

*Town of Webster, NY  
Friday, October 11, 2024*

## Chapter 350. Zoning

### Article III. District Regulations

#### § 350-18. MC Medium-Intensity Commercial District.

[Added 6-17-1993 <sup>[1]</sup>]

The intent in creating this district is to provide a choice of business locations for commercial uses furnishing a wide range of goods and services to individuals and other businesses. Such establishments should be scaled to meet Town-wide needs. Such uses are located primarily in single-purpose buildings or small shopping plazas. Medium-intensity uses should be allowed only on parcels with adequate size to provide landscaped open space, parking and building setbacks. Conversion of residential buildings to medium-intensity commercial use should not be allowed on undersized lots. The Town intends to encourage owners of small parcels to work together to provide shared access and adequate parking and landscaping. If a landowner cannot combine parcels or work with adjacent property owners to provide landscaped open space and shared parking and access, such lots will be considered for a limited range of low-intensity commercial uses. The following shall apply in the MC District:

A. Permitted uses shall include and be illustrated as follows:

[Amended 12-21-1996 by L.L. No. 8-1996; 5-7-2004 by L.L. No. 1-2004; 5-19-2011 by L.L. No. 2-2011; 3-3-2016 by L.L. No. 1-2016; 8-15-2019 by L.L. No. 2-2019]

- (1) All those permitted in LC-I Neighborhood Commercial and LC-II Low-Intensity Commercial Districts.
- (2) Appliance sales.
- (3) Bar, tavern and cocktail lounge.
- (4) Child and elder care facility.
- (5) Commercial print shop.
- (6) Commercial recreational facility.
- (7) Convenience store, without gasoline sales.
- (8) Drugstore.
- (9) Employment agency.
- (10) Floor coverings.
- (11) Funeral home.
- (12) Furniture sales.
- (13) Grocery store.
- (14) Indoor amusement center.
- (15) Lawn and garden supply store.

- (16) Medical and dental clinic.
- (17) Medical and dental laboratory.
- (18) Office machine sales and service.
- (19) Printing and publishing establishment.
- (20) Restaurant.
- (21) Storage facility-interior access/climate-controlled: defined as a facility that is designed for internal access to storage space by the various renters or lessees who individually have personal access to the secure section of the facility so leased for the purpose of storing and removing personal items from the interior access storage space.
- (22) Variety store.
- (23) Communications towers.
- (24) Any accessory use to a permitted use upon the approval and issuance of a special use permit by the Planning Board pursuant to the procedures and standards as set forth in Chapter **269**, Article **IV**, of the Webster Town Code.
- (25) Other similar uses which are not permitted in any other commercial district upon a finding by the Planning Board that such uses are of the same general character as those permitted in the district and that such uses will not be detrimental to the other uses within the district or to the adjoining land uses.
- (26) Uses requiring a special use permit by the Town Board under Chapter **269**, Article **III**:
  - (a) Kennels, subject to the following additional requirements:
    - [1] Minimum lot size: 50,000 square feet.
    - [2] Shelters for animals within kennels must be behind the rear building line of the principal structure and shall be no closer than 50 feet to all lot lines. This shall include all outdoor areas enclosed by fences.
    - [3] A noise and visual barrier consisting of suitable fence or dense vegetative planting shall be provided, fully encircling all kennel areas not enclosed in a building.
    - [4] All animals must be confined to an individual crate or cage within a building between 11:00 p.m. and 6:30 a.m.
    - [5] All dogs must be licensed where required by state law.
    - [6] No offensive odors shall be emitted by the site.
    - [7] No storage, composting, or incineration of waste shall be allowed on the site.
    - [8] Kennels shall comply with the requirements of Chapter **140**, Dogs and Other Animals.
    - [9] Fences shall comply with § **350-79**, Fences.
    - [10] In reviewing an application for a kennel special use permit, in addition to the criteria in Chapter **269**, Article **III**, the Town Board may also consider:
      - [a] Provisions for controlling odors and noise.
      - [b] Waste disposal plan.
      - [c] Supervision of animals.
      - [d] Adequacy of outdoor areas.

- [e] Visual buffering.
- [f] Soundproofing for buildings
- [g] Maximum number of animals to be maintained.
- [h] Hours of operation.

B. Dimensional requirements shall be as follows:

- (1) Minimum lot area: 45,000 square feet.
- (2) Maximum lot coverage: 20%.
- (3) Minimum lot width: 150 feet.
- (4) Maximum building height: 35 feet.
- (5) Minimum setbacks:
  - (a) Front: 50 feet.
  - (b) Side: 20 feet.
  - (c) Rear: 75 feet.
- (6) Minimum buffer area (except where the district buffer area is applicable):
  - (a) Front: 50 feet.
  - (b) Side: 20 feet total.
  - (c) Rear: 25 feet.

C. District buffer area:

[Amended 2-18-2010 by L.L. No. 3-2010]

- (1) The minimum district buffer area between any proposed nonresidential use and an adjoining residential single-family residential district shall be 100 feet.
- (2) The minimum district buffer area between any proposed nonresidential district and an adjoining different nonresidential or multiple-family residential district shall be 75 feet upon a finding of the Planning Board that buffering is desirable because of the variation in levels of intensity of use between the districts.

D. Site plan approval under Chapter **269** of this Code is required.

[1] *Editor's Note: This ordinance also repealed former § 225-17, C-A Commercial Automotive District.*