

ZONING

246 Attachment 16

Town of Oyster Bay

§ 246-5.2 Schedule of Use Regulations - Residence Districts  
(Page 1)

[Amended 7-22-2003 by L.L. No. 7-2003; 1-20-2004 by L.L. No. 2-2004; 11-9-2004 by L.L. No. 16-2004;  
8-9-2011 by L.L. No. 2-2011; 9-12-2017 by L.L. No. 6-2017]

Uses Uses Permitted Only Where Specifically Indicated	Residence District Designation				
	R1-5A R1-2A	R1-1A R1-20 R1-15 R1-10 R1-10/OHG	R1-7 R1-6	RMF-6 RMF-10 RMF-16 RPH-20 RSC-25	RNG-12
<b>Residential</b>					
<i>One-family dwellings</i>	PP	PP	PP		
<i>Two-family dwellings</i> (§ 246-5.5.28)			SP (ZBA)		
<i>Multifamily dwellings</i>				PP	
<i>Townhouses</i>				PP	PP
<i>Rooming or boarding houses</i> (§ 246-5.5.23)			SP (TB)		
<i>Congregate-care, assisted living facilities</i>					
<i>Parent-child residences</i> (§ 246-5.5.18)	PA/SP (ZBA)	PA/SP (ZBA)	PA/SP (ZBA)		
<i>Accessory apartments</i>					
<i>Apartments over stores</i> (§ 246-5.5.5)					
<i>Domestic employees' residences</i> (§ 246-5.5.12)	PA/SP (ZBA)				
<i>Conversion of garages</i> (§ 246-5.5.20.3)	PA	PA	PA	PA	
<i>Keeping of domestic animals</i> (§ 246-5.5.15)	PA	PA	PA	PA	PA
<i>Private garages and carports</i> (§ 246-5.5.20)	PA	PA	PA	PA	

NOTE: Permitted uses may require site plan approval. (See § 246-6.2.)

## OYSTER BAY CODE

Key: **PP**: Permitted Principal Use; **PA**: Permitted Accessory Use; **SP**: Special Permit Use; **(TB)**: Town Board Approval; **(ZBA)**: Zoning Board of Appeals

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**Town of Oyster Bay**  
**§ 246-5.2 Schedule of Use Regulations - Residence Districts**  
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Uses Uses Permitted Only Where Specifically Indicated	Residence District Designation				
	R1-5A R1-2A	R1-1A R1-20 R1-15 R1-10 R1-10/OHG	R1-7 R1-6	RMF-6 RMF-10 RMF-16 RPH-20 RSC-25	RNG-12
<i>Home businesses</i> (§ 246-5.5.14)	PA/SP (ZBA)	PA/SP (ZBA)	PA/SP (ZBA)		
<i>Home offices</i> (§ 246-5.5.14)	PA	PA	PA	PA	PA
<b>Recreation</b>					
<i>Country clubs</i> (§ 246-5.5.10)	SP(TB)	SP (TB)	SP (TB)	SP (TB)	
<i>Game rooms</i>					
Active recreation uses, including bowling, tennis, golf driving ranges, miniature golf, batting ranges, skating, health clubs and similar uses				PA	PA
Marinas					
<i>Private membership clubs</i> (§ 246-5.5.21)					
Public parks	PP	PP	PP	PP	PP
<i>Swimming pools</i> (§ 246-5.5.26)	PA	PA	PA	PA	PA
Tennis courts (§ 246-5.5.27)	PA	PA	PA	PA	PA
<i>Theaters</i>					

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	R1-5A R1-2A	R1-1A R1-20 R1-15 R1-10 R1-10/OHG	R1-7 R1-6	RMF-6 RMF-10 RMF-16 RPH-20 RSC-25	RNG-12
<b>Public/Semipublic</b>					
Cemeteries	SP (ZBA)	SP (ZBA)	SP (ZBA)	SP (ZBA)	
Colleges, universities or <i>private schools</i> (§ 246-5.5.8)	PP	PP	PP	PP	
<i>Day care</i> , play care, nursery schools and similar facilities - intended capacity of more than 12 patrons, attendees or students (§ 246-5.5.11)	SP (TB)	SP (TB)	SP (TB)		
Eleemosynary institutions					
Hospitals, convalescent or nursing homes					
<i>Marine educational institutions</i>					
Municipal uses of Town of Oyster Bay (§ 246-4.1.4.1)	PP	PP	PP	PP	PP
<i>Museums</i>					
Other governmental uses of federal, state or county agencies, or special purpose districts thereof (§ 246-4.1.4.2)	PP (TB)	PP (TB)	PP (TB)	PP (TB)	PP (TB)
Places of worship (§ 246-5.5.19)	PP	PP	PP	PP	PP
Public schools	PP	PP	PP	PP	PP

