

ZONING

310 Attachment 2

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:

P - Permitted Use SP - Special Permit Use

1	Recreation Districts REC-1	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, 1	Side, Both						
District Intent To conserve open space by encouraging a very low density development pattern while permitting clustering at higher densities, provided that central water and sewer service is provided and common open space provided.	One-family residence (w/public/central water and sewer)****	P	1.5	100	50	50	40	80	10%	1,200 square feet	35	See § 310-29.1	Accessory parking, loading and private garage Class 1 and 2 Agricultural Operations: Greenhouses, barns, silos, tool sheds, outdoor storage, etc., provided any such accessory building is set back at least 150 feet from any lot line Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Reservoirs and ponds subject to DEC approval Storage of goods, equipment or accessory product Storage of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 Other accessory uses customarily incidental to the principal use	
	One-family residence (w/o public/central water and sewer)	P	3	200	50	50	40	80	10%	1,200 square feet	35			
	Agricultural operation - Class 1	P	5	350	75	50	50	100	20%	NA	35	See § 310-4.5		
	Agricultural operation - Class 2*	P	10	500	75	100	100	200	20%	NA	35	See § 310-4.6		
	Commercial forestry and timber processing**	P	10	500	100	100	100	200	10%	NA	35			
	Day-care home	P	3	200	75	50	50	100	10%	NA	35			
	Hunting and fishing cabins	P	3	200	75	50	50	100	10%	600 square feet	35	See § 310-5.7		
	Public parks and playgrounds	P	3	200	75	50	50	100	10%	NA	35			
	Wildlife and game preserves	P	25	750	100	100	100	200	10%	NA	35			
	Permitted Subject to Site Plan Review													
	House of worship	P	3	200	75	50	50	100	10%	NA	35	See § 310-4.6		
	Greenhouse - commercial	P	3	200	75	50	50	100	10%	NA	35			
	Home occupation***	P	1/2	200	75	50	50	100	10%	NA	35	See § 310-6.3I		
	Nursery	P	3	200	75	50	50	100	10%	1,500 square feet	35			
	Nursing homes	P	3	200	75	50	50	100	10%	NA	35			
	Religious retreat	P	5	350	100	75	75	150	10%	NA	45	See § 310-4.6		
	Stables and riding academies	P	10	500	100	100	100	200	10%	NA	35			
	Winery and vineyard	P	3	200	75	50	50	100	10%	NA	35			
	Special Permit Uses													
	Bed-and-breakfast	SP	3	200	75	50	50	100	10%	1,500 square feet	35	See § 310-6.3B		
	Campgrounds - vacation	SP	10	500	200	150	150	300	10%	NA	35	See § 310-6.3N		
	Camps - day	SP	10	500	200	150	150	300	10%	NA	35			
	Camps - sleep-away	SP	10	500	200	150	150	300	10%	NA	35			
	Cemeteries	SP	5	350	100	75	75	150	10%	NA	35			
	Colleges and universities	SP	10	500	200	100	100	200	20%	NA	35			
	Commercial recreation facilities	SP	3	200	75	50	50	100	20%	NA	35			
	Day-care center	SP	3	200	75	50	50	100	10%	See Notes	35	See § 310-6.3E		
	Elementary and secondary schools	SP	10	500	200	100	100	200	20%	NA	35			
Family or group care facilities	SP	3	200	75	50	50	100	10%	See Notes	35	See § 310-6.3F			
Hotels and resort hotels	SP	10	500	100	100	100	200	20%	250 square feet/room	35	See § 310-6.3J			
Kennels	SP	25	1,000	500	500	500	500	20%	NA	35	See § 310-6.3H			
Motels and motor lodges	SP	5	350	100	100	100	200	20%	250 square feet/room	35	See § 310-6.3J			
Public utilities	SP	3	200	100	100	100	200	20%	NA	NA				
Quarry operations	SP	10	500	200	150	150	300	20%	NA	35	See § 310-6.3L			
Transmission towers - cellular, radio and TV	SP	3	200	75	75	75	150	10%	NA	See Notes	See § 310-6.3D			
Veterinary hospital	SP	3	200	75	50	50	100	10%	NA	35	See § 310-6.3O			
Accessory Structures												In accordance with § 310-4.7 and Article V		
Off-street parking												In accordance with Article VIII		

NOTES:

* Only within NYS-designated Agricultural Districts; minimum lot size 50 acres for raising hogs.

