LOCAL LAW NO.: 3 - 2026

LOCAL LAW AMENDING THE DEWITT TOWN ZONING CODE CHAPTER 192, AS HAS PREVIOUSLY BEEN AMENDED, TO INCLUDE THE EXISTING "RESTAURANT" LAND USE, AS DEFINED IN §192-14, AS A PERMITTED STRUCTURE AND USE IN MULTI-TENANT SHOPPING CENTERS IN THE BUSINESS TRANSITIONAL ZONING DISTRICT AND TO SET FORTH ADDITIONAL RULES AND REGULATIONS FOR APPLICATION OF THE "RESTAURANT" LAND USE IN THE BUSINESS TRANSITIONAL ZONING DISTRICT

NOW, THEREFORE, be it enacted by the Town Board of the Town of DeWitt as follows:

Section 1: The Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, is hereby further amended to add the existing "Restaurant" land use, defined in §192-14 of the Town Code as "[a] building or portion thereof where greater than 1,000 square feet thereof is utilized for the sale, preparation and/or consumption by the public on and/or off the premises of food and/or beverages, whether or not alcoholic," to §192-44 of the Town Code as a permitted structure and use in the Business Transitional Zoning District and to set forth additional rules and regulations for application of the "Restaurant" land use in the Business Transitional Zoning District in §192-47 of the Town Code, as follows:

ARTICLE X BUSINESS TRANSITIONAL ZONING DISTRICT

§192-44 Permitted structures and uses

Add following subsection (Z):

AA. Restaurant, provided it is integral to any multi-tenant structure in a Shopping Center, and not freestanding.

§192-47 Additional regulations

Amend to read as follows:

A. The applicable regulations for specified uses (Article **XVI**) and requirements applying to all districts (Article **XVII**) in this Chapter shall apply to all uses.

B. The following additional requirements apply to Restaurants in the Business Transitional District:

   (1) A Restaurant in the Business Transitional District is limited to a total size of 2,500 square feet.

(2) Provided an existing multi-tenant structure is not expanded and where a Restaurant is (i) added as a tenant to an existing multi-tenant structure in a Shopping Center, or (2) expands its existing footprint within an existing multi-tenant structure in a Shopping Center, Site Plan Approval is not required provided the Shopping Center has an existing approved Site Plan, the establishment or expansion does not result in a total greater than 2,500 square feet, and no outdoor seating is proposed.

(3) Outdoor seating as accessory to a Restaurant may be permitted with Site Plan Approval.

(4) Drive-throughs are prohibited.

Section 2: The DeWitt Town Code Chapter 192, being Local Law No. 6 of 2008, as has previously been amended, remains in full force and effect except as hereinabove amended.

Section 3: This Local Law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State.