

ZONING

322 Attachment 4

Town of Smithtown

RESIDENCE DISTRICTS: TABLE OF USE REGULATIONS

[Amended 10-29-1968; 2-25-1969; 3-4-1975; 6-7-1977; 8-14-1984; 9-11-1984; 10-9-1984; 1-26-1988; 8-22-1989; 2-13-1990; 5-28-1991; 11-24-1992; 6-8-1993; 1-25-1994; 9-13-1994; 10-7-1997; 7-13-2004; 7-11-2006; 3-22-2012; 9-6-2022 by Res. No. 2022-781; 4-20-2023 by L.L. No. 8-2023]

LEGEND:

- "P" means permitted.
 - "BA" means permitted by special exception from the Board of Appeals.
 - "TB" means permitted by special exception from the Town Board.
 - "-" means not permitted.
- Any land use not listed in this table is not permitted in any district.

Use	District								
	R-43 One-Family	R-21 One-Family	R-15 One-Family	R-10 and R-10S One-Family	RM-7 One- and Two-Family	R-6 Town-House	PRD Planned Residential Development	RC Retirement Community	RM-GA Garden Apartments
Residential uses									
1-family dwelling	P	P	P	P	P	--	--	--	--
2-family dwelling	--	--	--	--	P	--	--	--	--
Bonus density apartment	--	--	--	--	--	--	--	TB	--
Garden apartment	--	--	--	--	--	--	--	P	P
Townhouse dwelling ¹	--	--	--	--	--	P	P	--	P
Community facility uses									
Adult home, nursing home or assisted living facility	--	--	--	--	--	--	--	--	--
Airport or heliport	--	--	--	--	--	--	--	--	--
Arena or assembly hall	--	--	--	--	--	--	--	--	--
Cemetery	P	P	P	P	P	--	--	--	--
Church or similar place of worship	P	P	P	P	P	--	P	P	--
College or university	--	--	--	--	--	--	--	--	--
Convent or monastery	P	P	P	P	P	--	--	--	--
Day camp	BA	BA	BA	BA	--	--	--	--	--
Day-care center; nursery school	BA	BA	BA	BA	BA	--	BA	--	--
Fire or ambulance station	P	P	P	P	P	--	P	--	--
Golf course or country club of 50 acres or more	BA	BA	BA	BA	BA	--	--	--	--
Hospital	TB	TB	TB	--	--	--	--	--	--
Membership club, nonprofit	BA	BA	BA	BA	BA	--	--	--	--
Park, playground or nature preserve	P	P	P	P	P	P	P	P	P
Public library, museum or similar use	P	P	P	P	P	--	--	--	--
Public utility facility	TB	TB	TB	TB	TB	TB	TB	TB	TB
Rail or bus station	TB	TB	TB	TB	TB	TB	TB	TB	TB
School, elementary or high	P	P	P	P	P	--	--	--	--
Swimming or boat club	BA	BA	BA	--	--	--	BA	--	--
Business uses									
Adult entertainment	--	--	--	--	--	--	--	--	--
Adult retail shop	--	--	--	--	--	--	--	--	--
Agriculture	P	P	P	P	P	--	P	--	--
Animal hospital, veterinarian or kennel; animal hospice; animal boarding	--	--	--	--	--	--	--	--	--
Animal husbandry	BA	BA	--	--	--	--	--	--	--
Appliance, office machine or furniture repair	--	--	--	--	--	--	--	--	--
Bank	--	--	--	--	--	--	--	--	--
Barbershop or similar personal service shop	--	--	--	--	--	--	--	--	--
Billiard hall	--	--	--	--	--	--	--	--	--
Boat sales and/or rental showroom	--	--	--	--	--	--	--	--	--
Bowling alley	--	--	--	--	--	--	--	--	--
Broadcast studio or station, not including antennas	--	--	--	--	--	--	--	--	--
Canoe rental showroom	--	--	--	--	--	--	--	--	--
Car wash	--	--	--	--	--	--	--	--	--
Coin-operated laundromat	--	--	--	--	--	--	--	--	--
Commercial public recreation not otherwise listed herein	--	--	--	--	--	--	--	--	--
Contractor showroom	--	--	--	--	--	--	--	--	--
Counter service restaurant	--	--	--	--	--	--	--	--	--
Dance club	--	--	--	--	--	--	--	--	--
Dance, self-defense or martial arts school	--	--	--	--	--	--	--	--	--
Dry-cleaning plant of less than 4,000 square feet	--	--	--	--	--	--	--	--	--
Fence or swimming pool sales	--	--	--	--	--	--	--	--	--
Filling station	--	--	--	--	--	--	--	--	--
Fitness center or gymnasium	--	--	--	--	--	--	--	--	--
Food retail	--	--	--	--	--	--	--	--	--
Funeral home	--	--	--	--	--	--	--	--	--