** Subject to NYSDEC requirements.

*** In accordance with NYS Uniform Building Code.

**** Minimum parcel size of 35 acres required for REC-1 cluster.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

FALLSBURG CODE

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

2	Recreation Districts REC-2	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses
				Width	Front	Rear	Side, 1	Side, Both					
District Intent To conserve open space while allowing for very low density development.	One-family residence	P	3	200	75	50	40	80	10%	1,200 square feet	35		Accessory parking, loading and private garage Class 1 and 2 Agricultural Operations: Greenhouses, barns, silos, tool sheds, outdoor storage, etc., provided any such accessory building is set back at least 150 feet from any lot line. Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I
	Manufactured home	P	3	200	75	50	40	80	10%	1,200 square feet	35		
	Agricultural Operation - Class 1	P	5	350	75	50	50	100	20%	NA	35	See § 310-4.6	
	Agricultural Operation - Class 2*	P	10	500	75	100	100	200	20%	NA	35	See § 310-4.6	
	Commercial forestry and timber processing**	P	10	500	100	100	100	200	10%	NA	35		
	Day-care home	P	3	200	75	50	50	100	10%	NA	35		
	Hunting and fishing cabins	P	3	200	75	50	50	100	10%	600 square feet	35	See § 310-5.7	
	Public parks and playgrounds	P	3	200	75	50	50	100	10%	NA	35		
	Wildlife and game preserves	P	25	750	100	100	100	200	10%	NA	35		
Permitted Subject to Site Plan Review													
	House of worship	P	3	200	75	50	50	100	10%	NA	35	See § 310-4.6	Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>
	Greenhouse - commercial	P	3	200	75	50	50	100	10%	NA	35		
	Home occupation***	P	1/2	200	75	50	50	100	10%	NA	35	See § 310-6.3I	
	Manufactured home parks (w/o public water and sewer)	P	10	750	75	50	50	100	20%	980 square feet,	35	See § 310-5.13	
	Nonprofit organizations	P	3	200	75	50	50	100	10%	NA	35		
	Nursery	P	3	200	75	50	50	100	10%	1,500 square feet	35		
	Nursing homes	P	3	200	75	50	50	100	10%	NA	35		
	Stables and riding academies	P	10	500	100	100	100	200	10%	NA	35		
	Winery and vineyard	P	3	200	75	50	50	100	10%	NA	35		
Special Permit Uses													
	Bed-and-breakfast	SP	3	200	75	50	50	100	10%	1,500 square feet	35	See § 310-6.3B	
	Campgrounds - vacation	SP	10	500	200	150	150	300	10%	NA	35	See § 310-6.3N	
	Camps - day	SP	10	500	200	150	150	300	10%	NA	35		
	Camps - sleep-away	SP	10	500	200	150	150	300	10%	NA	35		
	Cemeteries	SP	5	350	100	75	75	150	10%	NA	35		
	Colleges and universities	SP	10	500	200	100	100	200	20%	NA	35		
	Commercial recreation facilities	SP	3	200	75	50	50	100	20%	NA	35		
	Day-care center	SP	3	200	75	50	50	100	10%	See Notes	35	See § 310-6.3E	
	Elementary and secondary schools	SP	10	500	200	100	100	200	20%	NA	35		
	Family or group care facilities	SP	3	200	75	50	50	100	10%	See Notes	35	See § 310-6.3F	
	Hotels and resort hotels	SP	10	500	100	100	100	200	20%	250 square feet/room	35	See § 310-6.3J	
	Kennels	SP	25	1,000	500	500	500	500	20%	NA	35	See § 310-6.3H	
	Motels and motor lodges	SP	5	350	100	100	100	200	20%	250 square feet/room	35	See § 310-6.3J	
	Public utilities	SP	3	200	100	100	100	200	20%	NA	NA		
	Quarry operations	SP	10	500	200	150	150	300	20%	NA	35	See § 310-6.3L	
	Transmission towers - cellular, radio and TV	SP	3	200	75	75	75	150	10%	NA	See Notes	See § 310-6.3(D)	
	Veterinary hospital	SP	3	200	75	50	50	100	10%	NA	35	See § 310-6.3(O)	
Accessory Structures									20%		25		In accordance with § 310-4.7 and Article V
	Off-street parking												In accordance with Article VIII

NOTES:

* Only within NYS-designated Agricultural Districts; minimum lot size 50 acres for raising hogs.

** Subject to NYSDEC requirements.

*** In accordance with NYS Uniform Building Code.

**** Minimum parcel size of 35 acres required for REC-2 cluster.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

ZONING

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 6-25-2012 by L.L. No. 4-2012; 7-9-2012 by L.L. No. 7-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