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## Town of Oyster Bay § 246-5.2 Schedule of Use Regulations - Residence Districts (Page 4)

Uses  Uses Permitted Only Where Specifically Indicated	Residence District Designation				
	R1-5A R1-2A	R1-1A R1-20 R1-15 R1-10 R1-10/OHG	R1-7 R1-6	RMF-6 RMF-10 RMF-16 RPH-20 RSC-25	RNG-12
Technical or trade schools					
<b>Business</b>					
Accessory outdoor sales and display (§ 246-5.5.1)					
<i>Agriculture</i> (§ 246-5.5.2)	PP	PP	PP		
<i>Animal boarding facility</i>					
<i>Animal hospitals</i> (§ 246-5.5.3)					
Banks					
<i>Bars</i> (§ 246-5.5.6)					
<i>Boatyards</i>					
Business services					
<i>Catering services</i> (§ 246-5.5.7)	PA/SP (TB)	PA/SP (TB)	PA/SP (TB)	PA/SP (TB)	
Commercial greenhouses					
<i>Discotheques, dance halls, cabarets, night clubs</i>					
Drive-through services, fast food (§ 246-5.5.13)					

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Town of Oyster Bay  
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Drive-through services, other (§ 246-5.5.13)					
Landscape nursery, garden center					
<i>Fast-food restaurants</i> (in multiple use building)					
<i>Fast-food restaurants</i> (in freestanding building)					
<i>Fishing stations</i>					
<i>Fish markets</i>					
Keeping of farm animals (§ 246-5.5.16)	PA (ZBA)	PA (ZBA)	PA (ZBA)		
Lodging places					
<i>Mariculture</i>					
<i>Mariculture research and development facilities</i>					
<i>Marine-retail business complexes</i>					
<i>Office</i>					
Personal services					
<i>Professional and medical offices</i>					

NOTE: Permitted uses may require site plan approval. (See § 246-6.2.)

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## Town of Oyster Bay § 246-5.2 Schedule of Use Regulations - Residence Districts (Page 6)

Uses Uses Permitted Only Where Specifically Indicated	Residence District Designation				
	R1-5A R1-2A	R1-1A R1-20 R1-15 R1-10 R1-10/OHG	R1-7 R1-6	RMF-6 RMF-10 RMF-16 RPH-20 RSC-25	RNG-12
<i>Public markets</i> (§ 246-5.5.22)					
<i>Restaurants</i> (maximum permitted occupancy of 75 persons)					
<i>Restaurants</i> (permitted occupancy of 76 or more persons)					
Retail stores					
<i>Self-service storage facility</i>					
Undertaking establishments (§ 246-5.5.29)					
<i>Veterinary offices</i>					
<i>Water-dependent uses</i> found to be beneficial and harmonious with the special permit requirements of the Waterfront-A District					
<b>Automotive</b>					
Motor vehicle fuel sales and service, motor vehicle repair, auto body, tow car operations, car washing establishments and public garages (§ 246-5.5.17)					
Motor vehicle rental facilities					

NOTE: Permitted uses may require site plan approval. (See § 246-6.2.)

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<i>Motor vehicle dealership</i>					
Parking structures (§ 246-7.5.3)					
<i>Outdoor motor vehicle sales</i>					
Storage of registered commercial vehicles (§ 246-5.5.24)	PA	PA	PA		
Storage of unregistered vehicles (§ 246-5.5.24)	PA	PA	PA		
<b>Industrial</b>					
<i>Helipads</i>					
<i>Light manufacturing uses</i>					
Lumber yards					
<i>Research and development uses</i>					
Warehouse, distribution and storage uses					
<b>Utility</b>					
<i>Antennas</i> (§ 246-5.5.4)	SP (ZBA)	SP (ZBA)	SP (ZBA)	SP (ZBA)	SP (ZBA)

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Electric substations					
Public utility buildings or structures					
Radio and television broadcasting studios					
<i>Solid waste management facilities</i>					
Wireless telecommunications facilities	SP (ZBA)	SP (ZBA)	SP (ZBA)	SP (ZBA)	SP (ZBA)

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