

## ZONING

### *305 Attachment 3*

#### **Town of Tarrytown**

#### **Zoning Schedule**

#### **Column 3**

#### **Permitted Accessory Uses**

##### **Single-Family Residence Districts**

- A. The raising of ornamental and food crops for use only by occupants of such property.
- B. Noncommercial greenhouses for personal use only, on any lot in excess of 6,000 square feet in the rear yard only, provided that it does not exceed 2% of the lot area in ground coverage.
- C. The keeping of dogs and cats as household pets, provided that the total number of such pets shall not exceed five animals over the age of six months.
- D. The keeping of not more than two boarders or lodgers by a resident family or person, provided that the resultant density of occupancy does not exceed two persons for each bedroom in the applicable premises.
- E. Customary incidental home occupations conducted solely by persons residing on the premises, provided that:
  - (a) There is no outside display.
  - (b) No more than 1/2 of the area of one floor of the dwelling unit is so used.
  - (c) Only customary household appliances and equipment are used.
  - (d) No nonresidents are employed therein.
- F. Professional offices or studios of artists, architects, dentists, doctors or engineers residing on the premises, provided that:
  - (a) The professional office existed prior to September 5, 1989, and said professional office was in full compliance with the Village of Tarrytown Zoning Code, as amended, as of September 5, 1989.
  - (b) The owner of the home resides therein.
  - (c) The owner of the home maintains her or his professional office or studio therein.

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- (d) Not more than two assistants shall be employed at the same time in the office of any doctor or dentist and not more than one employee in any other professional office listed.
  - (e) The term "professional" is limited to those occupations listed in Title VIII of the Education Law of the State of New York, Article 15 of the Judiciary Law of the State of New York and Article 15 of the Business Corporation Law of the State of New York.
- G. Accessory private garage space for not more than one private passenger vehicle for each 5,000 square feet of lot area, except that garage space for two such private vehicles shall be permitted on any lot of 5,000 square feet or more, and one commercial vehicle belonging to the owner or lessee of such lot may be kept in a fully enclosed structure. Such garage space may be within, under or directly connected by a breezeway to the principal building, or on lots of 7,500 square feet or more may be separated from such principal building, but space for not more than one private passenger building may be leased to a nonresident of the premises.
- H. Organized child-care facilities, including but not limited to nursery schools and day-care centers, designed and licensed by the State of New York to conduct the care and feeding of children of preschool and elementary school age, subject to site plan approval by the Planning Board.
- I. Swimming pools. (See § 305-54.)
- J. Tents, trailers, boats, recreation vehicles and mobile homes. (See § 305-55.)
- K. Solar heating devices. (See § 305-56.)
- L. Wind-energy devices. (See § 305-57.)
- M. Tennis courts. (See § 305-58.)
- N. Other accessory structures, such as toolhouses, a child's playhouse, wading pools, outdoor fireplaces or drying yards, not to be located in any front yard or to be nearer to any side or rear lot line than the distance specified in the yard requirements, provided that they shall not exceed 1% of the lot area in ground coverage.
- O. Freestanding accessory buildings shall not be permitted in the R-5 Zone. Accessory uses shall be within or attached to a principal building directly or by a breezeway or roofed corridor not exceeding 15 feet in length.
- P. Accessory dwelling unit in compliance with § 305-14B(15). **[Added 2-8-2023 by L.L. No. 2-2023]**

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### **Multifamily Residence Districts**

#### A. Accessory uses permitted for all uses:

- (1) Customary incidental home occupations in a permitted dwelling or dwelling unit conducted solely by persons residing on the premises, provided that they cause no noise, odor, vibration or other annoyance to other tenants, and provided that:
  - (a) There is no outside display.
  - (b) No more than 1/2 of the area of one floor of the dwelling unit is so used.
  - (c) Only customary household appliances and equipment are used.
  - (d) No nonresidents are employed therein.
- (2) Professional offices or studios of artists, architects, dentists, doctors or engineers residing on the premises, provided that:
  - (a) The professional office existed prior to September 5, 1989, and said professional office was in full compliance with the Village of Tarrytown Zoning Code, as amended, as of September 5, 1989.
  - (b) The owner of the home resides therein.
  - (c) The owner of the home maintains her or his professional office or studio therein.
  - (d) Not more than two assistants shall be employed at the same time in the office of any doctor or dentist and not more than one employee in any other professional office listed.
  - (e) The term "professional" is limited to those occupations listed in Title VIII of the Education Law of the State of New York, Article 15 of the Judiciary Law of the State of New York and Article 15 of the Business Corporation Law of the State of New York.
- (3) The keeping of not more than two boarders or lodgers by a resident family or person, provided that the resultant density of occupancy does not exceed two persons for each bedroom in the applicable premises.
- (4) Organized child-care facilities, including but not limited to nursery schools and day-care centers, designed and licensed by the State of New York to conduct the care and feeding of children of preschool and elementary school age, subject to site plan approval by the Planning Board.
- (5) Swimming pools. (See § 305-54.)

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- (6) Tents, trailers, boats, recreation vehicles and mobile homes. (See § 305-55.)
- (7) Solar heating devices. (See § 305-56.)
- (8) Wind-energy devices. (See § 305-57.)
- (9) Tennis courts. (See § 305-58.)