3	Residence District R-1	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, I	Side, Both						
District Intent To allow for low-medium development.	One-family (with public sewer and water)	P	1/2	100	35	25	20	40	20%	1,200 square feet	35		Accessory parking, loading and private garage Domestic animals keeping pursuant to § 310-5.2 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>	
	One-family (w/o public sewer and water)	P	3	200	50	50	40	80	10%	1,200 square feet	35			
	Agricultural Operation - Class 1	P	5	350	75	50	50	100	10%	NA	35			
	Day-care home	P	3	200	75	50	50	100	10%	NA	35			
	Public parks and playgrounds	P	3	200	75	50	40	80	10%	NA	35			
	Permitted Subject to Site Plan Review													
	Home occupation**	P	1/2	200	75	50	40	60	10%	NA	35	See § 310-6.3I		
	Special Permit Uses													
	Bed-and-breakfast (w/o public sewer and water)	SP	3	200	75	50	40	80	10%	1,500 square feet	35	See § 310-6.3B		
	Day-care center	SP	3	200	75	50	50	100	10%	NA	35	See § 310-6.3E		
	Duplex homes***	SP	—	—	—	—	—	—	—					
	Family or group care facilities	SP	3	200	75	50	50	100	10%	See Notes	35	See § 310-6.3F		
	Hospitals and medical diagnostic centers	SP	3	200	75	50	40	60	10%	NA	35			
	House of worship	SP	3	200	75	50	40	60	10%	NA	35	See § 310-4.6		
	Townhouse dev. (with public sewer and water)	SP	10	500	100	100	100	200	30%	See	35	Article XVII		
	Townhouse structures*	SP	NA	NA	16-20	25	30	60	NA	Below	35			
	<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>		See § 310-17.3B(3)		
	<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>				
	<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>				
	<i>Maximum units per townhouse structure</i>									<i>7</i>				
<i>Minimum distance between TH structures</i>									<i>60 feet</i>					
Accessory Structures														
Off-street parking												In accordance with Article VIII		

NOTES:

* The side yard applies to the townhouse structure, not each townhouse unit.

** In accordance with NYS Uniform Building Code.

*** Refer to duplex law, § 310-5.30.

**** Minimum parcel size of 15 acres required for R-1 cluster.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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KEY:

P - Permitted Use SP - Special Permit Use

4	Hamlet Residence District HR-1	Use Type	Minimum Lot Area	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, I	Side, Both						
District Intent To provide areas adjacent to hamlet centers residential use at higher densities.	One-family (with public sewer and water)	P	12,500 square feet	100	35	25	10	30	25%	1,200 square feet	35		Accessory parking, loading and private garage Domestic animals keeping pursuant to § 310-5.2 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>	
	Two-family	P	20,000 square feet	125	35	25	20	50	25%	1,500 square feet	35			
	Family and group care facilities	P	20,000 square feet	125	35	25	20	50	25%	See Notes	35	See § 310-6.3(F)		
	Multifamily (3-4 units)	P	35,000 square feet	150	50	35	25	50	25%	800 square feet	35			
	Public parks and playgrounds	P	1 acre	200	75	50	40	80	10%	NA	35			
	Permitted Subject to Site Plan Review													
	Home occupation**	P	1/2 acre	200	75	50	40	80	10%	NA	35	See § 310-6.3I		
	Multifamily (more than 4 units)	P	50,000 square feet	200	75	50	40	80	25%	800 square feet	35	See § 310-5.14		
	Special Permit Uses													
	Adult home, skilled nursing facility or nursing home	P	3 acres	200	75	50	50	100	50%	NA	35			
	Bed-and-breakfast	SP	1 acre	150	50	35	25	50	25%	1,500 square feet	35	See § 310-6.3B		
	Day-care center	SP	1 acre	200	75	50	40	60	10%	NA	35	See § 310-8.3E		
	Elementary and secondary schools	SP	5 acres	350	100	100	100	200	10%	NA	35			
	Hospital or medical diagnosis center/children's comprehensive care center	P	3 acres	200	75	50	50	100	50%	NA	35			
	House of worship	SP	1 acre	200	75	50	40	80	10%	NA	35	See § 310-4.6		
Townhouse dev. (with public sewer and water)***	SP	5 acres	350	100	100	100	200	30%	NA	NA	Article XVII			
Townhouse structures*	SP	NA	NA	16-20	25	30	60	NA	NA	35				
Minimum habitable floor area - 3 BR									1,100 square feet		See § 310-17.3B(4)			
Minimum habitable floor area - 2 BR									950 square feet					
Minimum habitable floor area - 1 BR									800 square feet					
Maximum units per townhouse structure									7					
Minimum distance between TH structures									60 feet					
Accessory Structures														
Off-street parking												In accordance with Article VIII		

NOTES:

* Multiresidence developments with eight or more units shall provide 200 square feet of outdoor recreation space per unit or make a payment in lieu of parkland.

