspector. In the alternative, the Building Inspector may issue a certificate of occupancy upon the Town Board's receipt and acceptance of an undertaking to complete certain requirements or conditions of site plan approval (such as landscaping or paving work) by a date certain, as allowed by § 109-12 G hereof. In any such case, the Town Board shall have accepted a cash deposit or other acceptable surety, along with an undertaking to complete the specified requirements or conditions on or before the specified date certain. Unless such time is extended by resolution of the Town Board, if the requirements of site plan approval have not been completed by such date, any certificate of occupancy which shall have been issued shall automatically become null and void. The determination of the Town Board as to whether such requirements have been completed shall be based on a recommendation from the Building Department and shall be final and binding where the same have not been completed before issuance of the certificate of occupancy.

§ 109-5. Exceptions.

The following uses and activities shall not require site plan review and approval, to the extent indicated:

- A. Ordinary repair or maintenance of existing structures or uses.
- B. Fuel tanks, fuel dispensers, and hazardous materials storage facilities. Site plan review shall not be required for the demolition, removal, or replacement of existing fuel tanks, fuel lines, fuel dispensers, or other hazardous or toxic materials storage facilities where such demolition, removal, or replacement is required by Article 12 of the Suffolk County Sanitary Code, provided that approval of such work has been obtained from the Suffolk County Department of Health Services.

§ 109-6. Effect on Existing Uses.

The provisions of this chapter shall not apply to uses and structures which are lawfully existing as of the effective date of this chapter or any amendment thereto which pertains to such existing uses or structures. Any use which would otherwise be subject to the provisions of this chapter and which has been discontinued for a period of two or more years shall require site plan review and approval pursuant to this chapter before such use may be resumed. Any use or structure shall be considered to be lawfully existing if the same has been substantially commenced as of the effective date of this chapter or any pertinent amendment thereto and is fully constructed and completed within one (1) year from said effective date.

§ 109-7. Site Plan Application Procedure.

- A. Preliminary site plan applications. The purpose of preliminary site plan review is to enable the applicant to examine a forthcoming site plan submission with the Planning Board prior to the applicant committing substantial effort or expense toward the plans and details necessary for a formal site plan application. The submittal of a preliminary site plan application

is discretionary with the applicant. Preliminary site plan review shall not be subject to statutory time constraints. Any preliminary site plan approval may be granted by letter of the Planning Board Chair and shall be advisory only. Any preliminary site plan application shall include the following:

(1) Ten (10) copies of a preliminary site plan which includes the elements listed in Subsection B herein, except that final drainage solutions, details of sewerage disposal systems, and lighting and landscaping details need not be provided.

(2) (Reserved.)

B. Required site plan elements. The site plan shall include the elements listed herein, unless one or more of these elements are waived by the Planning Board upon request of the applicant and for good cause shown.

(1) Legal data.

- a. The name and address of the owner of record.
- b. The name and address of the person, firm or organization preparing the map, sealed with the applicable New York State license seal and signature.
- c. Property lines, showing directional bearings and distances, as well as the property's lot area.
- d. The date of the site plan or any revision thereto, the North arrow, and a written and graphic scale at a minimum of one inch equals 40 feet.
- e. The locations, names and existing widths of adjacent streets.
- f. The location and owners of all adjoining lands and those lands directly across the street, as shown on the most recent tax assessment records.
- g. The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to the public use within or adjoining the property.
- h. A complete outline of existing easements, deed restrictions or covenants applying to the property.
- i. Existing zoning of the property.

(2) Natural features.

- a. Existing contours with intervals of two feet (2') or less referencing 1988 NAVD datum or other datum satisfactory to the Planning Board. In addition, spot elevations will be required where contour elevations are less than two feet (2') on the site.
- b. The approximate boundaries of any areas subject to flooding or stormwater overflows including FEMA flood hazard zones.
- c. The location of existing natural features, such as water bodies, drainage courses, fresh and salt marshes, coastal dunes, bluffs, beaches, and woodlands. The site plan shall including mapping of all existing trees that are greater than 12 inches in diameter at 3 feet in height.