SMITHTOWN CODE

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Use	District									
	R-43 One- Family	R-21 One- Family	R-15 One- Family	R-10 and R-10S One- Family	RM-7 One- and Two- Family	R-6 Town- House	PRD Planned Residential Development	RC Retirement Community	RM-GA Garden Apartments	
Game center	--	--	--	--	--	--	--	--	--	
Health spa	--	--	--	--	--	--	--	--	--	
Horseanship school or horse boarding	BA	BA	BA	BA	--	--	--	--	--	
Hotel or motel	--	--	--	--	--	--	--	--	--	
Lumberyard	--	--	--	--	--	--	--	--	--	
Medical laboratory	--	--	--	--	--	--	--	--	--	
Microbrewery	--	--	--	--	--	--	--	--	--	
Ministorage warehouse	--	--	--	--	--	--	--	--	--	
Motor vehicle sales or rental showroom	--	--	--	--	--	--	--	--	--	
Nursery	--	--	--	--	--	--	--	--	--	
Office	--	--	--	--	--	--	--	--	--	
Outdoor golf driving range/miniature golf	--	--	--	--	--	--	--	--	--	
Power equipment shop	--	--	--	--	--	--	--	--	--	
Repair garage	--	--	--	--	--	--	--	--	--	
Restaurant	--	--	--	--	--	--	--	--	--	
Retail establishment, not otherwise listed herein	--	--	--	--	--	--	--	--	--	
Shoe repair, tailoring or dressmaking	--	--	--	--	--	--	--	--	--	
Shipping center	--	--	--	--	--	--	--	--	--	
Shooting range	--	--	--	--	--	--	--	--	--	
Skating rink	--	--	--	--	--	--	--	--	--	
Studio for musician, painter, sculptor or photographer	--	--	--	--	--	--	--	--	--	
Tavern, bar or inn	--	--	--	--	--	--	--	--	--	
Taxi or limousine establishment	--	--	--	--	--	--	--	--	--	
Tennis or racquet club	--	--	--	--	--	--	--	--	--	
Theater	--	--	--	--	--	--	--	--	--	
Theater, multiplex	--	--	--	--	--	--	--	--	--	
Video rental shop	--	--	--	--	--	--	--	--	--	
Vocational school	--	--	--	--	--	--	--	--	--	
Industrial uses										
Asphalt manufacturing	--	--	--	--	--	--	--	--	--	
Brick or tile manufacture	--	--	--	--	--	--	--	--	--	
Burlap or textile thread manufacture	--	--	--	--	--	--	--	--	--	
Candle or wax manufacture	--	--	--	--	--	--	--	--	--	
Cement batching	--	--	--	--	--	--	--	--	--	
Concrete products manufacture	--	--	--	--	--	--	--	--	--	
Construction equipment and supplies storage yard	--	--	--	--	--	--	--	--	--	
Dry-cleaning plant of more than 4,000 square feet	--	--	--	--	--	--	--	--	--	
Dyestuff manufacture	--	--	--	--	--	--	--	--	--	
Forge plant	--	--	--	--	--	--	--	--	--	
Foundry	--	--	--	--	--	--	--	--	--	
Fuel storage or distribution	--	--	--	--	--	--	--	--	--	
Laundry plant of more than 4,000 square feet	--	--	--	--	--	--	--	--	--	
Licensed junkyard	--	--	--	--	--	--	--	--	--	
Machine shop	--	--	--	--	--	--	--	--	--	
Monument manufacture	--	--	--	--	--	--	--	--	--	
Nonnuisance industry	--	--	--	--	--	--	--	--	--	
Plating works	--	--	--	--	--	--	--	--	--	
Printing plant	--	--	--	--	--	--	--	--	--	
Research laboratory	--	--	--	--	--	--	--	--	--	
Rock crusher	--	--	--	--	--	--	--	--	--	
Sand and gravel mining or processing	--	--	--	--	--	--	--	--	--	
Trucking station	--	--	--	--	--	--	--	--	--	
Warehouse	--	--	--	--	--	--	--	--	--	
Wholesale business or distributor	--	--	--	--	--	--	--	--	--	
Accessory uses										
Accessory apartment	--	--	--	--	--	--	--	--	--	
Accommodations for 1 boarder	p ⁴	p ⁴	p ⁴	p ⁴	--	--	--	--	--	
Cafeteria or restaurant incidental to primary use	--	--	--	--	--	--	--	--	--	
Car wash, accessory to filling station	--	--	--	--	--	--	--	--	--	
Christmas tree sales	--	--	--	--	--	--	--	--	--	
Coin-operated machine	--	--	--	--	--	--	--	--	--	
Customary accessory structure and/or use	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	
Dish antenna	P	P	P	P	P	P	P	P	P	
Game room	--	--	--	--	--	--	--	--	--	

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Home occupation	BA	BA	BA	BA	BA	--	--	--	--
Horse stabling	P	P	BA	BA	--	--	--	--	--
Incidental retail not exceeding 3% gross floor area	--	--	--	--	--	--	--	--	--
Living quarters for parent	BA	BA	BA	BA	BA	--	--	--	--
Outdoor dining area	--	--	--	--	--	--	--	--	--
Outdoor storage	--	--	--	--	--	--	--	--	--
Parking for business and/or industrial uses	BA	BA	BA	BA	BA	--	--	--	--
Parking garage	--	--	--	--	--	--	--	--	--
Private garage or off-street parking	P	P	P	P	P	P	P	P	P
Private swimming pool	P	P	P	P	P	p ³	p ³	p ³	p ³
Propane exchange	--	--	--	--	--	--	--	--	--
Signs	P	P	P	P	P	P	P	P	P

NOTES:

¹ Permitted in R-43, R-10 and R-10S Districts, only as part of final plat approval by the Planning Board in a subdivision clustered pursuant to § 281 of the Town Law.

² Provided that it shall not include any activity commonly conducted as a business.

³ Not more than one pool per site.

⁴ Provided that separate kitchen or entrance facilities are not included.