** In accordance with NYS Uniform Building Code.

*** The side yard applies to the townhouse structure, not each townhouse unit.

**** Minimum parcel size of 15 acres required for HR-1 cluster.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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[Amended 5-25-2010 by L.L. No. 10-2010; 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

5	Business District B-1	Use Type	Minimum Lot Area	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses
				Width	Front	Rear	Side, 1	Side, Both					
District Intent To provide for the development of small commerce to serve the traveling public as well as the local residents.	Public parks and playgrounds	P	3 acres	200	75	50	50	100	10%	NA	35		Accessory parking, loading and private garage Bus stops and taxi stands Fuel storage tank less than 550 gallons Keeping of not more than 3 household pets or domestic animals Signs as regulated by Chapter 234, Signs Other accessory uses customarily incidental to the principal use.
	Living-over-the-store dwelling	P	NA	NA	NA	NA	NA	NA	NA	800 square feet	35		
	Permitted Subject to Site Plan Review												
	Artist gallery or artist studio	P	—	—	35	25	10	20	50%	NA	35		
	Automobile sales and service	P	—	—	35	25	20	40	50%	NA	35		
	Fitness center or gymnasium	P	—	—	35	25	10	20	50%	NA	35		
	Funeral home	P	—	—	35	25	10	20	50%	NA	35		
	Greenhouses	P	—	—	35	25	20	40	50%	NA	35	See § 310-4.6	
	Home occupation**	P	1/2 acre	—	35	25	10	20	25%	NA	35	See § 310-6.3I	
	House of worship	P	—	—	35	25	10	20	25%	NA	35		
	Institutional uses	P	—	—	35	25	10	20	25%	NA	35		
	Lumber yards	P	—	—	35	25	10	20	25%	NA	35		
	Multifamily (more than 4 units)**	P	50,000 square feet	200	75	50	40	80	25%	800 square feet	35	See § 310-5.14	
	Nonprofit organizations	P	—	—	35	25	10	20	25%	NA	35		
	Nursing homes	P	—	—	35	25	20	40	25%	NA	35		
	Nursery	P	—	—	35	25	20	40	50%	NA	35		
	Personal service establishment	P	—	—	35	25	10	20	50%	NA	35		
	Pharmacy	P	—	—	35	25	10	20	50%	NA	35		
	Professional office	P	—	—	35	25	10	20	50%	NA	35		
	Public utilities	P	—	—	75	50	50	100	50%	NA	35	See § 310-4.6	
	Restaurants and drinking establishments	P	—	—	35	25	10	20	50%	NA	35		
	Retail shopping center	P	—	—	35	25	20	40	50%	NA	35		
	Special Permit Uses												
	Banks	SP	—	—	35	25	10	20	50%	NA	35	See § 310-6.3A	
	Bed-and-breakfast	SP	—	—	35	25	20	40	50%	1,500 square feet	35	See § 310-6.3B	
	Car wash	SP	—	—	35	25	20	40	50%	NA	35	See § 310-6.3C	
	Commercial recreation facilities	SP	—	—	35	25	20	40	50%	NA	35		
	Day-care center	SP	—	—	35	25	20	40	50%	NA	35	See § 310-6.3E	
	Elementary and secondary schools	SP	5 acres	350	100	100	100	200	10%	NA	35		
	Family and group care facilities	SP	—	—	35	25	20	40	50%	NA	35	See § 310-6.3F	
	Gasoline service stations/repair garage	SP	—	—	35	25	20	40	40%	NA	35	See § 310-6.3G	
	Hospitals and medical diagnostic centers	SP	—	—	35	25	10	20	25%	NA	35		
	Hotels, motels and motor lodges	SP	5 acres	350	100	100	100	200	20%	250 square feet/room	35	See § 310-6.3J	
Self-storage facilities	SP	—	—	200	100	100	200	35%	NA	35	See § 310-6.3M		
Theaters, other than drive-in	SP	—	—	35	25	10	20	50%	NA	35			
Transmission towers - cellular, radio and TV	SP	—	—	35	25	20	40	50%	NA	See Notes	See § 310-6.3D		
Veterinary hospitals	SP	—	—	35	25	20	40	50%	NA	35	See § 310-6.3O		
Warehouse	SP	—	—	35	25	20	40	50%	NA	35			
Accessory Structures													
Off-street parking													In accordance with Article VIII

NOTES:

* The minimum lot area for a nonresidential use shall be 10,000 square feet and site plan review shall be required by Planning Board.

* Multiresidence developments with eight or more units shall provide 200 square feet of outdoor recreation space per unit or make a payment in lieu of parkland.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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KEY:
 P - Permitted Use SP - Special Permit Use

