

Chapter 520. Zoning

Article III. Commercial Districts

§ 520-19. C-GB District (Commercial/General Business).

A. Permitted.

(1) Principal uses permitted by right:

- (a) Public parks, playgrounds or similar public recreational use authorized or operated by a public agency and not operated for gain.
- (b) Single-family dwelling.
[Added 9-20-1994 by L.L. No. 3-1994]

(2) Principal uses permitted subject to site plan approval by the Planning Board:
[Amended 3-4-1992 by L.L. No. 2-1992]

- (a) Public school, public college, university or similar public educational uses accredited by the New York State Department of Education.
- (b) Municipally owned and operated buildings or structures and other strictly governmental uses or activities.
- (c) Business and professional offices, including but not limited to medical and dental offices and clinics, offices for attorneys, architects, engineers and accountants, and real estate and insurance offices, all excluding any overnight occupancy or warehousing areas.
- (d) Employment agencies.
- (e) Banks and drive-up teller windows or islands.
- (f) Artists, performing arts studios or photography studios.
- (g) Dressmaking, millinery shops, tailor shops or shoe repair shops.
- (h) Barbershops, beauty shops or hair salons.
- (i) General retail sales, including but not limited to department and discount stores, drugstores and pharmacies, clothing and shoe stores, hardware, garden and home supply stores, furniture and home appliance stores, or photographic supply stores.
- (j) Grocery stores, delicatessens, or other convenience-type food stores, liquor stores, donut shops or bakeries.
- (k) Boutiques and specialty shops, bookstores, florists, card or gift shops, candy stores or secondhand clothing stores.
- (l) Neighborhood service-oriented uses, including but not limited to laundromats, dry-cleaning establishments or photographic services.

- (m) Commercial schools such as barber, beauty, art or dancing schools, driver education schools and similar uses.
- (n) Private clubs or camps, private membership clubs, lodges or fraternal organizations, neighborhood or community centers, YMCA or YWCA or similar uses.
[Added 9-20-1994 by L.L. No. 3-1994^[1]
[1] *Editor's Note: This local law also repealed former Subsection A(2)(n), Single-family detached dwellings. See now Subsection **A(1)(b)** of this section.*
- (o) Private school, private college, university or similar private educational uses accredited by the New York State Department of Education.
[Added 9-20-1994 by L.L. No. 3-1994]
- (p) Private nursery schools or day-care centers or similar private educational uses accredited by the New York State Department of Education.
[Added 9-20-1994 by L.L. No. 3-1994]
- (q) Licensed hospitals, rest homes or homes for the aged.
[Added 9-20-1994 by L.L. No. 3-1994; amended 2-10-1997 by L.L. No. 1-1997]
- (r) Commercial greenhouses or plant nurseries or similar commercial agricultural uses involving retail sales.
[Added 9-20-1994 by L.L. No. 3-1994]
- (s) Public utility buildings or structures, including electrical substations.
[Added 9-20-1994 by L.L. No. 3-1994]
- (t) Mortuaries and funeral homes.
[Added 9-20-1994 by L.L. No. 3-1994]
- (u) Sit-down restaurants, fast-food service restaurants, bars, taverns or other eating or drinking establishments.
[Added 9-20-1994 by L.L. No. 3-1994]
- (v) Gasoline stations, including self-service gasoline stations, subject to the provisions of § 520-50, and car washes, muffler shops, transmission shops or other vehicle repair services or facilities.
[Added 9-20-1994 by L.L. No. 3-1994]
- (w) Shopping centers and malls.
[Added 9-20-1994 by L.L. No. 3-1994]
- (x) Amusement, entertainment or recreation centers or facilities, including but not limited to archery ranges, amusement parks, commercial beach house, ice-skating or roller skating rinks, movie theaters and drive-ins, miniature golf courses and practice driving ranges, golf courses, tennis or racquetball clubs, health or fitness clubs, bowling alleys, pool halls and video game arcades.
[Added 9-20-1994 by L.L. No. 3-1994]
- (y) Animal hospitals.
[Added 9-20-1994 by L.L. No. 3-1994]
- (z) Motels and hotels.
[Added 9-20-1994 by L.L. No. 3-1994]
- (aa) Rentals of trucks, trailers or other vehicles.
[Added 9-20-1994 by L.L. No. 3-1994]
- (bb) Public parking garages or commercial parking areas.
[Added 9-20-1994 by L.L. No. 3-1994]
- (cc) Lumberyard or building materials yard, contractor's equipment storage yard or similar use.

[Added 9-20-1994 by L.L. No. 3-1994]

(dd) Warehouse or storage buildings, mini-warehouses or similar uses.

[Added 9-20-1994 by L.L. No. 3-1994]

(ee) New and used motor vehicle sales.

[Added 1-28-2015 by L.L. No. 1-2015^[2]]

[2] *Editor's Note: This local law also provided for the renumbering of former Subsection A(2)(ee) as Subsection A(2)(ff). Subsections **A(2)(ff)** and **(gg)** were also renumbered accordingly.*

(ff) Other uses not specifically listed above but deemed by the Planning Board to be similar in nature and compatible with the purposes of the C-GB District.^[3]

[Added 9-20-1994 by L.L. No. 3-1994]

[3] *Editor's Note: Original § 125-26A(2)(ff), In-law apartments, added 9-20-1994 by L.L. No. 3-1994, which immediately followed this subsection, was repealed 7-12-2010 by L.L. No. 1-2010. Original § 125-26A(2)(gg), Bed-and-breakfast, added 9-20-1994 by L.L. No. 3-1994, was repealed 2-11-2008 by L.L. No. 2-2008.*

(gg) High-tech/light manufacturing uses that are completely contained within a building and emitting no external noise, odor, vibration, smoke, dust, heat or glare that would impact adjacent uses.

