

Chapter 280. Zoning

Article LVIV LC Lakeview Commercial District

§ 280-420. Intent.

- A. The Lakeview Commercial District is intended to provide a controlled environment for light commercial uses adjacent to regional arterial highways in the Lakeview area of the Town of Hamburg. These uses shall not be permitted to develop in such concentrations or in such a manner as to become a nuisance or hazard to the public welfare and safety. This district is intended to help to protect adjoining residential areas and recognizes that certain parcels fronting Southwestern Boulevard and Lakeshore Road and adjacent to Interstate 90 may not be suitable for residential development. Design will be important and will need to help blend any use into this nature of the Lakeview area which has rural, residential, and important environmental features.

§ 280-421. Permitted Uses.

- A. Permitted uses shall be as follows:

- (1) Personal service establishments, such as but not limited to barbershops, beauty parlors, laundromats, dry cleaning, glass shops and small appliance repair.
- (2) Office buildings and offices.
- (3) Custom shops, including but not limited to printing, electrical, heating, plumbing or woodworking shops.
- (4) Landscaping sales or services.
- (5) Agricultural related and support businesses (No AG tourism).
- (6) Churches or other places of worship or religious education, parish houses, convents, rectories or parsonages.
- (7) Medical and other health services.
- (8) Banks.
- (9) Instructional facilities.
- (10) Existing homes, as of the date of the adoption of this local law.
- (11) Prohibited uses.
 - a) Car washes.
 - b) Any use permitted in a Light Industrial or General Industrial district under the Town of Hamburg Zoning Code.
 - c) All uses not expressly or conditionally permitted are prohibited.
- (12) The following uses by special use permit authorized by the Planning Board (see Article XLVI):
 - a) Drive-thru facilities.
 - b) Allowed commercial uses with up to 2 residential units.

c) Rental storage (mini-storage) (see definition). This also includes full-scale buildings in which interior spaces are being rented for individual storage usage.

d) Outdoor display.

(13) Accessory uses and structures:

a) Accessory uses and structures customarily incidental to permitted principal uses.

§ 280-422. Minimum lot size.

Lot area. Lot area will be based on the size of the building, parking requirements, and landscaping.

§ 280-423. Maximum height of buildings.

Maximum: 30 feet.

§ 280-424. Lot coverage.

Maximum: 75%.

§ 280-425. Required yards.

Unless otherwise provided, the minimum required yards and other open spaces in the LC District shall be as specified in this section.

A. Front yard: 40 feet.

B. Side yard:

(1) Principal buildings: none required, except that:

- a) Where a side yard is provided, it shall be no less than five feet.
- b) Where a side yard abuts any R District boundary, it shall be not less than 20 feet or the height of the principal building, whichever is greater.
- c) Where a side yard is used for either vehicular ingress or egress, it shall be at least 12 feet.
- d) Where a side yard is used for vehicular ingress and egress, it shall not be less than 25 feet.

C. Rear yard:

(1) Minimum: 10 feet.

(2) Abutting an R District boundary: same distance as required for a side yard along an R district boundary.

§ 280-426. Supplemental regulations.

For applicable supplemental regulations pertaining to use, height, area or open space, see Articles XXXVII through XXXIX.

§ 280-427. Landscaping requirements.

Existing natural features and vegetation shall be preserved. Other landscaping treatments such as trees and shrubbery shall be located as directed by the Planning Board to achieve residential character and conformance with the surrounding properties.

§ 280-428. Architectural requirements.

Building elevation plans must be submitted to the Planning Board which reflect designs that accomplish the aesthetically enhanced look described in the intent section of this Code, and any applicable zoning overlay requirements. Buildings visible from Route 5 or Route 20 shall have a higher design image, including pitched roofs, higher quality materials, and windows facing Route 5 or Route 20, in accordance with the Intent Section.