6	Mixed-Use District - MX	Use Type	Minimum Lot Area	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, 1	Side, Both						
District Intent To provide for a mix of commercial and residential land uses within the hamlet centers.			See Notes									All existing vacant parcels in the MX District shall be buildable Accessory parking, loading and private garage Bus stops and taxi stands Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 <i>Fuel storage tank < 550 gallons</i> Signs as regulated by Chapter 234, Signs <i>Other accessory uses customarily incidental to the principal use.</i>		
	One-family (with municipal sewer and water)	P	12,500 square feet	100	35	25	10	30	25%	1,200 square feet	35			
	Artist gallery or artist studio	P	—			10			80%	850 square feet	35			
	Artist live/work units	P	—			10			80%	850 square feet	35			
	Living-over-the-store dwelling	P	—			10			80%	1,000 square feet	35			
	Public parks and playgrounds	P	—			10			50%	NA	35			
	Permitted Subject to Site Plan Review													
	Fitness center or gymnasium	P	—			10			80%	NA	35			
	Home occupation**	P	1/2 acre			25			80%	NA	35		See § 310-6.3I	
	House of worship	P	—			10			80%	NA	35		See § 310-4.6	
	Personal service establishment	P	—			10			80%	NA	35			
	Pharmacy	P	—			10			80%	NA	35			
	Printing and publishing	P	—			10			80%	NA	35			
	Professional offices	P	—			10			80%	NA	35			
	Restaurants and drinking establishments	P	—			10			80%	NA	35			
	Retail establishments	P	—			10			80%	NA	35			
	Theaters	P	—			10			80%	NA	35			
	Special Permit Uses													
	Banks	SP	—			10			80%	NA	35		See § 310-6.3A	
	Bed-and-breakfast	SP	—			10			80%	1,500 square feet	35		See § 310-6.3B	
	Colleges and universities	SP	—			10			80%	NA	35			
	Elementary and secondary schools	SP	—			10			80%	NA	35			
	Fuel storage < 500 gallons for permitted use	SP	—			10			80%	NA	35			
	Hotel and resort hotel	SP	—			10			80%	NA	35		See § 310-6.3I	
	Outdoor café	SP	—			10			80%	NA	NA		See § 310-5.18	
	Public utilities	SP	—			10			50%	NA	35			
	Telecommunications companies	SP	—			10			80%	NA	35			
	Townhouse development (with public sewer and water)	SP	NA	NA	5-10	20	12	24	80%	NA	35		See Article XVIII	
	Townhouse structures*	SP	NA	NA	5-10	10	12	24	NA	NA	35			
	<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>			Minimum land area per dwelling unit shall average 2,500 square feet	
	<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>				
	<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>				
<i>Maximum units per townhouse structure</i>									<i>7</i>					
<i>Minimum distance between TH structures</i>									<i>60 feet</i>					
Row house structures* (with public sewer and water)	SP	NA	NA	0-5	5	0	0	80%	NA	35	See Article XVIII			
<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>		Minimum land area per dwelling unit shall average 2,500 square feet			
<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>					
<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>					
<i>Maximum units per townhouse structure</i>									<i>7</i>					
Accessory Structures														
Off-street parking												In accordance with § 310-4.7 and Article V In accordance with Article VIII		

NOTES:

* Site plan review required by Planning Board.

** Refer to Code § 310-5.6, Home occupation.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

ZONING

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 5-25-2010 by L.L. No. 10-2010; 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

7	Neighborhood Business District - NB	Use Type	Minimum Lot Area	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, 1	Side, Both						
District Intent To provide areas for the development of small commerce in harmony with adjacent residential neighborhoods.	Public parks and playgrounds	P	—	—	35	20	10	20	25%	NA	35		Accessory parking, loading and private garage Bus stops and taxi stands Domestic animals keeping pursuant to § 310-5.2 Fuel storage tank less than 550 gallons Signs as regulated by Chapter 234, Signs Other accessory uses customarily incidental to the principal use.	
	Permitted Subject to Site Plan Review													
	Artist gallery or artist studio	P	—	—	35	20	10	20	50%	NA	35			
	Fitness center or gymnasium	P	—	—	35	20	10	20	50%	NA	35			
	Funeral home	P	—	—	35	20	10	20	25%	NA	35			
	Greenhouse - commercial	P	—	—	35	20	10	20	25%	NA	35			
	Home occupation**	P	1/2 acre	—	35	20	10	20	25%	NA	35	See § 310-6.3I		
	House of worship	P	—	—	35	20	10	20	25%	NA	35	See § 310-4B		
	Nonprofit organizations	P	—	—	35	20	10	20	25%	NA	35			
	Nursery	P	—	—	35	20	10	20	25%	NA	35			
	Personal service establishment	P	—	—	35	20	10	20	50%	NA	35			
	Pharmacy	P	—	—	35	20	10	20	50%	NA	35			
	Professional office	P	—	—	35	20	10	20	50%	NA	35			
	Retail store	P	—	—	35	20	10	20	50%	NA	35			
	Restaurants and drinking establishments	P	—	—	35	20	10	20	50%	NA	35			
	Special Permit Uses													
	Banks	SP	—	—	35	20	10	20	50%	NA	35	See § 310-6.3A		
	Bed-and-breakfast	SP	—	—	35	20	10	20	25%	1,500 square feet	35	See § 310-6.3B		
	Day-care center	SP	—	—	50	20	20	40	25%	NA	35	See § 310-6.3E		
	Elementary and secondary schools	SP	—	—	35	20	20	40	25%	NA	35			
	Hotels and resort hotels	SP	—	—	35	20	10	20	50%	250 square feet/room	35	See § 310-6.3J		
	Motels and motor lodges	SP	—	—	35	20	10	20	50%	250 square feet/room	35	See § 310-6.3J		
	Veterinary hospitals	SP	—	—	35	20	10	20	50%	NA	35	See § 310-6.3O		
Accessory Structures														
Off-street parking													In accordance with § 310-4.7 and Article V In accordance with Article VIII	