[Added 2-10-1997 by L.L. No. 1-1997]

(hh) Conversions of single-family homes subject to § 520-39.

[Added 2-10-1997 by L.L. No. 1-1997]

(2.1) Modification of approved site plan because of change in use.

[Added 7-9-2018 by L.L. No. 4-2018]

(a) Pursuant to the provisions regarding site plan approval process (see § 520-65J of this Chapter), certain requirements for site plan approval may be waived if an applicant merely proposes to change a use permitted pursuant to a site plan previously approved by the Planning Board to another use which is also permitted subject to site plan approval in the C-GB District.

(3) Principal uses permitted subject to special use permit approval by the Planning Board:^[4]

[Added 7-12-2010 by L.L. No. 1-2010]

(a) Single apartment in a single-family dwelling.

[Amended 3-11-2013 by L.L. No. 1-2013]

(b) Kennels.

[Added 7-13-2015 by L.L. No. 6-2015]

[4] *Editor's Note: Original Subsection **A(3)** which listed principal uses permitted subject to special use permit approval by the Planning Board, as amended 3-4-1992 by L.L. No. 2-1992, was repealed 9-20-1994 by L.L. No. 3-1994.*

(4) Accessory uses:

(a) Fencing, subject to the restrictions in § 520-29.

(b) Sheds, cabanas or similar accessory structures, subject to the restrictions in § 520-31.

(c) Radio, television, satellite dish or citizens band antennas, subject to the restrictions in § 520-33.

(d) Windmills, wind turbines, wind chargers or similar wind energy conversion systems (WECS), subject to the restrictions of § 520-35.

- (e) Small-scale solar energy systems subject to the specific provisions set forth in § **520-36** of this chapter.
[Amended 5-8-2017 by L.L. No. 3-2017]
 - (f) Signage, subject to the restrictions in § **520-37**.
 - (g) Dumpsters or other refuse containers or enclosures, subject to the restrictions in § **520-48**.
 - (h) Off-street parking, subject to the restrictions of § **520-44**.^[5]
[5] *Editor's Note: Original § 125-26A(4)(i), Bed-and-breakfast operations, added 3-4-1992 by L.L. No. 2-1992, which immediately followed this subsection, was repealed 2-11-2008 by L.L. No. 2-2008.*
 - (i) Aboveground or underground storage tanks, subject to the restrictions in § **520-54**.
 - (j) Swimming pools if accessory to a single-family dwelling.
[Added 8-11-2008 by L.L. No. 5-2008]
- (5) Accessory uses subject to special use permit:
[Added 2-11-2008 by L.L. No. 2-2008]
- (a) Bed-and-breakfast facility, pursuant to a special use permit issued in accordance with § **520-67** of this chapter.

B. Dimensional requirements.

- (1) Minimum lot width and depth.
 - (a) Minimum lot width: 100 feet.
 - (b) Minimum lot depth: 200 feet.
- (2) Minimum front, side and rear yard setbacks.
 - (a) Minimum front setback: 70 feet.
 - (b) Minimum side setback: 10 feet, except where a side lot line abuts a residential district, whereby no building shall be closer to such lot line than 25 feet or a distance equal to the height of the commercial building, whichever is greater.
 - (c) Minimum rear setback: 30 feet, except where a rear lot line abuts a residential district, whereby no building shall be closer to such lot line than 30 feet or a distance equal to the height of the commercial building, whichever is greater.
 - (d) Minimum side yard (not front yard) on corner lot: 30 feet.
 - (e) With respect to any structure existing prior to September 1, 1991, the least distance from the front line of the lot to the front building line shall constitute the minimum front setback required for any modification, alteration or addition to said structure.
[Added 8-14-2000 by L.L. No. 3-2000]
- (3) Maximum building height.
 - (a) Maximum height for principal buildings or structures in Subsection **A(1)** above shall not exceed two stories or 40 feet, whichever is higher.
 - (b) Maximum height for principal buildings or structures in Subsection **A(2)** and **(3)** above shall not exceed 65 feet.
 - (c) Maximum height for accessory buildings or structures in Subsection **A(4)** above shall not exceed 15 feet, with the exception of antennas and windmills which are subject to height restrictions in §§ **520-33** and **520-35**.

(4) Maximum lot coverage with impervious surface shall be 75%.

C. Additional regulations and requirements.

(1) Landscaping and buffering between principal uses and between commercial and residential districts which border each other shall be required in accordance with the provisions of § 520-45.

(2) (Reserved)^[6]

[6] *Editor's Note: Former Subsection C(2), which provided that only one principal building would be allowed per lot in the G-GB District, as amended, was repealed 5-28-2014 by L.L. No. 2-2014.*

(3) All principal uses permitted within a C-GB Commercial District shall be subject to the following restrictions and/or additional requirements.

(a) Any of the uses permitted in this section that require the use of an area other than within an enclosed building for their best utilization may be conducted in whole or in part outside of such building, subject to special use permit approval by the Planning Board.

(b) No offensive odor, noise, vibration, smoke, dust, heat or glare that impacts neighboring property shall be produced on the premises at any time.^[7]

[7] *Editor's Note: Former Subsection C(3)(c), which immediately followed this subsection and dealt with service activities which generate objectionable noise, was repealed 5-13-1996 by L.L. No. 4-1996.*

(4) All publicly accessible establishments will comply with regulations promulgated under Title III of the Americans with Disabilities Act of 1990, which is effective January 26, 1992.