- d. The location of any existing cultural features.
- (3) Existing structures and utilities.
- a. Outlines of all building and other structures, with floor area for each floor of all existing buildings, structures, and uses, and including finished floor elevations, and the location of all uses not requiring structures.
 - b. Paved areas, including parking areas, sidewalks and vehicular access between the site and public streets. Stone or gravel surfaces shall be considered paved for the purposes of this requirement.
 - c. Locations, dimensions, grades and flow direction of any existing culverts or stormwater pipes, as well as other underground and aboveground utilities within and adjacent to the property.
 - d. Other existing development, including fences, landscaping and screening.
 - e. The location and use of all buildings and structures within 200 feet of the boundary of the subject property.
 - f. The location and distance of the closest fire hydrant or fire cistern.
- (4) Proposed development.
- a. The location of proposed buildings or structural improvements, indicating setbacks from all property lines and horizontal distances from existing structures, with proposed floor area for each floor of all existing buildings, structures, and uses, and including proposed finished floor elevations.
 - b. Elevations of all proposed buildings and structures, at a scale and with detail sufficient to show the design character of the proposed buildings and structures, the exterior materials contemplated for use on these buildings and structures, the proposed heights of the buildings and structures, roofs and overhangs, any special design features, and (where applicable) details of bulkhead and dock construction.
 - c. The location and design of all uses not requiring structures, such as off-street parking and loading areas and pedestrian circulation, including dimensions of parking spaces, aisles and street approaches, the general circulation pattern with directional movement shown, proposed curb cuts, traffic safety devices, sidewalks, curbing, paving, drainage structures and their respective specifications. Parking calculations shall be shown and methods used for computing parking and drainage requirements shall be provided.
 - d. The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.
 - e. The location and plans for any outdoor signs, which must be in accordance with applicable sign regulations.
 - f. Grading and drainage plans shall be based on retention of a two-inch rainstorm over a 24-hour period; drainage calculations, contours and spot grade elevations are to be shown.

- g. Proposed landscaping, buffering and street tree plans, including tree type, proposed height as planted, quantity and location. A list of plantings shall also be provided.
- h. The location of public water connection or private well and sewer mains or sanitary systems, electrical service and cable telecommunication installations, locations of water valves and hydrants, and/or any other utilities.
- i. An indication that all storage areas for materials, vehicles, supplies, products or equipment shall be located in either a side or rear yard in compliance with this chapter and that such areas will be adequately fenced or screened.
- j. If the site plan only indicates a first stage, a supplementary plan indicating ultimate development of the property.
- k. The locations of any proposed fire hydrants, cisterns, wells or other fire-protection devices.
- l. Any other information deemed by the Planning Board to be necessary to determine conformity of the site plan with the spirit and intent of this chapter or of Chapter 133.

C. Formal site plan procedure. An application for formal site plan approval shall be submitted, together with the appropriate fee, to the Building Inspector, who shall review the same for prima facie completeness, conformity with the New York State Uniform Fire Prevention and Building Code and for conformity with Chapter 133. Within 21 business days after receipt of the application, the Building Inspector shall certify on each site plan or amendment thereto whether or not the plan conforms to the foregoing requirements. The site plan application shall be made on the form for the same prescribed by the Planning Board and shall consist of the following:

- (1) Ten (10) copies of the signed and completed application,
- (2) Ten (10) copies of an Environmental Assessment Form Part 1, where required by the State Environmental Quality Review Act ("SEQRA") and Chapter 60 ("Environmental Quality Review") of the Town Code,
- (3) Ten (10) copies of a current survey prepared by a licensed surveyor, drawn at a minimum scale of one inch equals 40 feet,
- (4) Ten (10) copies of the site plan (if separate from the survey), drawn at a minimum scale of one inch equals 40 feet,
- (5) Building plans and elevations, where applicable, and
- (6) Any other submission or exhibit required by this chapter or by Chapter 133 ("Zoning") of the Town Code, or which may be subsequently required by the Planning Board.

D. Initial Planning Board review. The Planning Board shall commence its review of the site plan upon receipt of the Building Inspector's certification that the application complies with the State Fire Prevention and Building Code and with the provisions of Chapter 133. If the application needs one or more variances from the provisions of Chapter 133, those variances shall be identified in writing by the Building Inspector. While the Planning Board may review a site plan for which one or more zoning variances are needed, such application shall not be deemed complete until and unless the necessary variances have been granted by the Zoning Board of Appeals.

