

ZONING

145 Attachment 1

SCHEDULE OF REGULATIONS*
Town of Phelps

[Amended 5-16-1988 by L.L. No. 2-1988; 9-6-1988 by L.L. No. 4-1988; 7-2-1990 by L.L. No. 2-1990; 8-5-1991 by L.L. No. 1-1991; 12-2-1991 by L.L. No. 2-1991; 10-3-1994 by L.L. No. 2-1994; 8-7-1995 by L.L. No. 2-1995; 11-6-1995 by L.L. No. 4-1995; 8-4-1999 by L.L. No. 3-1999; 3-6-2000 by L.L. No. 1-2000; 6-9-2008 by L.L. No. 2-2008; 4-11-2022 by L.L. No. 2-2022; 7-10-2023 by L.L. No. 4-2023; 7-15-2024 by L.L. No. 5-2024]

District	Utilities	Minimum Lot Size			Minimum Yard Dimensions			Maximum Height of Buildings		Maximum Building
		Area	Width (feet)	Depth (feet)	Front (feet)	Each Side (feet)	Rear (feet)	Stories	Feet	Coverage of Lot (percent)
R-AG District	No public sewer or water	1 acre	150	200	40	20	40	2½	35	25
<i>Permitted Uses:</i>	With public sewer or water	30,000 square feet	125	200	40	20	40	2½	35	25
Principal:	Single- or two-family dwelling, tourist home, rooming house. Essential service, as defined in § 145-4B. Church and similar places of worship, parish house or convent. Hospital, nursing or convalescent home. Manufactured homes. Public building of government or cultural nature, school or educational institution, public park or playground. Agricultural operations which produce vegetables, fruit, flowers, soil products, dairy products, poultry, livestock, meats, eggs, etc.									
Accessory:	Home occupation, as defined in § 145-4B. Farm buildings, private garages or other buildings incidental to principal use, but does not include any activity conducted as business. Office of a physician, lawyer, dentist, architectural engineer, etc., when conducted in dwelling by inhabitant thereof. Roadside stand in connection with farm occupation for display and sale of farm products, provided that the stand is set back 30 feet from right-of-way. Off-street parking and loading areas, in accordance with §§ 145-24 through 145-28 of this chapter.									
Special:	Public and semipublic uses of a welfare, education, recreation and cultural nature, and religious home accessory to such uses. Such areas shall be in accordance with provisions set forth in §§ 145-24 through 145-28 of this chapter. Abattoir, cemetery, golf course, migrant camp, signs, animal kennel or hospital and veterinary clinic, manufactured home in accordance with § 145-13E, multiple-family dwelling, as defined in § 145-4B. Riding academy, livery stable, airfield, landing strip or related facilities. Swimming pools, in accordance with § 145-31A, B and C. Community building, golf club, social hall, club, lodge and fraternal organization. Communication facility such as radio or television transmitting studio and tower, directional beacon, antenna and essential utility service housed in a permanent structure. Manufactured home parks, in accordance with § 145-14. Kennels. Camping grounds, in accordance with § 145-20.2 Accessory dwelling units, in accordance with § 145-20.3 Planned development groups, in accordance with § 145-18, excluding properties located within Ontario County Consolidated Agricultural District 1									
R-1 District	No public sewer or water	1 acre	150	200	40	20	40	2½	35	30
<i>Permitted Uses</i>	With public sewer or water	30,000 square feet	125	200	40	20	40	2½	35	30

TOWN OF PHELPS

Principal:	All permitted principal uses in the R-AG District.									
Accessory:	All permitted customary accessory uses in the R-AG District, except a roadside stand.									
Special:	Swimming pool. In accordance with § 145-31A, B and C. Accessory dwelling units, in accordance with § 145-20.3									

*Note: All uses not designated herein are prohibited.

