

ZONING

194 Attachment 2

Town of East Fishkill

Schedule of Permitted Uses

[Last amended 6-24-2021 by L.L. No. 3-2021; 2-13-2025 by L.L. No. 1-2025]

	Additional Code Provisions	R-1/3	R-1	R-2	R-3	CRD	B-1	B-2	B-3	B-1A Transitiona l	HC District	I-1	I-2	I-3	PCP	PRDP	
<b>Residential Uses</b>																	
Single-family dwellings		P	P	P	P	See below											
Residential dwelling units up to two-bedrooms in size permitted on upper floors of existing buildings	Properties in B-3 District subject to regulatory provisions in § 194-4.2.2, B-3 Mixed Use District; properties in HC District subject to § 194-4.2.1, Hamlet Center District									P		P					
Multi-family dwellings	Subject to § 194-46-10, Transitional Zone residential special permit										S						
Mobile home parks; manufactured home parks	Subject to Chapter 131 of the Town Code, special permit conditions in § 194-72, and the standards for all special permit uses in § 194-44				S												
Nursing homes, alternative care housing	Subject to special permit conditions in § 194-62 and the standards for all special permit uses in § 194-44	S	S	S	S												
Caretaker apartments (custodial apartments accessory in business districts formerly referred to as “one-family occupancy apartments”)	Subject to special permit conditions in § 194-87 and the standards for all special permit uses in § 194-44							S	S	S	S	S					
<b>Nonresidential Uses</b>																	
Assembly hall for meetings, conventions and exhibitions, provided that at the time of such use for any meeting, there shall be available parking spaces for all persons in attendance						See below									P		
Art and craft galleries and studios								P	P	P		P	P	P			
Asphalt mixing or concrete mixing plants														P			
Automobile service facilities (garage), subject to the special permit conditions in § 194-86, and the standards for all special permit uses in § 194-44	Subject to the special permit conditions in § 194-86, and the standards for all special permit uses in § 194-44							S									
Bakery								P	P	P		P					
Banks								P	P	P	P	P					
Banking facilities with two or fewer automated drive-through lanes								P	P	P	P	P					
Brewery, brewpub, cidery, distillery, brewpub, wine/cider bar								P	P	P		P	P	P			
Brick, glass, pottery, tile or terra-cotta manufacturing														P			
Bus stations																P	
Car washes	Subject to the special permit conditions in § 194-88, and the standards for all special permit uses in § 194-44												S		S		
Cemeteries	Subject to the regulatory provisions of § 194-69 and § 194-44	S	S	S	S												
Chemical manufacturing or storage														S			
Churches, places of worship, convents, monasteries and other buildings used for religious purposes	Subject to the special permit conditions in § 194-60, and the standards for all special permit uses in § 194-44	S	S	S	S			S	S	S		S				P	
Candy, cigar and cigarette manufacturing													P	P	P		
Cold storage plant, creamery, ice cream factory, bottling works, baking plant and food or drink distribution plant													P	P	P		
Commercial communications tower and or antenna installation	Subject to the special permit conditions in § 194-76 and the standards for all special permit uses in § 194-44		S	S	S		S	S	S	S	S	P	P	P	S	S	

