

## ARTICLE IX

**Limited Business (LB) District**

**[Added 1-10-1989 by L.L. No. 1-1989<sup>1</sup>; amended 5-9-1989 by L.L. No. 6-1989; 8-1-1989 by L.L. No. 5-1989; 11-29-1994 by L.L. No. 26-1994; 2-7-1995 by L.L. No. 3-1995; 8-22-1995 by L.L. No. 18-1995; 10-19-1999 by L.L. No. 14-1999]**

**§ 280-40. Purpose. [Amended 4-22-2008 by L.L. No. 4-2008]**

The purpose of the Limited Business (LB) District is to provide an opportunity to accommodate limited business activity along highway corridors, but in areas outside the hamlet's central business areas, that is consistent with the rural and historic character of surrounding areas and uses. Emphasis will be placed on review of design features so that existing and future uses will not detract from surrounding uses. The additional uses must generate low amounts of traffic and be designed to protect the residential and rural character of the area.

**§ 280-41. Use regulations.**

In the LB District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

- A. Permitted uses. The following uses are permitted uses. All permitted uses except single-family and owner-occupied two-family residences require site plan approval. **[Amended 4-22-2008 by L.L. No. 4-2008]**
- (1) Any permitted use as set forth in and regulated by § 280-13A of the Agricultural-Conservation District, except wineries, which shall be as set forth in Subsection A(9) below.
  - (2) Retail businesses complementary to the rural and historic character of the surrounding area, limited to the following:
    - (a) Custom workshops and machine shops;
    - (b) Wholesale or retail sale and accessory storage and display of garden materials and plants, including nursery operations, provided that the outdoor storage or display of plants and materials does not obstruct pedestrian flow or vehicular traffic and does not occur within three feet of the property line.
    - (c) Libraries or museums.
  - (3) Professional and business offices.
  - (4) Funeral homes.
  - (5) Restaurants, except drive-in restaurants or formula restaurants.
  - (6) Repair shops for household, business or personal appliances, including cabinet shops,

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1. Editor's Note: This local law also repealed former Art. VIII, C Light Industrial District, as amended.

carpenter shops, electrical shops, plumbing shops, furniture repair shops and bicycle and motorcycle shops, landscaping and other service businesses.

- (7) Hotels.
  - (8) Retail uses supplemental to the service business establishment.
  - (9) Wineries which meet the following standards:
    - (a) Wineries shall be a farm winery licensed under New York State law from which wine made from primarily Long Island grapes is produced and sold.
    - (b) Wineries shall obtain site plan approval.
    - (c) Wineries shall have retail sales on site.
  - (10) Bed-and-breakfast uses as set forth in and as regulated by § 280-13B(14).
  - (11) Private warehousing.
  - (12) Indoor dog and cat care facilities.
- B. Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided and, except for Subsection B(5), are subject to site plan approval by the Planning Board: **[Amended 12-5-2017 by L.L. No. 20-2017; 6-7-2022 by L.L. No. 5-2022]**
- (1) Any special exception use as set forth in and regulated by § 280-13B of the Agricultural-Conservation District, except that wineries are not required to be in connection with a vineyard, and except bed-and-breakfasts.
  - (2) Contractors' businesses or yards, including but not limited to building, electrical and plumbing yards.
  - (3) Telephone exchanges.
  - (4) Antique, art and craft shops and galleries.
  - (5) Conversion of an existing building to apartments as set forth in and regulated by § 280-38B(6) of the Residential Office District.
- C. Accessory uses. The following uses are permitted as accessory uses and, except for residential accessory uses and signs, which are governed by Article XIX, are subject to site plan review:
- (1) Any accessory use as set forth in and regulated by § 280-13C(1) through (8) and (10) of the Agricultural-Conservation District, and subject to the conditions set forth in § 280-15 thereof.
  - (2) Outside storage of equipment, supplies and materials associated with any of the normal operations of the principal use, provided that the storage is adequately screened along the road frontage and contiguous residential lots with natural vegetation, landscaping, fencing and/or as shall be deemed appropriate by the Planning Board.

**§ 280-42. Bulk, area and parking regulations.**

- A. Except as otherwise provided herein, no buildings or premises shall be used and no building or part thereof shall be erected or altered in the LB District unless the same conforms to the Bulk Schedule and Parking and Loading Schedules incorporated into this chapter by reference, with the same force and effect as if such regulations were set forth herein in full.<sup>2</sup>
- B. The Planning Board may grant a limited waiver from the applicable bulk requirement for minimum lot size to a minimum of 40,000 square feet where it can be clearly demonstrated that the subject parcel has been held in single and separate ownership since January 10, 1989, or earlier, based on competent evidence thereof pursuant to:
  - (1) Chain of title certified by a title or abstract company or duly licensed attorney at law; and
  - (2) A survey prepared by a licensed surveyor describing the subject premises and all contiguous property.

**§ 280-43. Front yard setbacks.**

- A. Structures shall be set back at least 100 feet from the right-of-way.
- B. There shall be an exception to Subsection A if the adjacent parcels are developed, in which case the minimum front yard setback shall be the average of the setbacks of the adjacent parcels.
- C. A project shall be divided into separate structures so that no single structure shall have more than 60 linear feet of frontage on one street. The setbacks of multiple structures on a parcel may vary, provided that the average setback of the structures meets the setback required above and all buildings are at least 75 feet from the right-of-way.

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2. Editor's Note: The Bulk Schedule is included at the end of this chapter, and the Parking and Loading Schedule are in §§ 280-78 and 280-79.