

§ 140-33. Highway Commercial District -- HC.

A. Intent. Highway Commercial Districts are intended to provide a controlled environment in which more intensive uses which deal in bulk retail merchandise, or businesses or trades which are dependent upon a high volume of traffic for their trade, can locate. Such uses will be encouraged in the vicinity of the busier highways and intersections within the Town. However, they shall not be permitted to develop in such concentrations or in such a manner as to impede traffic or become a nuisance or hazard to the public welfare and safety.

B. Permitted uses.

(1) Permitted uses shall be as follows:

(a) Motor vehicle service stations, subject to the provisions of § 140-32A(1)(h).

(b) Farm implement dealers.

(c) Rapid car washes, provided that no entrance or exit drive shall be located within 100 feet of any street intersection, and provided that there are at least 50 reservoir spaces, as defined herein, for the first wash rack or wash lane and 35 additional reservoir spaces for each additional wash rack or wash lane.

(d) Nurseries and garden stores.

(e) Monument sales, provided that all cutting and engraving processes are conducted within an enclosed building.

(f) The following uses, provided that they are conducted within a completely enclosed building or within an area enclosed by suitable solid fence or wall:

[1] Building materials supply, including incidental millwork.

[2] Small animal hospitals or kennels located at least 200 feet from the side and rear property lines of the lot upon which said buildings are located.

[3] Machine or tool sales, rental or service.

(g) **[Added 10-8-1985 by L.L No. 5-1985] The following uses, with a special permit from the Planning Board:**

[1] Convenience stores, as follows:

[a] Retail sales of gasoline and fuel oil.

[b] Retail sales of food, sundries and personal care items.

[c] Sit-down eating and drinking.

[2] Any use permitted in a Retail Commercial (C) District under the same conditions as pertain to a Retail Commercial (C) District. **[Added 7-17-1995 by L.L. No. 3-1995]**

(2) For uses of a similar character but not specifically listed above, application may be made to the Planning Board for a special permit. Such permits shall be granted upon a finding by the Board that said use is indeed of the same general character as the above-permitted uses.

- C. Prohibited uses. All uses not expressly or conditionally permitted are prohibited. **[Added 8-10-2004 by L.L. No. 2-2004¹]**
- D. Regulations. The above shall be regulated according to the provisions of § 140-36.

1. Editor's Note: This local law also redesignated former Subsection C as Subsection D.