

**ARTICLE LVIII Downtown Center 3: Office (DC-3) Zoning Use District
[Added 11-3-2004 by L.L. No. 47-2004]**

§ 108-305. Purpose and intent.

The intent of the Downtown Center 3: Office (DC-3) Zoning Use District is to allow, maintain, and foster a traditional downtown character, similar to that of the Downtown Center 1: Main Street (DC-1) Zoning Use District, but with lower intensities. The DC-3 Zoning Use District complements the State Supreme Court of Suffolk County Complex by allowing a moderate-intensity mix of uses, with ground-floor offices and retail and a greater mix of housing types.

§ 108-306. Uses.

In the DC-3 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Retail stores.
- (2) Banks.
- (3) Personal services businesses.
- (4) Funeral homes.
- (5) Art galleries and studios.
- (6) Restaurants, cafes, bakeries with retail sales on premises, banquet facilities, ice cream parlors.
- (7) Offices and professional offices.
- (8) Governmental offices or other public offices.
- (9) Museums, libraries and other cultural attractions.
- (10) Schools (Including business and secretarial).
- (11) Places of worship.
- (12) Townhouses.
- (13) Parking facilities.
- (14) Movie theater and multiplex cinema. **[Added 6-7-2005 by L.L. No. 15-2005]**

B. Special permit uses:

- (1) Hotels.
- (2) Taverns.
- (3) Indoor recreation facilities.
- (4) Day-care, nursery schools.
- (5) Bed-and-breakfast establishments.
- (6) Dormitories.
- (7) Single-family dwelling units.

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically

permitted are the following:

- (1) Home occupations, but not in apartment buildings.

D. Prohibited uses:

- (1) Gas stations, car washes, and other automobile-oriented uses.
- (2) Drive-through windows for restaurants and banks.

§ 108-307. Lot, yard, bulk, and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule *Editor's Note: The Zoning Schedule is included at the end of this chapter.* incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. New buildings in the Downtown Center Zoning Use Districts shall comply with the lot, yard, bulk, and height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to increase front yard setbacks based on the existing setbacks of adjacent structures, so as to maintain a unified street wall pattern.
- C. Exemptions. Bay windows, unenclosed porches, and other front and side projections shall be exempt from the calculation of building area, so as to encourage a variety in facade design. However, such projections shall be required to meet the setback requirements of the Zoning Schedule.

§ 108-308. Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards.

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk.
- (2) For ground-floor commercial space, at least 50% of the linear width of the front facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 20% by opaque banners, or either permanent or temporary advertisements or signs.
- (3) Building shape, massing, and siting should reflect the prevalent character of surrounding buildings on the block.
- (4) Facades of commercial buildings that face sidewalks or pedestrian walkways shall be broken up into bays of no more than 30 feet in width, through use of variations in facade plane, piers, or other architectural features.
- (5) Signage in the DC-3 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-3 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
- (3) The parking requirement may be reduced with payment of a fee in lieu of providing off-street parking as provided for in § 108-60.
- (4) Off-street parking shall not be permitted in the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
- (5) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) Curb cuts to parking lots shall be minimized by sharing driveways for access to adjacent parking lots.
- (7) In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot and along the edges.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses or low shrubs for at least 15% of their land area.
- (9) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater.
 - (a) Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.
 - (b) Landscaped areas of parking lots shall be planted, situated and graded in a manner to provide infiltration and detention of runoff from paved areas.