

ARTICLE 8
C-H, COMMERCIAL-HIGHWAY DISTRICT

SECTION 8.01 INTENT

The Commercial-Highway District is established to accommodate those businesses offering a broad range of goods and services, including both comparison and convenience goods and services. The market for businesses in the C-H district may include the Town population, residents in surrounding communities, and the people in transit. In addition, the permitted businesses are frequently auto-oriented rather than pedestrian oriented. Because of the impacts commonly generated by C-H uses, these districts are not generally appropriate adjacent to residential uses, unless ample buffering is provided. One purpose of these districts is to direct all intensive commercial uses to these concentrated areas rather than allowing inefficient scattering of such development.

The Town's ordinances, particularly regarding setbacks, parking, signs and dumpster enclosures, are intended to help ensure long term viability of the major commercial areas in the Town. Uses which may generate significant impacts on adjacent uses or infrastructure are treated as Special Uses to allow the Zoning Board of Appeals to determine appropriate locations within these districts.

SECTION 8.02 PRINCIPAL USES PERMITTED

In the C-H, Commercial-Highway District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, including any special conditions listed below, unless otherwise provided in this Ordinance.

- A. Professional and medical offices and office buildings.
- B. Retail and wholesale sales establishments, up to 10,000 square feet.
- C. Convenience Stores.
- D. Banks, credit unions, savings and loans and similar financial institutions with up to three drive-through teller windows, including any automatic teller drive-through lanes. All drive-through facilities must be within the principal building or attached by a canopy. Stand alone drive-through structures not attached to the principal building by a canopy shall require a Special Use Permit.
- E. Personal service establishments.

- F. Restaurants with a maximum seating capacity or patron occupancy of up to one hundred (100) persons. Establishments with open front windows, drive in or drive through service, establishments serving alcoholic beverages, sports bars and establishments with dancing, or live entertainment shall require a Special Use Permit.
- G. Motel.
- H. Private club or lodge with a maximum seating capacity or patron occupancy of up to one hundred (100) persons.
- I. Funeral home, monument or memorial sales establishment.
- J. Laundry, self-service.
- K. Dairy processing plant.
- L. Motor vehicle parts sales.
- M. Pet stores and grooming businesses, provided no outdoor runs or enclosures and no overnight boarding of animals are permitted.
- N. Business services such as mailing, copying, data processing.
- O. Repair service establishments.
- P. Child care centers, preschool and day care centers provided the outdoor play area shall be in the rear or side yard, fenced and screened from any adjacent residential district with landscaping (evergreen trees and shrubs). All other operation shall be in accordance with NYS Department of Social Services regulations.
- Q. Municipal buildings and other quasi-public uses such as town/state/county offices, court buildings, post offices, public museums, libraries and community centers.
- R. Public or private parks and open space.
- S. Essential services such as telephone exchange buildings and public utility offices, but not including storage yards, transformer stations, substations, or gas regulator stations, provided that the architecture is in keeping with surrounding uses, as determined by the Planning Board.
- T. Greenhouse

- U. Wayside Stand
- V. Residential uses in existence on the effective date of this Ordinance.

SECTION 8.03 SPECIAL USES

The following Special Uses may be permitted upon review and approval by the Zoning Board of Appeals in accordance with the general standards for all Special Uses found in Article 15.

- A. Motor vehicle service stations with accessory motor vehicle washing facilities.
- B. Motor vehicle repair stations.
- C. Motor vehicle sales (new), as individual establishments or auto sales malls including accessory used auto sales, auto service, and auto body repair.
- D. Motor vehicle sales (used) when located at least five hundred (500) feet from any single family residential district and 500 feet from any other used automobile establishment.
- E. Motor vehicle washing establishments.
- F. Banks, savings and loan, credit unions and similar financial institutions with more than three (3) drive through teller window and/or automatic teller windows or stand alone automatic teller structures.
- G. Commercial kennels.
- H. Shopping centers up to sixty thousand (60,000) square feet, providing goods and services otherwise permitted in this zoning district.
- I. Sports bars.
- J. Religious Institutions
- K. Agricultural sales and service establishment.
- L. Indoor recreation establishment.

- M. Outdoor recreation establishments, golf courses and driving ranges.
- N. Leasing and rental of recreational, landscaping, or moving equipment, including, but not limited to boats, canoes, jet skis, tillers, trucks, vans, and trailers. Accessory propane sales require a Special Use permit.
- O. Single-family, two-family and multiple-family dwellings.
- P. Restaurant, bar or tavern with seating for more than one hundred (100) patrons, or with live entertainment or dancing, or with drive-in or drive-through service.
- Q. Banquet halls, assembly halls, dance halls or similar places of assembly.
- R. Veterinary offices and clinics (hospitals).
- S. Campgrounds
- T. Television transmission studios and general offices, including satellite dish antenna.
- U. Radio transmission studios and general offices, including satellite dish antenna.
- V. The use or storage of hazardous materials in association with any principally or specially permitted use.
- X. Private clubs or lodges with a maximum seating capacity or patron occupancy of more than one hundred (100) persons.