E. Determination of completeness and SEQRA compliance. The Planning Board shall initially determine if the site plan application is complete, or whether the board requires additional information from the applicant. If the board finds that additional information is needed for a proper review of the site plan, it shall so inform the application by letter of the Planning Board Chair setting forth what additional information the board seeks. Notwithstanding any other provision of law, no site plan application – other than an application which is classified as a Type II action pursuant to the State Environmental Quality Review Act ("SEQRA") – shall be deemed complete until either a negative declaration has been made for the application pursuant to SEQRA and Chapter 60 of the Town Code or, if a positive declaration has been made, until a draft environmental impact statement ("DEIS") has been accepted by the Planning Board (or other lead agency) as satisfactory with respect to scope, content, and adequacy. Reasonable time shall be allowed for compliance with SEQRA, including the preparation of a final environmental impact statement ("FEIS").

F. Public hearing. The Planning Board shall hold a public hearing on a formal site plan application, other than a minor site plan application as detailed below, within 62 calendar days of the board's determination that the application is complete. Notice of said public hearing shall be given as follows:

- (1) The Planning Board shall advertise a public hearing at least 10 days before the date of such hearing by publication of a hearing notice in the official Town newspaper.
- (2) At least 10 days before the date set for the public hearing the applicant or his or her agent shall erect or cause to be erected a sign or signs which shall be displayed on the property upon which the application is made, facing each public or private street on which the property abuts, giving notice that a site plan application has been made to the Planning Board, and stating the time and place where the public hearing will be held. The sign(s) shall not be located more than 10 feet from the street line and shall not be less than two nor more than six feet above the natural grade at the street line. The sign(s) shall be displayed for not less than 10 days immediately preceding the public hearing date. The applicant or his or her agent shall file an affidavit with the Planning Board confirming that he or she has complied with the provisions of this subsection. Failure to submit such affidavit shall result in the adjournment of the public hearing.

- (3) At least 10 days before the date set for the public hearing the applicant or his or her agent shall mail notice of the time, date, place, and nature of the hearing to the owners of record of every property which abuts and every property which is within 200 feet of the property involved in the application. Such notice shall be made by certified mail, return receipt requested, and shall be addressed to the owners of such properties at the addresses listed for them on the local assessment rolls. On or before the commencement of the public hearing, the applicant shall file a radius map and an affidavit with postal receipts annexed thereto confirming mailing of said notices. Failure to submit such affidavit shall result in the adjournment of the public hearing.
- G. Planning Board determination. Within 62 calendar days from the close of the public hearing, the Planning Board shall adopt a written determination to approve, with or without conditions, or disapprove, the site plan application as heard by the board. A copy of this determination shall be transmitted to the applicant, the applicant's agents (if any), and to the Building Inspector.

§ 109-8. Minor site plans.

Notwithstanding the provisions of § 109-7 F hereof, the Planning Board may, in its sole discretion, waive the holding of a public hearing on a site plan application which meets each and every one of the following conditions:

- A. Preexisting structures or prior site plan approval. The proposed minor site plan involves an addition or an alteration to a legally preexisting building or structure or would be a modification of a previously approved site plan.
- B. Lot coverage. The proposed site plan will not increase lot coverage by more than 10% of existing lot coverage or by more than 500 square feet, whichever is less.
- C. Building area. The proposed site plan will not increase building area on the property by more than 10% of existing building area or by more than 500 square feet, whichever is less.
- D. Floor area. The proposed site plan will not increase the gross floor area of all buildings on the property by more than 10% of existing gross floor area or by more than 500 square feet, whichever is less.
- E. Conformance to chapter. The proposed building or other structure does not require a variance from any provision of Chapter 133. **[QUESTION – Do you want the need for a variance to preclude possible minor site plan review?]**
- F. Change of use. If applicable, a change from one legally preexisting use to another use which is allowed in the zoning district in which the property is located and in which the resulting increase in site parking requirements, if any, will not increase lot coverage by more than 10% of existing lot coverage or by more than 500 square feet, whichever is less.

G. The Planning Board finds that waiving a public hearing on the application by processing it as a minor site plan application will not be deleterious to the public interest because there are no planning or environmental concerns which would warrant holding a public hearing. In making this determination the Planning Board shall consider the following factors:

- (1) The size of the subject property;
- (2) The proximity of the subject property to wetlands, endangered plant and animal species or habitat, or other environmentally sensitive areas, and the potential impact of the site plan upon the natural environment;
- (3) The extent of the proposed development and/or disturbance of the property;
- (4) The potential impact of the site plan, if any, on nearby properties (especially residential properties) and adjoining roads or highways and traffic conditions thereon; and
- (5) Compatibility of the proposed development with the recommendations of the Town of Shelter Island Comprehensive Plan.

