

# ZONING

## 194 Attachment 3 Town of East Fishkill

### Schedule of Bulk Regulations

[Amended 6-14-1979 by L.L. No. 4-1979; 3-28-1985 by L.L. No. 2-1985; 8-24-1993 by L.L. No. 4-1993;  
10-13-1994 by L.L. No. 7-1994; 8-22-1996 by L.L. No. 7-1996; 9-12-1996 by L.L. No. 9-1996; 9-26-2000 by L.L. No. 5-2000;  
11-14-2002 by L.L. No. 2-2002; 11-14-2002 by L.L. No. 4-2002; 11-14-2002 by L.L. No. 9-2002; 11-14-2002 by L.L. No. 11-2002;  
10-28-2010 by L.L. No. 6-2010; 10-25-2012 by L.L. No. 8-2012; 6-28-2012 by L.L. No. 3-2012; 6-24-2021 by L.L. No. 3-2021; 2-13-2025 by L.L.  
No. 1-2025]

District	Minimum Lot Size <sup>6</sup>				Minimum Yards (feet) <sup>11</sup>			Maximum Building Coverage	Maximum Height	
	Area (acres) <sup>8</sup>	Frontage <sup>9</sup>	Width	Depth	Front <sup>10</sup>	Side	Rear	In % of Lot Area	Stories	Feet
R-3	3	75	150	175	50	30	50	6%	2.5	35
R-2	2	50	125	150	50	30	50	8%	2.5	35
R-1	1	50	125	150	50	25	50	12%	2.5	35
R-1/3	1/3	50	100	125	35	15	30	20%	2.5	35
CRD <sup>12</sup>	Parcel size at least 150 acres	100 feet on state or county highway							2.5	35
Single-family detached	7,000 sq ft lots	100 feet on state or county highway	70	90	20	15	30	12%	2.5	35
Single-family semidetached and attached end units	4,000 sq ft lots	100 feet on state or county highway			20		30	12%	2.5	35
Single-family attached units	2,500 sq ft lots	100 feet on state or county highway			20		30	12%	2.5	35
AFO	The bulk regulations for the AFO (Active Farm Overlay) Zone shall be the same as the underlying residential zone in which the property is located.									
TPOD	The bulk regulations for the TPOD (Taconic Parkway Overlay District) Zone shall be the same as the underlying residential zone in which the property is located, unless otherwise indicated in § 194-4.2.3.									

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District	Minimum Lot Size		Maximum Lot Coverage (%)	Maximum Building Coverage (%)	Minimum Yard Dimensions <sup>2,6,7,10,11</sup> (feet)					Maximum Height		Minimum Open Space
	Area (acres)	Width at Building Line			FAR <sup>3</sup>	Front	One Side	Both Sides	Rear	Feet	Stories	
PCP <sup>1</sup>	20	700	50%	25%	0.25	100	50	100	50	50	4	20%
PRDP <sup>5</sup>	5*	200	50%	25%	0.25	100	50	100	80	40	3	20%
B-1 <sup>1,15</sup>	—	—	75%	35%	0.35	40 <sup>2</sup>	10 <sup>4</sup>	10 <sup>4</sup>	20	30	2	—
B-2 <sup>1,15</sup>	—	—	75%	35%	0.35	40 <sup>2</sup>	10 <sup>4</sup>	10 <sup>4</sup>	20	30	2	—
B-3 <sup>15</sup>	—	—	75%	50%	—	25	10 <sup>4</sup>	10 <sup>4</sup>	20	35	2.5	—
HC <sup>15</sup>	—	—	90%	75%	—	10	5 <sup>4</sup>	5 <sup>4</sup>	15 <sup>14</sup>	35	2.5	—
B-1A <sup>13,15</sup>	2	—	35%	—	0.3	75	25	50	20	30	2	—
I-1	1	10	75%	25%	0.25	50	20	40	20	30	2	—
I-2	1	100	75%	25%	0.25	50	20	40	30	45	3	—
I-3	1	100	65%	25%	0.25	100	20	40	30	35	2	—

\* Possible variations in acres can be found in § 194-55.

NOTES:

- <sup>1</sup> Use in this district must have site plan approval pursuant to Article VII, Site Plan Approval.
- <sup>2</sup> In the commercial district located along State Route 52 west of the Taconic Parkway, there shall be a minimum setback of 100 feet.
- <sup>3</sup> FAR (floor area ratio) is the result of dividing the total floor area by the total area of the parcel of the land.
- <sup>4</sup> Where a General Business District (B-1, B-2, B-3, HC) abuts a residential district, there shall be a minimum side yard of 20 feet in the General Business District on the side abutting the residential district.
- <sup>5</sup> All PRDPs are also subject to the requirements of § 194-55A through D of this chapter. The Town Board has the authority to establish less-restrictive bulk standards for the lots created prior to the effective date of L.L. No. 4-1993, as provided in § 194-55E.
- <sup>6</sup> Minimum lot size in residential zones is subject to the provisions of the Environmentally Sensitive Lands Law. (See § 194-14.1.)
- <sup>7</sup> Minimum lot size, maximum coverage of lot, and FAR in nonresidential zones is subject to the provisions of the Environmentally Sensitive Lands Law.

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- <sup>8</sup> For flag lots, the area of the accessway shall not be included in the calculation of a lot area. Flag lots may not be smaller than one acre in size. (See § 194-92.1.)
- <sup>9</sup> For flag lots, frontage along the street shall be 50 feet, and the width of the strip of land connecting the buildable portion of the flag lot to the street shall be at least 50 feet along its entire length. (See § 194-92.1.)
- <sup>10</sup> When a property abuts a road and the right-of-way for that road has not been previously dedicated to the Town, county or state, then 25 feet shall be added to the appropriate minimum setback, and the setback shall be measured from the centerline of the road.
- <sup>11</sup> On parcels abutting the Taconic Parkway or Interstate 84 (including the AFO District), there shall be a minimum buffer of 100 feet from the edge of the Taconic State Parkway or I-84 right-of-way to any structure, building or parking area. On all parcels abutting any state or county road outside the hamlet areas identified in § 194-4.1, there shall be a minimum setback of 100 feet from the edge of the road pavement to any building. These requirements shall supersede any less-restrictive yard or setback requirements set forth in other provisions of this Code.
- <sup>12</sup> Please see § 194-22 for additional development standards and controls related to the CRD District.
- <sup>13</sup> Additionally these lots shall require a full buffer area of 25 feet from the road right-of-way adjoining the property into said property and may be part of the front or side yard setback. The landscape buffer will be along the boundary of the property with any public roadway, whether on the front or side of said property or both. Berming and heavy landscaping as determined by the Planning Board shall be required.
- <sup>14</sup> For parcels in the Hamlet Center District abutting a residential district a minimum rear setback of 20 feet is required.
- <sup>15</sup> Private swimming pools and tennis courts as an accessory use shall meet the bulk requirements of an R-1 Zone for any dwelling located in a “B” Zone

No access, except emergency access, for either ingress or egress shall be to or from a residential district.