

Town of Amherst, NY
Wednesday, July 9, 2014

Chapter 203. ZONING

PART 4.. NONRESIDENTIAL DISTRICTS

§ 4-4. General Business District (GB)

4-4-1. **Purpose.** To provide community centers within existing and proposed commercial nodes and mixed use activity centers for the location of commercial uses which serve a larger market area than a neighborhood center, as articulated in the comprehensive plan, and provide for community-wide needs for general goods and services and comparison shopping. Such uses require larger land areas, generate large volumes of traffic and may generate large amounts of evening activity.

4-4-2. **Principal and Special Uses.**

A. **Permitted Uses and Structures.**

GB	Permitted	Special Use	Standards
OPEN USES			
No open uses allowed			
RESIDENTIAL USES			
Upper-story dwelling unit	✓		§ 6-2-6

GB	Permitted	Special Use	Standards
PUBLIC AND CIVIC USES			
Ambulance service	✓		
Daycare center, nursery or other private school	✓		
Minor utilities	✓		
Place of worship	✓		§ 6-3-3
Public utility service structure or facility		✓	§ 6-3-4
Public works construction yard [Added 12-7- 2009 by L.L. No. 19-2009]	✓		§ 6-3-5
Telecommunication facility		✓	§ 6-7
COMMERCIAL			
Advertising agency	✓		
Animal grooming, cat boarding facility, hospital or veterinarian.	✓		§ 6-4-1

GB	Permitted	Special Use	Standards
[Amended 2-4-2008 by L.L. No. 1-2008]			
Antiques and second-hand merchandise store	✓		
Apparel and accessories store	✓		
Apparel repair and alterations and shoe repair shop	✓		
Archival center	✓		
Bakery or confectionary shop (retail)	✓		
Bank	✓		§ 4-8-4
Beauty or barber shop	✓		
Book and stationery store	✓		§ 6-4-7 [Amended 12-19-2011 by L.L. No. 34-2011]
Commercial recreation activities, indoor	✓		

GB	Permitted	Special Use	Standards
Commercial recreation activities, outdoor		✓	
Contracting or construction services	✓		§ 6-4-4
Department store	✓		
Dog day care facility [Added 10-17-2011 by L.L. No. 25-2011]	✓		§ 6-4-13 [Amended 11-5-2012 by L.L. No. 17-2012]
Drug store	✓		§ 4-8-4
Employment agency	✓		
Farm and garden supply store	✓		
Farm equipment sales or service	✓		
Food store	✓		
Funeral home	✓		
Gymnasium or health club [Added 2-4-2008 by L.L. No. 1-2008]	✓		

GB	Permitted	Special Use	Standards
Hardware store	✓		
Home furnishing store	✓		
Home garden store	✓		
House and camping trailer sales, camping equipment and accessories and related repair and service	✓		
Household fixture and appliance sales or service	✓		
Jewelry store	✓		
Job printing or photography store	✓		
Ice store	✓		
Laundromat, cleaning and dyeing outlets and pickup	✓		
Liquor store	✓		
Motel or hotel	✓		
Motion picture theater or live theater	✓		

GB	Permitted	Special Use	Standards
[Added 9-21-2009 by L.L. No. 14-2009]			
Nurseries for sale of plants, shrubs, and trees	✓		
Office	✓		
Passenger terminal	✓		
Personal training facility	✓		
[Added 2-4-2008 by L.L. No. 1-2008]			
Photographic store	✓		
Photography studio [Added 2-4-2008 by L.L. No. 1-2008]	✓		
Printing and photocopying store	✓		
Plumbing store	✓		
Postal store or post office	✓		

GB	Permitted	Special Use	Standards
Radio or television station [Added 4-12-2010 by L.L. No. 2-2010]	✓		
Recording studio [Added 4-12-2010 by L.L. No. 2-2010]	✓		
Restaurant with drive-through	✓		§ 4-8-4
Restaurant with outdoor dining	✓		§ 6-4-9 [Amended 12-19-2011 by L.L. No. 34-2011]
Restaurant without drive-through or outdoor dining	✓		
Retail services	✓		
Sexually oriented cabaret or theater, or sexually oriented motion picture theater [Added 7-7-2008 by L.L. No. 9-2008]	✓		§ 6-6

GB	Permitted	Special Use	Standards
Sexually oriented media store, sex shop [Added 7-7-2008 by L.L. No. 9-2008]	✓		§ 6-6
Shops for custom work for the making of articles to be sold only at retail on the premises	✓		
Sporting goods and bicycle store	✓		
Tattoo parlor / body art studio [Added 1-16-2007 by L.L. No. 2-2007]	✓		
Variety store	✓		
Vehicle parts sales	✓		§ 6-4-11 [Amended 12-19-2011 by L.L. No. 34-2011]
Vehicle sales (new), rental, leasing and related repair; used vehicle sales and	✓		§ 6-4-12 [Amended 12-19-2011]