H. Public controversy. The application has caused no significant public controversy.

§ 109-9. Standards.

In reviewing a site plan submitted to it under this chapter, the Planning Board may call upon expert advice in varied disciplines to assist the board in making its determination. The board shall seek to further the overall purposes and goals of this chapter, and of other applicable provisions of the Town Code and State law. More particularly, it shall make certain that any development plan it approves hereunder conforms to the following:

A. Physical compatibility. The rural, open space environment of the Town shall be fostered by preserving, wherever possible, large trees, scenic vistas and other natural features of the site. Extensive clearing and grading shall be avoided to the extent possible. Screening with trees or other plantings may be required for parking and other disturbed areas which are created. Where necessary or appropriate, a landscaping plan demonstrating that suitable vegetation will be planted and nurtured may be required by the Planning Board. Such plan, when submitted by the applicant and approved by the Board, shall become a part of the approved site plan.

B. Protection of residential areas. When the site is located adjacent to dwellings or is located within or adjacent to a residential zoning district, appropriate buffer landscaping, natural screening and/or fencing shall be provided in order to protect neighborhood tranquility, community character, and property values.

C. Parking. Parking areas and driveways shall be designed and constructed so as to prevent ponding and the off-site discharge of stormwater. All drainage structures, paving, access

driveways and parking areas shall be laid out and constructed in accordance with the standards for such facilities contained in Chapter 133 of this Code. Whenever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be visible from public or private roads and highways.

D. Access. Vehicular ingress and egress, interior traffic circulation, parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency.

E. ~~Lights. Lighting facilities and lighted signs shall be placed and shielded in such a manner as not to cause direct light to shine on other properties and shall not be permitted to create a hazard upon a public road or highway. In order to lessen the impacts of any proposed exterior lighting on public safety, adjacent property (especially residential property), the natural environment and the general appearance of the Town, all lighting shall conform to the following standards:~~

~~(1) — Location of light fixtures. All exterior light fixtures shall be located so as to minimize or avoid glare and the adverse effects of exterior lighting on nearby properties, especially residential property. Full cutoff light fixtures shall be used for all light sources.~~

~~(2) — Mounting height. Light fixtures shall be mounted at the lowest practical height, taking into account the area to be illuminated and the relationship between the mounting height and the number of fixtures required to illuminate that area.~~

~~(3) — Type of lamp. The following types of lamps shall not be permitted:~~

~~a. — Mercury vapor;~~

~~b. — Neon, unless legally preexisting;~~

~~c. — Laser; and~~

~~d. — Any light source with a color temperature greater than 3000 Kelvin (K).~~

~~(4) — The Planning Board shall have the power to vary or modify any of these lighting standards or requirements, where appropriate, provided that the Board finds that doing so will not negate the purposes of this subsection. **DELETED; covered by Chapter 83.**~~

E. Water supply; fire protection; waste disposal. Provisions for water supply, for fire protection and for sewage, garbage and other waste disposal are adequate to the use, will ensure the health and safety of persons on and off the site and will not result in the avoidable depletion or degradation of the groundwater supply or harm to surface water bodies, watercourses, wetlands or other natural features or systems.

F. The Planning Board shall seek to protect public views and shall insure that proposed site plans comply with any applicable existing agricultural, scenic, or conservation easements, and purchase of development rights agreements, to which the Town of Shelter Island, a private conservation organization or a homeowners' association is a grantee or a party and, in addition, that any such instruments filed upon adjoining properties are not unduly impaired by the proposed site plan.

G. Streetscape. In order to maintain the Town's rural character, commercial development along Ferry Road and all other roads shall maintain, where appropriate, roadside green spaces. The Planning Board shall ensure that new and reconstructed buildings in business and restricted business districts shall be sited in a manner that protects the established character of the district.

§ 109-10. Effect of Approval.

A site plan approval granted in accordance with the provisions of this chapter shall authorize only the particular lot layout or configuration depicted on the approved site plan. No other lot layout or configuration shall be permitted to be created or maintained. A continuing use authorized by a site plan approval and undertaken or begun during the period of validity of such approval shall thereafter be deemed lawful, as if the same were permitted by this chapter without the need for site plan review; provided, however, that all conditions imposed as part of site plan approval, unless by their express terms of limited duration, shall continue to apply.