NOTES:

* The minimum lot area for a nonresidential use shall be 10,000 square feet and site plan review shall be required by Planning Board.
 Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

FALLSBURG CODE

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 5-25-2010 by L.L. No. 10-2010; 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

8	Light Industrial District	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, 1	Side, Both						
District Intent To provide areas for the development of light industry and associated commerce in locations where development will not be in conflict with residential land uses.	Agricultural Operation - Class 1	P	5	350	75	50	50	100	10%	NA	35	See § 310-4.6	Accessory parking, loading and private garage Bus stops and taxi stands Gatehouse quarters or watchman's quarters Fuel storage tank less than 550 gallons Home occupations pursuant to § 310-5.6 for pre-existing nonconforming residential use properties subject to special permit. Office and showroom accessory to principle use Signs as regulated by Chapter 234, Signs Other accessory uses customarily incidental to the principal use.	
	Permitted Subject to Site Plan Review													
	ATV, motorcycle and snowmobile racing and practice tracks	P	10	250	100	75	75	150	—	—	35			
	Automobile and machinery repair shops	P	1	200	75	50	50	100	20%	NA	40			
	Automobile sales and service	P	1	200	75	50	50	100	20%	NA	40			
	Farm/contractor equipment sales and service	P	1	200	75	50	50	100	20%	NA	40			
	Greenhouse - commercial	P	1	200	75	50	50	100	20%	NA	40			
	Lumber yard	P	1	200	75	50	50	100	20%	NA	40			
	Home sales lot	P	1	200	75	50	50	100	20%	NA	40			
	Outdoor storage of machinery and equipment	P	1	200	75	50	50	100	20%	NA	40			
	Plumbing supplies	P	1	200	75	50	50	100	20%	NA	40			
	Printing and publishing	P	1	200	75	50	50	100	20%	NA	40			
	Professional office	P	1	200	75	50	50	100	20%	NA	40			
	Restaurant	P	1	200	75	50	50	100	20%	NA	40			
	Reservoirs and impoundments	P	10	500	200	100	100	200	10%	NA	40			
	Theater, drive-in	P	10	500	200	100	100	200	20%	NA	40			
	Special Permit Uses													
	Baking plant	SP	1	200	75	50	50	100	20%	NA	40			
	Bulk fuel storage and distribution	SP	1	200	75	50	50	100	20%	NA	40			
	Car wash	SP	1	200	75	50	50	100	20%	NA	40	See § 310-6.3C		
	Distribution center	SP	1	200	75	50	50	100	20%	NA	40			
	Fairgrounds and amusement parks	SP	5	350	100	100	100	200	20%	NA	40			
	Freight and trucking terminal	SP	1	200	75	50	50	100	20%	NA	40			
	Gasoline service stations/repair garages	SP	1	200	75	50	50	100	40%	NA	40	See § 310-6.3G		
	Kennels	SP	25	1,000	500	500	500	500	20%	NA	40	See § 310-6.3H		
	Light industrial offices	SP	3	200	75	50	50	100	20%	NA	40	See § 310-6.3J		
	Light industrial and manufacturing	SP	3	200	75	50	50	100	20%	NA	40	See § 310-6.3J		
	Nursery	SP	1	200	75	50	50	100	20%	NA	40	100 foot separation from residences		
	Public utilities	SP	3	200	100	100	100	200	20%	NA	40			
	Public utility generating plants	SP	25	750	100	100	100	200	20%	NA	40			
	Quarry operations	SP	10	500	200	150	150	300	20%	NA	40	See § 310-6.3L		
	Research laboratories and related offices	SP	3	200	75	50	50	100	20%	NA	40			
	Self-storage facilities	SP	3	200	200	100	100	200	20%	NA	35	See § 310-6.3M		
Transmission towers - cellular, radio and TV	SP	3	200	75	50	50	100	20%	NA	See Notes	See § 310-6.3O			
Veterinary hospital	SP	1	200	75	50	50	100	20%	NA	40	See § 310-6.3O			
Warehouse	SP	1	200	75	50	100	100	20%	NA	40				
Accessory Structures														
Off-street parking													In accordance with § 310-4.7 and Article V In accordance with Article VIII	

NOTE: Site plan review is required by the Planning Board for all proposed light industrial use.
 Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

ZONING

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 5-25-2010 by L.L. No. 10-2010; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