SECTION 8.04 ACCESSORY USES & STRUCTURES

The following accessory uses and structures shall be permitted only when constructed, located and operated accessory to a principally or specially permitted use in the C-H, Commercial-Highway District:

- A. Garages, subject to site plan review by the Planning Board.
- B. Utility Sheds.
- C. Fences.

- D. Satellite Dish Antenna.
- E. Dumpsters.
- F. Any other accessory uses, buildings and structures determined by the Zoning Board of Appeals to be customarily incidental to any of the principally or specially permitted uses allowed in the C-H, Commercial-Highway District.

SECTION 8.05 SPECIAL STANDARDS

- A. All business establishments shall be retail, wholesale or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on premises where produced.
- B. All business, servicing, or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building, unless otherwise specifically permitted.

SECTION 8.06 ADDITIONAL SITE DEVELOPMENT STANDARDS

All Principally Permitted, Specially Permitted and Accessory Uses in the C-H, Commercial-Highway District, shall comply with all applicable provisions of this Ordinance.

SCHEDULE A

C-H, COMMERCIAL-HIGHWAY DISTRICT

Principal Permitted Uses	Special Permit Uses	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Feet)	Maximum Lot Coverage	Maximum Building Height (Stories)	Maximum Building Height (Feet)	Minimum Front Yard (Feet)	Minimum Side Yards One/Both (Feet)	Minimum Rear Yard (Feet)
Professional & Medical Offices Retail & Wholesale Sales Establishments; Convenience Stores; Personal Service Establishments; Repair Service Establishments Business Services; Pet Stores & Grooming Businesses; Banks, Credit Unions, Etc. w/Less Than 3 Drive-Through Windows; Motor Vehicle Parts Sales; Laundry, Self-Service Wayside Stands		20,000	100	25%	2½	35	35	20/35	50
Child Care Center, Preschools & Day Care Centers	Banks, Credit Unions, Etc. w/More Than 3 Drive-Through Windows	1 Acre	150	25%	2½	35	40	25/60	50
Private Clubs or Lodges Funeral Home, Monument or Memorial Sales Establishments Indoor Recreation Establishments	Agricultural Sales and Service Establishments Motor Vehicle Sales (New/Used) Motor Vehicle Service Stations w/Accessory Washing Facilities	2 Acres	200	25%	2½	35	40	25/60	50
Restaurants w/Seating for Less Than 100 Patrons, Motels Radio and Television Transmission Studios and General Offices	Motor Vehicle Service Stations, Motor Vehicle Repair Stations Motor Vehicle Washing Establishments	1 Acre	150	25%	2½	35	40	25/60	50
	Restaurants w/Seating for More Than 100 Patrons or w/Outdoor Seating or Live Entertainment Drive-In Restaurants Sports Bars Banquet Halls, Dance Halls, etc	2 Acres	200	25%	2½	35	40	25/60	50
Greenhouses Dairy Processing Plants	Commercial Kennels Veterinary Offices or Animal Hospitals Leasing and Rental of Recreational, Landscaping Equipment Outdoor Recreation Establishments	5 Acres	300	20%	2½	35	50	50/100	50
	Shopping Centers (60,000 Sq. Ft. or Less in Area); Campgrounds Outdoor Recreation Establishments	10 Acres	400	15%	2½	35	50	50/100	50
	Single-Family, Two-family or Multiple-Family Dwellings	REFER	TO	THE	R-2	ZONING	DISTRICT	SCHED.	A

	Religious Institutions	3 Acres	300	15%	2½	35	50	50/100	50
Municipal Buildings and Uses		2 Acres	200	15%	2½	35	50	50/100	50

SCHEDULE B C-H, COMMERCIAL-HIGHWAY DISTRICT

Accessory Structure	Maximum Area (Square Feet)	Maximum Height (Feet)	Minimum Front Yard (Feet)	Minimum Side Yards (Feet)	Minimum Rear Yard (Feet)
Utility Sheds	650	18	N/ALLOW	20	20.
Fences	N/APPL	3 ½ (Front Yard) 6 (Rear Yard)	15	10	10
Satellite Dish Antenna	Solid Type - 51 Mesh Type - 110	20**	N/A	15	15
Dumpsters	150***	6****	N/A	25	25

* Decks over four (4) feet in height require Planning Board approval.

** No satellite dish may be erected to a height greater than the highest point of the roof line of the principal building on the lot

*** Indicates the maximum allowable area of the dumpster pad.

**** Must be completely screened by a six (6) foot high solid fence.