District	Utilities	Minimum Lot Size			Minimum Yard Dimensions			Maximum Height of Buildings		Maximum Building
		Area	Width (feet)	Depth (feet)	Front (feet)	Each Side (feet)	Rear (feet)	Stories	Feet	Coverage of Lot (percent)
C-1 District	No public sewer or water	1 acre	150	200	25	25	15	3	45	50
<i>Permitted Uses:</i>	With public sewer or water	30,000 square feet	125	200	25	25	15	3	45	50
Principal:	Retail business or service establishment, office, bank or other financial institution, social hall, club or lodge, motel, motor court, motor hotel, eating and drinking establishment. Automobile service station, gas station, repair shop, public garage or automobile sales and showroom. Funeral parlor or bowling alley. Manufactured homes. Highway commercial establishment catering generally to the tourist, such as gift shop or antique or specialty shop. Essential services, as defined in § 145-4. Single- or two-family dwelling, tourist home, rooming house. Essential service, as defined in § 145-4B. Church and similar places of worship, parish house or convent. Hospital, nursing or convalescent home. Public building of government or cultural nature, school or educational institution, public park or playground. Agricultural operations which produce vegetables, fruit, flowers, soil products, dairy products, poultry, livestock, meats, eggs, etc. Light industrial uses, including machine shops and uses involved in the fabrication, manufacture, assembly or packing of products not injurious or objectionable through smoke, noise, odors, glare, dust or hazardous materials, with such products including, but not being limited to, cloth, metal, plastic, paper, wood, leather, precious or semiprecious metals or stones, electronic or electrical instruments or devices, candy, food products, pharmaceuticals and like products.									
Accessory:	Off-street parking or loading areas in accordance with §§ 145-24 through 145-28 of this chapter. Other customary uses and structures which are clearly incidental to the permitted principal use.									

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Special:	Manufactured home in accordance with § 145-13E. Travel trailer or manufactured home sales. Nursing or convalescent home. Signs. Kennel. Swimming pools, in accordance with § 145-31A, B and C. Warehousing and truck terminals which allow the inside storage of manufactured products and the receiving and shipping of same. Cannabis retail dispensaries and cannabis on- site consumption establishments, in accordance with § 145- 20. 1 Camping grounds, in accordance with § 145-20.2 Accessory dwelling units, in accordance with § 145-20.3 Planned development groups, in accordance with § 145-18									
M-1 District	No public sewer or water	1 acre	200	200	75	35	25	4	60	50
<i>Permitted Uses:</i>	With public sewer or water	1 acre	200	200	75	35	25	4	60	50
Principal:	Agricultural or nursery uses, including the display and sale of farm products and the raising of stock and poultry. Essential services, as defined in § 145-4B. Single- or two-family dwelling, tourist home, rooming house. Church and similar places of worship, parish house or convent. Hospital, nursing or convalescent home. Manufactured homes. Public building of government or cultural nature, school or educational institution, public park or playground. Agricultural operations which produce vegetables, fruit, flowers, soil products, dairy products, poultry, livestock, meats, eggs, etc.									

***Note: All uses not designated herein are prohibited.**

District	Utilities	Minimum Lot Size			Minimum Yard Dimensions			Maximum Height of Buildings		Maximum Building
		Area	Width (feet)	Depth (feet)	Front (feet)	Each Side (feet)	Rear (feet)	Stories	Feet	Coverage of Lot (percent)
Accessory:	Customary accessory uses incidental to a permitted use. Off-street parking and loading areas, in accordance with §§ 145-24 through 145-28 of this chapter. Private garages and parking areas.									

TOWN OF PHELPS

<p>Special:</p>	<p>Any special use permitted in the C-1 District. Freight or truck terminal, motor freight station, dump or sign. Wholesale business, warehousing and distribution plants. Storage and sale yards, open or enclosed, used for storage of fuel, wood, coal, building materials, produce, meat, machinery, cars, trucks and trailers. Heavy commercial uses, including machine shops, trade schools, machinery sales, laundries, bakeries, bottling works, dry cleaning and dyeing, custom manufacturing, manufacture of electronic equipment or precision instruments, furniture, optics and watches, research and other laboratories. Manufacture, assembly or packing of products not injurious or objectionable through smoke, noise, odors, glare, dust or hazardous materials. Such products would include cloth, metal, plastic, paper, wood, leather, precious or semiprecious metals or stones, electronic or electrical instruments or devices, candy, food products, pharmaceuticals and the like. Junkyard, as defined in this chapter, provided that it shall be completely enclosed by a substantial fence with opening for access and egress only; such fence to be at least 6 feet high and at least 25 feet from nearest highway or right-of-way. Kennel. Excavation operations. Swimming pool, in accordance with § 145-31A, B and C. Cannabis retail dispensaries and cannabis on- site consumption establishments, in accordance with § 145- 20. 1 Camping grounds, in accordance with § 145-20.2 Accessory dwelling units, in accordance with § 145-20.3 Planned development groups, in accordance with § 145-18</p>									
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