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	Additional Code Provisions	R-1/3	R-1	R-2	R-3	CRD	B-1	B-2	B-3	B-1A Transitiona I	HC District	I-1	I-2	I-3	PCP	PRDP
Commercial stables and riding academies	Subject to the special permit conditions in § 194-61, and the standards for all special permit uses in § 194-44	S	S	S	S											
Commercial vehicle storage yards	Subject to the general use regulations in § 194-55.3											P		P		
Contractor's yards	Subject to the general use regulations in § 194-55.2											P		P		
Contractor's yards and commercial vehicle storage yards in agricultural districts	Subject to the special permit conditions in § 194-67.5 and the standards for all special permit uses in § 194-44		S	S	S							S	S	S	S	S
Cosmetic and pharmaceutical manufacturing												P	P	P		
Day-care center or nursery school day-care centers	Subject to the special permit conditions in § 194-63 and the standards for all special permit uses in § 194-44						S	S	S							S
Drive-through retail and service facilities	Subject to the supplementary bulk regulations in § 194-112.3						P	P	P							
Excavations for soil mining	Subject to the special permit conditions in § 194-75 and the standards for all special permit uses in § 194-44	S	S	S	S		S	S	S	S		S	S	S	S	S
Family day-care	Subject to the special permit conditions in § 194-63	S	S	S	S											
Farming, nurseries (not retail), greenhouses	Subject to the general use regulations in § 194-47	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Florist (retail)							P	P	P		P			P		
Funeral homes and mortuaries																
Furniture and cabinet manufacturing									P			P	P	P		
Gasoline filling stations	Subject to the special permit conditions in § 194-85 and the standards for all special permit uses in § 194-44						S								P	
Garages (see automobile service facilities)	Subject to the special permit conditions in § 194-86 and the standards for all special permit uses in § 194-44						S									
General office, professional office							P	P	P	P	P	P	P	P	P	P
Government buildings or uses		P	P	P	P		P	P	P	P	P	P	P	P	P	P
Historic structures	Subject to the special permit conditions in § 194-64 and the standards for all special permit uses in § 194-44	S	S	S	S		S	S	S	S	S	S	S	S	S	S
Hospitals	Subject to the special permit conditions in § 194-57 and the standards for all special permit uses in § 194-44						S	S	S			S	S	S	S	S
Hotels and motels	Subject to the special permit conditions in § 194-58 and the standards for all special permit uses in § 194-44		S	S	S				S						S	
Kennels (doggy day-care)	Subject to the general use regulations in § 194-55.1						P	P	P			P	P	P	P	P
Laboratories for scientific or industrial research, testing and development												P	P	P		P
Large-scale recreational developments, camps	Subject to the special permit conditions in § 194-59 and the standards for all special permit uses in § 194-44	S	S	S	S											
Land excavations and filling	Subject to the special permit conditions in § 194-75 and the standards for all special permit uses in § 194-44											S	S	S		
Laundry or cleaning plants												P	P			
Lumberyard, building material sales yard or contractor's equipment storage yards												P	P	P		
Mechanical, optical, photographic, scientific or electronic manufacturing												P	P	P		P
Medical or dental offices, medical centers, clinics or health services														P	P	
Membership clubs subject to the special permit conditions in § 194-71 and the standards for all special permit uses in § 194-44	Subject to the special permit conditions in § 194-71 and the standards for all special permit uses in § 194-44	S	S	S	S		P	P	P		P					
Motor vehicle repair facilities												P	P	P		
Monument works													P	P		
Neighborhood grocery store (maximum of 5,000 sf)							P	P	P		P					
Nurseries, plant (retail business)							P	P	P			P	P	P	P	P
Nursery schools or day-care centers	Subject to the special permit conditions in § 194-63 and the standards for all special permit uses in § 194-44						S		S							S