	9 Heavy Industrial District	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses
				Width	Front	Rear	Side, 1	Side, Both					
District Intent Provide for the development of heavy industrial uses in areas that will not conflict with residential and commercial uses.	Special Permit Uses												
	All uses permitted in the LI District												
	Recycling facility	SP	3	200	75	75	75	150	35%	NA	40		Accessory parking, loading and private garage Fuel storage tank less than 550 gallons Home occupations pursuant to § 310-5.6 for pre-existing nonconforming residential use properties subject to special permit. Office and showroom accessory to principle use Signs as regulated by Chapter 234, Signs Other uses customarily incidental to principal use.
	Sanitation operation	SP	3	200	75	75	75	150	35%	NA	40		
	Storage and processing of scrap metal	SP	3	200	75	75	75	150	35%	NA	40	No smelting	
	Transmission towers - cellular, radio and TV	SP	3	200	75	75	75	150	35%	NA	See Notes	See § 310-6.3D	
Accessory Structures													
Off-street parking												In accordance with Article VIII	

NOTE: Site plan review is required by the Planning Board for all heavy industrial uses.
 Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

FALLSBURG CODE

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

10	Agricultural District AG-1	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Maximum Lot Coverage	Minimum Floor Area	Maximum Height (feet)	Notes	Accessory Uses	
				Width	Front	Rear	Side, 1	Side, Both						
District Intent To preserve large areas of open space and existing agricultural activities and to density while preserving the right to farm.	One-family residence	P	5	350	50	50	50	100	10%	1,200 square feet	35		Accessory parking, loading and private garage Class 1 and 2 Agricultural Operations: Greenhouses, barns, silos, tool sheds, outdoor storage, etc., provided any such accessory building is set back at least 150 feet from any lot line. Domestic animals keeping pursuant to § 310-5.2 Farm stand - temporary Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.6 <i>Other accessory uses customarily incidental to the principal use.</i>	
	Farm worker housing [two units per farm]	P	5	350	75	50	50	100	10%	750 square feet	35			
	Agricultural Operation - Class 1	P	5	350	75	50	50	100	10%	NA	35	See § 310-4.6		
	Agricultural Operation - Class 2	P	10	500	75	100	100	200	10%	NA	35	See § 310-4.6		
	Commercial forestry and timber processing**	P	10	500	100	100	100	200	10%	NA	35			
	Day-care home	P	5	350	100	75	75	150	10%	NA	35			
	Hunting and fishing cabins	P	5	350	100	75	75	150	10%	800 square feet	35	See § 310-5.7		
	Public parks and playgrounds	P	5	350	100	75	75	150	10%	NA	35			
	Wildlife and game preserves	P	25	750	100	100	100	200	10%	NA	35			
	Winery and vineyard	P	5	350	100	75	75	150	10%	NA	35			
	Permitted Subject to Site Plan Review													
	Greenhouse - commercial	P	5	350	100	75	75	150	10%	NA	35			
	Home occupation***	P	1/2	350	100	75	75	150	10%	NA	35	See § 310-6.3I		
	House of worship	P	5	350	100	75	75	150	10%	NA	35	See § 310-4.6		
	Nonprofit organizations	P	5	350	100	75	75	150	10%	NA	35			
	Nursery	P	5	350	100	75	75	150	10%	NA	35			
	Hospital or medical diagnosis center/children's comprehensive care center	P	5	350	100	75	75	150	10%	NA	35			
	Stables and riding academies	P	10	500	100	100	100	200	10%	NA	35			
	Special Permit Uses													
	Adult home, skilled nursing facility or nursing home	P	5	350	100	75	75	150	10%	NA	35			
	Bed-and-breakfast	SP	5	350	100	75	75	150	10%	1,500 square feet	35	See § 310-6.3B		
	Campgrounds - vacation	SP	10	500	200	150	150	300	10%	NA	35	See § 310-6.3N		
	Camps - day	SP	10	500	200	150	150	300	10%	NA	35			
	Camps - sleep-away	SP	10	500	200	150	150	300	10%	NA	35			
	Cemeteries	SP	10	500	200	150	150	300	10%	NA	35			
	Day-care center	SP	5	350	100	75	75	150	10%	NA	35	See § 310-6.3E		
	Elementary and secondary schools	SP	10	500	200	150	150	300	10%	NA	35			
	Kennels	SP	25	1,000	500	500	500	500	20%	NA	35	See § 310-6.3H		
Public utilities	SP	5	350	100	75	75	150	10%	NA	35				
Quarry operations	SP	10	500	200	150	150	300	20%	NA	35	See § 310-6.3L			
Transmission towers - cellular, radio and TV	SP	5	350	100	75	75	150	10%	NA	See Notes	See § 310-6.3D			
Veterinary hospital	SP	5	350	100	75	75	150	10%	NA	35	See § 310-6.3O			
Accessory Structures														
Off-street parking													In accordance with § 310-4.7 and Article V	
													In accordance with Article VIII	

NOTES: See also § 310-5.26.