GB	Permitted	Special Use	Standards
vehicle rental in conjunction with new vehicle sales only			by L.L. No. 34-2011]
Wholesale store	✓		

INDUSTRIAL

No industrial uses allowed

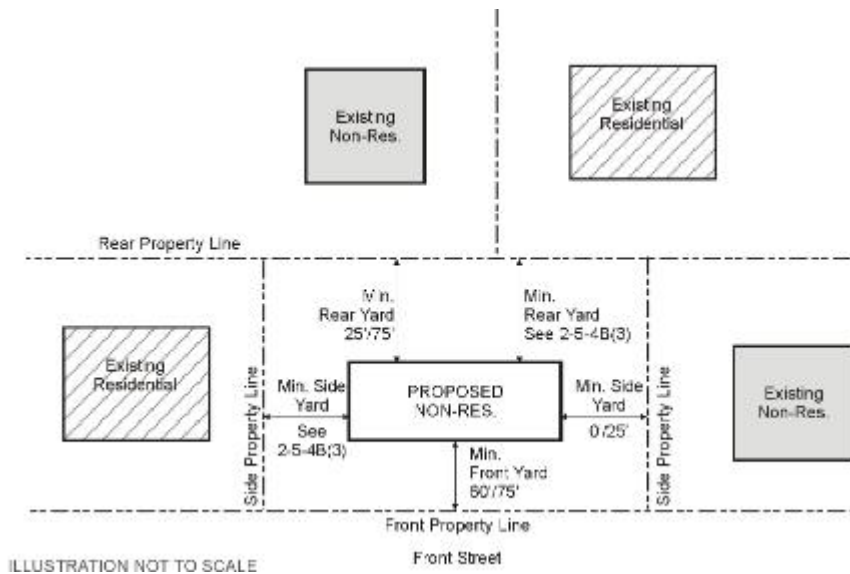
B. Dimensional Standards.

For parcels 30 acres in size or more as of (effective date), the Planned Unit Development Process is required. See § 6-9.

[Added 5-20-2013 by L.L. No. 8-2013]

GB Principal & Accessory Use/Structure Dimensional Standards	Vehicle Use Area	
Min. lot area	None	
Min. lot width	None	
Min. front yard		
Height of structure up to 30 ft	60 ft	10 ft*
Height of structure 30 ft or more	75 ft	10 ft*

GB Principal & Accessory Use/Structure Dimensional Standards	Vehicle Use Area
Min. rear yard (abutting residential/nonresidential)	
Height of structure up to 30 ft	See § 2-5-4B(3)/ 15 ft 15 ft* / 5 ft*
Height of structure 30 ft or more	See § 2-5-4B(3)/ 25 ft 15 ft* / 5 ft*
Min. side yard (abutting residential/nonresidential)**	
Height of structure up to 30 ft	See § 2-5-4B(3)/ None or 10 ft if not on lot line 15 ft* / 5 ft*
Height of structure 30 ft or more	See § 2-5-4B(3) / 25 ft 15 ft* / 5 ft*
Max. height	65 ft
Max. building coverage	None
Min. interior building separation	None required
* The entire area must be landscaped.	
** Accessory structures shall be setback a minimum of 10 feet [Added 9-21-2009 by L.L. No. 14-2009].	



4-4-3. **Accessory Uses and Structures.**

A. **Permitted Accessory Uses and Structures.** The following accessory uses and structures incidental to any permitted principal use are allowed subject to the requirements of § 6-8, Accessory Uses or Part 7, General Development Standards.

GB Permitted Accessory Uses and Structures	Standards
Landscaping	§ 7-2
Off-street parking, loading, and stacking	§ 7-1
Signs	§ 7-8
Small wind energy system [Added 8-17-2009 by L.L. No. 12-2009]	§ 6-8-14
Other uses and structures customarily incidental to the principal use	

B. **Dimensional Standards.** The dimensional standards for an accessory use or structure shall be the same as those for the principal use in § 4-4-2B.

4-4-4. **General Development Standards.**

A. Interior side or rear yards separating parking, loading and stacking area from lot lines are not required for unified developments.

B. Development in the GB district shall also comply with the requirements referenced in the table below.

GB General Development Standards

Off-Street Parking, Loading and Stacking	§ 7-1
Landscaping, Buffers and Screening	§ 7-2
Site Lighting	§ 7-3
Outdoor Storage and Display	§ 7-4
Fences and Walls	§ 7-5
Access and Circulation	§ 7-6
Provisions for Flood Hazard Reduction	§ 7-7
Sign Regulations	§ 7-8
Performance Standards	§ 7-9
Bulk Storage of Combustible or Flammable Liquids	§ 7-10