See below

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Outdoor recreation developments on sites at least 10 acres in size	Subject to the regulatory provisions of § 194-67								P	S			P				
	<b>Additional Code Provisions</b>	<b>R-1/3</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>CRD</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>B-1A Transitiona I</b>	<b>HC District</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>PCP</b>	<b>PRDP</b>	
Outdoor dining	Subject to regulatory provisions in § 194-55.7					See below	P	P	P		P	P			P	P	
Personal service shops							P	P	P		P				P		
Petroleum or bottled gas processing, manufacturing or storage													S				
Plastic manufacturing													S				
Plumbing, sheet metal or machine shops												P	P	P			
Preparation of mulched materials		S	S	S	S												
Private stables		S	S	S	S												
Professional offices, general office uses	Offices proposed in I-1 Districts subject to regulatory provisions in § 194-46.7							P	P	P	P	P	S			P	P
Public parking								P	P	P		P					
Public uses	Subject to the regulatory provisions of § 194-60 and § 194-44	S	S	S	S			S	S	S		S				P	
Public utility structures, except commercial communications towers		S	S	S	S			S	S	S	S	S	P	P	P	S	S
Publishing, printing, and bookbinding										P			P	P	P		P
Recreational indoor sports facility	Subject to the special permit conditions in § 194-46.6 and the standards for all special permit uses in § 194-44												P				
Repair service, consumer, including bicycles								P	P	P		P	P	P	P		
Restaurants (eating and drinking establishments)								P	P	P		P				P	
Retail stores and shops								P	P	P		P				P	S
Schools (public, private, and parochial schools), Institutions of higher learning	Subject to the regulatory provisions of § 194-60 and § 194-44	S	S	S	S			S	S	S		S				P	
Self-storage facilities, indoor	Subject to the special permit conditions in § 194-46.11 and the standards for all special permit uses in § 194-44							S	S				P	P	P		
Self-storage facilities, outdoor													P	P	P		
Senior independent living apartment complexes	Subject to regulatory provisions in § 194-67.4 and § 194-44	S	S	S	S			S	S	S	S	S				S	S
Solar energy systems (roof-mounted, ground-mounted, and solar farms)	Subject to the regulatory provisions in Chapter 100 solar energy systems	P	P	P	P			P	P	P	P	P	P	P	P	P	P
Structural steel works, foundries or metal fabricating														P			
Subdivision recreation areas	Subject to the regulatory provisions of § 194-65 and § 194-44	S	S	S	S												
Textile, leather goods and clothing manufacturing													P	P	P		
Theaters								P	P	P		P			P		
Toys, games and novelties manufacturing													P	P	P		
Training centers and schools																P	P
Utility substations		S	S	S	S												
Warehousing and distributing, provided that no outdoor storage of material shall be permitted													P	P	P		
Wholesale stores and shops													P	P	P		P
Any use of the same general character as a light industrial use permitted in the B-3 District, provided that the Board shall find that said use is not inconsistent with the generally accepted definition of the term "light industry" and where, in the estimation of the Board, the enterprise in question will be beneficial to the Town as a whole									P			P	P	P			
<b>Accessory Uses</b>																	
Accessory one-family occupancy apartments (custodial) accessory in B-1 Districts subject to the regulatory provisions of § 194-87	Subject to the regulatory provisions of § 194-87					See below	S		P					S			

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Accessory professional offices subject to the regulatory provisions of § 194-90	Subject to the regulatory provisions of § 194-90	S	S	S	S	lot												
	<b>Additional Code Provisions</b>	<b>R-1/3</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>CRD</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>B-1A Transitiona l</b>	<b>HC District</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>PCP</b>	<b>PRDP</b>		
Accessory residential units (excluding lots with attached or multifamily units) subject to the regulatory provisions of § 194-91	Subject to the regulatory provisions of § 194-91	P	P	P	P	see below												
Accessory retail, professional, and/or personal services in cluster subdivisions of 100 acres or more, subject to the regulatory provisions of § 194-46.1	Subject to the regulatory provisions of § 194-46.1	S	S	S	S													
Banks																P	P	
Church cemeteries less than four acres and church internal columbariums		P	P	P	P													
Commercial communications antenna installation co-located on commercial communications towers approved under Local Law No. 5-1998 or upon commercial communications towers approved under former § 194-76, subject to the regulatory provisions of (current) § 194-76	Subject to the regulatory provisions of (current) § 194-76	S	S	S	S				S				S			S	S	
Commercial communications antenna installation co-located on eligible buildings or structures as provided in § 194-76		S	S	S	S				S				S			S	S	
Commercial communications tower, provided that the parcel on which the tower is located abuts an I-1 Zone, subject to the regulatory provisions of § 194-76	Subject to the regulatory provisions of § 194-76								S							S	S	
Commercial communications tower subject to the regulatory provisions of 194-76	Subject to the regulatory provisions of § 194-76												S					
CRD accessory uses (same as those permitted in the R-1 Zone)																		
Customary accessory uses											P							
Customary accessory uses, including retail sales incidental to any listed permitted uses								P	P	P	P		P	P	P			P
Customary home occupations		P	P	P	P													
Dish antennas		P	P	P	P													
Electric vehicle charging Stations (see Article XIV, Supplementary Off-Street Parking Regulations, § 194-55.10, Electric vehicle charging stations)	See Article XIV, Supplementary Off-Street Parking Regulations, § 194-55.10, Electric vehicle charging stations)	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P
Estate cottage	See additional regulatory provisions in § 194-55.8		P	P	P													
Excavation from or filling on a single lot of not more than 500 tons or 375 cubic yards, whichever is less, or earth material in any consecutive twelve-month period, as part of a bona fide landscaping operation on a lot upon which a primary residence is located, or for which a current, valid building permit therefor has been issued, and in accordance with § 194-75 (R-1 and R-2 Zones)			P	P														
Helicopter landing pads															P	P		
Indoor recreation facilities															P			
Keeping of household pets		P	P	P	P													
Noncommercial radio transmitting towers (excluding lots with attached or multifamily units)		P	P	P	P													
Off-street parking		P	P	P	P													
Parking structures															P			
Portable storage units	Subject to the regulatory provisions in § 194-55.9	P	P	P	P						P							
Private garages or carports (not exceeding four spaces)		P	P	P	P													
Private garden house, toolhouse, gate house or similar private accessory use		P	P	P	P													
Private railroad sidetrack												P	P				P	
Private swimming pools, tennis courts		P	P	P	P		P*	P*	P*	P*	P*							