* Minimum lot size 50 acres for raising hogs.

** Subject to NYSDEC requirements.

*** In accordance with NYS Uniform Building Code.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

ZONING

Town of Fallsburg, New York
Schedule I - Table of Use and Bulk Requirements
[Amended 7-9-2012 by L.L. 7-2012; 12-22-2014 by L.L. No. 8-2014]

KEY:
P - Permitted Use SP - Special Permit Use

11	Planned Resort Destination - PRD	Use Type	Minimum Lot Area (acres)	Required Setbacks (feet)					Minimum Floor Area	Maximum Height (feet)	Notes	Minimum Required Parking Spaces	Accessory Uses
				Width	Front	Rear	Side, 1	Side, Both					
District Intent To facilitate proper development on large tracts by fostering continuance of existing uses, while encouraging adaptive reuse and innovative mixed use, compatible with the rural character of the Town of Fallsburg.	Permitted Uses (Residential)												Accessory parking, loading and private garage Day-care center Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 Greenhouse for private home use Home occupation pursuant to § 310-5.6 Outdoor recreation facilities Public assembly Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs Storage shed Swimming pools in accordance with § 310-4.6 Theaters - indoor Utility structures Warehousing <i>Other accessory uses customarily incidental to the principal use.</i>
	One-family dwellings	P	.75	125	150	25	25	50	1,200 square feet	35	See Notes	§ 310-8.1G	
	Two-family dwellings	P	1.5	125	150	25	25	50	1,200 square feet	35	See Notes	§ 310-8.1G	
	Permitted Subject to Site Plan Review												
	Banquet facilities	P	2	200	75	75	75	150	NA	45		1 space per 4 seats	
	Colleges and universities	P	10	500	200	150	150	300	10%	35		§ 310-8.1G	
	Commercial recreational facilities	P	10	500	200	150	150	300	10%	35		§ 310-8.1G	
	Conference center	P	10	500	200	150	150	300	10%	45		1 space per 4 seats	
	Golf course	P	50	750	100	100	100	200	NA	35		§ 310-8.1G	
	House of worship	P	10	500	200	150	150	300	10%	45	See § 310-4.6	§ 310-8.1G	
	Not-for-profits	P	1	125	50	25	25	50	NA	35		§ 310-8.1G	
	Personal service establishments	P	1	125	50	25	25	50	NA	35	Accessory to hotel	§ 310-8.1G	
	Professional office	P	1	125	50	25	25	50	NA	35		§ 310-8.1G	
	Retail	P	1	125	50	25	25	50	NA	35	Accessory to hotel	§ 310-8.1G	
	Restaurants	P	1	125	50	25	25	50	NA	35	Accessory to hotel	§ 310-8.1G	
	Religious retreat	P	10	500	200	150	150	300	10%	45	See § 310-4.8	§ 310-8.1G	
	Special Permit Uses (Residential)												
	Duplex homes**	SP	—	—	—	—	—	—	—	—			
	Townhouse time-shared	SP	10	300	150	100	100	200	NA	NA	Article XVII		
	Townhouse structures*	SP	NA	NA	16-20	25	30	60	NA	35			
	<i>Minimum habitable floor area - 3 BR</i>								<i>1,100 square feet</i>		See § 310-17.3B(4)		
	<i>Minimum habitable floor area - 2 BR</i>								<i>950 square feet</i>				
	<i>Minimum habitable floor area - 1 BR</i>								<i>800 square feet</i>				
	<i>Maximum units per townhouse structure</i>								<i>7</i>				
	<i>Minimum distance between TH structures</i>								<i>60 feet</i>				
	Special Permit Uses (Nonresidential)												
	Bed-and-breakfast	SP	2	125	50	25	25	50	1,500 square feet	35		§ 310-8.1G	
	Campgrounds - vacation	SP	10	500	200	150	150	300	10%	NA			
	Camps - day	SP	25	750	200	200	200	400	20%	35			
	Camps - sleep-away	SP	25	750	200	200	200	400	20%	35			
Elementary and secondary schools	SP	10	500	200	150	150	300	10%	45		§ 310-8.1G		
Hotels and resort hotels	SP	10	500	200	150	150	300	250 square feet/room	45		§ 310-8.1G		
Accessory Structures													
Off-street parking												In accordance with § 310-4.7 and Article V In accordance with Article VIII	

NOTES:

The location of residential units within a Planned Resort Destination District shall not be restricted to the Town water or sewer district boundaries, provided all units are served with public and/or central water and sewer.

* New Planned Resort Developments shall require site plan review by the Planning Board. Existing resort developments shall only require site plan review for those actions that require site plan review in accordance with Article VII of this chapter.

** Bulk requirements change with the application of the Duplex Law, § 310-5.30.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.