§ 109-11. Validity of Approval and Extensions of Time.

A site plan approval shall be valid for a period of two years from the date on which the Planning Board Chair certifies that all conditions of the site plan approval have been met pursuant to § 109-4 B hereof. All work proposed on the plan shall be completed and a certificate of occupancy shall be obtained within two years from the date on which a building permit is issued. The Planning Board may by resolution extend its site plan approval for additional one-year periods without the necessity of a new site plan application.

§ 109-12. Fees and Deposits.

The following shall govern the submission of site plan review fees and deposits:

- A. Application fee. Applicants shall submit the requisite fees with an application for a site plan or minor site plan application, in an amount established from time to time by resolution of the Town Board.
- B. There shall be no fee associated with a preliminary site plan application.
- C. Expenses. Applicants shall be liable for and shall pay to the Planning Board all of its expenses reasonably and necessarily incurred in connection with its review of the application including, without limitations, all fees, costs and expenses for engineering, legal, and stenographic services, environmental and other consultant services, and all

recording fees that are reasonably and necessarily incurred in connection with the application.

- D. Initial deposit. The Town Board may from time to time by resolution establish and require deposits to be paid by applicants in connection with site plan applications, to secure the payment of the expenses required to be paid pursuant to this section. The expenses for which the applicant is responsible shall be deducted from the deposit accepted by the Town.
- E. Additional deposit. In the event, from time to time, that the amount on deposit with the Town is reduced to twenty five percent (25%) of its original amount prior to final determination of the application and receipt by the Town of all invoices for the expenses required to be paid pursuant to this section, the applicant shall deposit such additional funds as may be required to restore the amount on deposit to fifty percent (50%) of its original amount.
- F. Refund of unused deposit. In the event that the amount of the deposit shall exceed the expenses required to be paid pursuant to this section, upon final determination of the application and receipt by the Planning Board of all invoices for such expenses, the unused portion of the deposit shall be returned to the applicant.
- G. Undertaking and security in connection with a certificate of occupancy. In appropriate circumstances (e.g., landscaping or paving work which cannot be performed during certain seasons of the year), the Building Inspector may issue a certificate of occupancy to a person to whom site plan approval has been granted, provided that pursuant to § 109-4 C hereof said person has furnished a written undertaking to perform required work by a date certain and has posted a cash deposit or other acceptable security in an amount which the Town engineer deems sufficient to complete said work, and the Town Board in its discretion has accepted such undertaking and security. Failure to complete the required work in accordance with the undertaking, including any extensions thereof that may be approved by the Town Board, shall result in the certificate of occupancy automatically becoming null and void.

§ 109-13. Violations and Enforcement.

It shall be a violation of this chapter for any person, including any individual, corporation, partnership, limited liability company, association, or other legal entity to do any of the following:

- A. Failure to obtain site plan approval. To undertake or commence a use or activity for which site plan approval is required by the provisions of this chapter without having first obtained such approval.
- B. Failure to adhere to site plan. To alter or make improvements to property which has been the subject of a site plan approval without adhering to or following the approved site plan.

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C. Violation of conditions of site plan. To violate or fail to comply with a condition or requirement of a site plan approval issued pursuant to this article.

D. Continuing violations. Every such person shall be deemed guilty of a separate offense for each week that any aforesaid violation, disobedience, omission, neglect or refusal shall continue.

E. Penalties. A violation of the provisions of this section shall be punishable by a fine of not less than five hundred dollars (\$500) **or such greater amount as may be established by duly adopted resolution of the Town Board** ~~nor more than one thousand dollars (\$1,000)~~ or by imprisonment not to exceed fifteen (15) days, or both.

NOTE: I recommend also amending Chapter 133 ("Zoning") at § 133-1 B to add a definition of "FLOOR AREA, GROSS," which would read as follows:

FLOOR AREA, GROSS

A. For all buildings, the cumulative area in square feet of every story of a building, measured to the exterior face of the frame or masonry wall, but excluding porches, roofed patios, breezeways, basements and attics.

B. For all other structures, including porches and roofed patios attached to any building, the horizontal area of the structure in square feet, measured to its outermost extent.