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		R-1/3	R-1	R-2	R-3	CRD	B-1	B-2	B-3	B-1A Transitiona l	HC District	I-1	I-2	I-3	PCP	PRDP		
Same accessory uses as those permitted in the R-1 Zone																		
Shared driveway for up to three lots subject to the regulatory provisions in § 194-67.1	Subject to the regulatory provisions in § 194-67.1	S	S	S	S													
	<b>Additional Code Provisions</b>																	
Signs subject to the regulatory provisions of Chapter 153, Signs	Subject to the regulatory provisions of Chapter 153, Signs	P	P	P	P	See below												
Storage of auto trailers, boats and similar private vehicles subject to the regulatory provisions of § 194-52 and § 194-52.1	Subject to the regulatory provisions of § 194-52 and § 194-52.1	P	P	P	P													
Storage or parking of commercial vehicle (excluding lots with attached or multifamily units) subject to the regulatory provisions of § 194-52 and § 194-52.1	Subject to the regulatory provisions of § 194-52 and § 194-52.1	P	P	P	P													
Subdivision recreation areas subject to the regulatory provisions of § 194-65	Subject to the regulatory provisions of § 194-65	S	S	S	S													
Temporary offices and storage (related to construction only) subject to the regulatory provisions of § 194-51	Subject to the regulatory provisions of § 194-51	P	P	P	P													
<b>Conservation Residential Development (CRD)</b>																		
Conservation Residential Development (CRD) subject to the regulatory provisions in § 194-21																		
<b>Residential Uses</b>																		
Detached, semidetached, attached one-family dwellings, two-family dwellings, and multifamily dwellings (see special requirements in § 194-21 A(1))	See special requirements in § 194-21A(1)					P												
<b>Nonresidential</b>																		
Active and passive park and recreational areas, open space, and activities including swimming pools, tennis courts, ball fields, playgrounds, walkways, bikeways, nature trails, and similar structures and facilities						P												
<b>Accessory Uses</b>																		
Accessory uses in the CRD Zone shall be the same as those permitted in the R-1 Zone						P												
Special Uses (see requirements in § 194-21 C)																		
Public uses; schools, public buildings, places of worship, membership clubs and nursery schools						S												
Commercial uses. Retail shops, personal-service shops, professional offices and grocery stores provided that the total land area devoted to commercial uses does not exceed 5% of the gross land area within the CRD and such uses are clearly accessory to the residential uses						S												

\* NOTE: Permitted as an accessory use in business zones with an existing residential property.