

§ 300-31. RB Restricted Business District.

- A. Intent. The purpose of the Restricted Business District is to implement the business nonretail designation of the Comprehensive Plan and applicable guidelines for development by providing areas for the location of professional and administrative offices, service uses and related activities. The size of the district may be large enough to accommodate several properly sited buildings and improvements, such as in an office park. This district may also act as a buffer or transition area between residential areas and more intensively used commercial and industrial districts.
- B. Permitted principal uses. The following principal uses are permitted in the RB Restricted Business District, either as singular structures or part of a building or plaza with several tenants:
- (1) Administrative, professional or executive offices.
 - (2) Medical and dental offices and clinics, excluding those which offer overnight occupancy.
 - (3) Data processing and computer service centers, not including retail sales.
 - (4) Restaurants, provided that:
 - (a) Permitted occupancies are fewer than 150 persons.
 - (b) There is no drive-through ordering or pickup.
 - (5) Industrial and utility offices, excluding any manufacturing, warehousing or storage.
 - (6) Banks without drive-through or automatic drive-up teller services.¹
 - (7) Public buildings, offices and maintenance facilities.
- C. Permitted accessory uses. The following accessory uses shall be permitted in the RB Restricted Business District:
- (1) Customary accessory uses and buildings.
- D. Conditional uses. The following uses are permitted in the RB Restricted Business District subject to the issuance of a conditional use permit by the Zoning Board of Appeals pursuant to Article XI:
- (1) Regional or district offices of various types of companies, such as insurance or financial companies.
 - (2) Banks with drive-through or automatic drive-up teller services.²
 - (3) Restaurants with 150 or greater total occupancy.³

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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- (4) Pharmacies.
 - (5) Mortuaries or funeral homes.
 - (6) Nursery or day-care center.
 - (7) Nursing care home.
 - (8) Business support (copying, photo processing, computer supplies, package delivery) and personal services (dry cleaning, barber/beauty shop, convenience store), provided that they are located in a plaza or building with other similar uses or associated with another permitted or otherwise approved conditional use.
 - (9) Conversion of existing residential structures to a use permitted by right or a conditional use permitted in this zone.
- E. Prohibited uses. The following uses are specifically prohibited in the RB Restricted Business District:
- (1) Adult uses.
 - (2) Any use not specifically permitted in this zone pursuant to Subsections B, C and D above. **[Amended 2-9-2011 by L.L. No. 5-2011]**
 - (3) Mining. **[Added 12-14-2005 by L.L. No. 9-2005]**
- F. Lot and building area requirements. Requirements shall be as follows:
- (1) Lot area: minimum of 40,000 square feet on internal or local access roads and a minimum of 80,000 square feet on arterial or collector streets. **[Amended 10-22-2003 by L.L. No. 12-2003]**
 - (2) Lot width: minimum of 200 feet on internal or local access roads and a minimum of 300 feet on arterial or collector streets. **[Amended 10-22-2003 by L.L. No. 12-2003]**
 - (3) Lot depth: minimum of 200 feet.
 - (4) Front setback: minimum of 85 feet on internal or local access roads, minimum of 160 feet on arterial or collector streets. The minimum setback on collector or arterial streets may be increased to accommodate future widening and/or construction of a frontage road. On parcels of five acres or less, the minimum setback for parking lots only shall be reduced to 25 feet. **[Amended 2-9-2011 by L.L. No. 4-2011]**
 - (5) Side setback: minimum of 25 feet, except that, where adjacent to a residential district or parcel, the minimum shall be 50 feet. On parcels of five acres or less, the minimum setback for parking lots only shall be reduced to 25 feet. **[Amended 2-9-2011 by L.L. No. 4-2011]**
 - (6) Rear setback: minimum of 30 feet, except that, where adjacent to a residential district or parcel, the minimum shall be 50 feet. On parcels of five acres or less, the minimum setback for parking lots only shall be reduced to 25 feet. **[Amended 10-22-2003 by L.L. No. 12-2003; 2-9-2011 by L.L. No. 4-2011]**

- (7) Lot coverage.
 - (a) The maximum lot coverage by buildings and accessory uses shall be 35% of the total lot area.
 - (b) The maximum lot coverage by buildings and structures, parking areas and all other paved surfaces shall not be greater than 70% of the total lot area. **[Amended 10-22-2003 by L.L. No. 12-2003]**
 - (8) All uses in this district shall set aside not less than 30% of the lot to be devoted to seeding, planting, retention of tree cover or other landscaping. This area shall be used for no other purpose. **[Amended 10-22-2003 by L.L. No. 12-2003]**
 - (9) The maximum building height shall be 35 feet and shall not exceed 2 1/2 stories. Accessory structures shall not exceed 15 feet in height or one story. **[Amended 10-22-2003 by L.L. No. 12-2003⁴]**
 - (10) Notwithstanding any of the other Subsection F(7), (8) and (9) provisions herein, no building or series of buildings connected to one another shall exceed 30,000 square feet in first-floor size unless approved by the Town Board. **[Added 1-23-2008 by L.L. No. 2-2008]**
- G. Off-street parking and loading requirements. The standards contained in Article IX of this chapter shall be used as a guide for the provision of off-street parking and loading facilities in the Restricted Business District. The Planning Board may, during site plan review, increase or decrease these standards for specific uses. In addition to the requirements of Article IX, the following shall apply: **[Amended 6-25-2008 by L.L. No. 9-2008]**
- (1) Provisions for off-street loading shall be on those sides of any building which do not face streets, proposed streets or residential areas unless totally screened. The Planning Board shall have the discretion of waving this requirement based on the individual circumstances of the lot and structure under review.
- H. Signs. Signs shall be as allowed in Chapter 224, Signs.
- I. Buffering and landscaping. All uses in Restricted Business Districts shall meet the landscaping and buffering requirements established in § 300-52 of this chapter.
- J. Additional provisions and requirements.
- (1) All uses in this district are subject to site plan approval by the Planning Board. All approvals for construction in this zone shall include a public hearing for site plan approval in accordance with the provisions of § 276 of the Town Law. **[Amended 6-25-2008 by L.L. No. 9-2008⁵]**
 - (2) Trash receptacles shall be placed in the rear or side of the building and hidden from view by decorative masonry walls. Such masonry wall height shall be a minimum of two feet above the height of the storage container. **[Amended 10-22-2003 by L.L. No.**

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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