### B. Accessory uses permitted for one- and two-family dwellings:

- (1) The raising of ornamental and food crops for use only by occupants of such property.
- (2) Noncommercial greenhouses for personal use only, on any lot in excess of 6,000 square feet in the rear yard only, provided that it does not exceed 2% of the lot area in ground coverage.
- (3) The keeping of no more than five dogs or cats over the age of six months as household pets.
- (4) Accessory private garage space for not more than one private passenger vehicle for each 5,000 square feet of lot area, except that garage space for two such private vehicles shall be permitted on any lot of 5,000 square feet or more, and one commercial vehicle belonging to the owner or lessee of such lot may be kept in a fully enclosed structure. Such garage space may be within, under or directly connected by a breezeway to the principal building, or on lots of 7,500 square feet or more may be separated from such principal building, but space for not more than one private passenger building may be leased to a nonresident of the premises.
- (5) Other accessory structures, such as toolhouses, a child's playhouse, swimming or wading pools, outdoor fireplaces or drying yards, not to be located in any front yard or to be nearer to any side or rear lot line than the distance specified by the yard requirements, provided that they shall not exceed 1% of the lot area in ground coverage.

### C. Accessory uses permitted for multifamily dwellings:

- (1) Required off-street recreation space in M-4 and M-3 Districts. On the same lot with any multifamily dwelling in these districts, there shall be provided as a required accessory use a fenced area, or areas, containing not less than 100 square feet of suitable play space for children for each dwelling unit therein.
- (2) The keeping of not more than one dog or cat above the age of six months as a household pet.
- (3) Accessory garages, provided that any accessory garage outside the principal building shall be attached to the principal structure, and that if recreation facilities are provided on the roofs, they shall have flat roofs and safety fences to provide terraces for outdoor recreation.

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D. Additional accessory uses permitted in M-2, M-1.5 and M-1 Zones:

- (1) Barbershops, beauty shops and newsstands, provided that access is from the lobby only.

### **Office Building District (OB)**

- A. The raising of ornamental and food crops for use only by occupants of such property.
- B. Noncommercial greenhouses for personal use only, on any lot in excess of 6,000 square feet in the rear yard only, provided that it does not exceed 2% of the lot area in ground coverage.
- C. The keeping of dogs and cats as household pets, provided that the total number of such pets shall not exceed five animals over the age of six months.
- D. The keeping of not more than two boarders or lodgers by a resident family or person, provided that the resultant density of occupancy does not exceed two persons for each bedroom in the applicable premises.
- E. Customary incidental home occupations conducted solely by persons residing on the premises, provided that:
  - (a) There is no outside display.
  - (b) No more than 1/2 of the area of one floor of the dwelling unit is so used.
  - (c) Only customary household appliances and equipment are used.
  - (d) No nonresidents are employed therein.
- F. Professional offices or studios of artists, architects, dentists, doctors or engineers residing on the premises, provided that:
  - (a) The professional office existed prior to September 5, 1989, and said professional office was in full compliance with the Village of Tarrytown Zoning Code, as amended, as of September 5, 1989.
  - (b) The owner of the home resides therein.
  - (c) The owner of the home maintains her or his professional office or studio therein.
  - (d) Not more than two assistants shall be employed at the same time in the office of any doctor or dentist and not more than one employee in any other professional office listed.

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- (e) The term "professional" is limited to those occupations listed in Title VIII of the Education Law of the State of New York, Article 15 of the Judiciary Law of the State of New York and Article 15 of the Business Corporation Law of the State of New York.
- G. Accessory private garage space for not more than one private passenger vehicle for each 5,000 square feet of lot area, except that garage space for two such private vehicles shall be permitted on any lot of 5,000 square feet or more, and one commercial vehicle belonging to the owner or lessee of such lot may be kept in a fully enclosed structure. Such garage space may be within, under or directly connected by a breezeway to the principal building, or on lots of 7,500 square feet or more may be separated from such principal building, but space for not more than one private passenger building may be leased to a nonresident of the premises.
- H. Organized child-care facilities, including but not limited to nursery schools and day-care centers, designed and licensed by the State of New York to conduct the care and feeding of children of preschool and elementary school age, subject to site plan approval by the Planning Board.
- I. Swimming pools. (See § 305-54.)
- J. Tents, trailers, boats, recreation vehicles and mobile homes. (See § 305-55.)
- K. Solar heating devices. (See § 305-56.)
- L. Wind-energy devices. (See § 305-57.)
- M. Tennis courts. (See § 305-58.)
- N. Other accessory structures, such as toolhouses, a child's playhouse, wading pools, outdoor fireplaces or drying yards, not to be located in any front yard or to be nearer to any side or rear lot line than the distance specified by the yard requirements, provided that they shall not exceed 1% of the lot area in ground coverage.
- O. Restaurants, barbershops, beauty parlors, newsstands, vehicle parking and private garage space permitted within the principal structure, provided that such uses shall be at least 150 feet from any street or property line. Restaurants and cafeterias shall be for supplying meals only to employees and guests of the principal use. Parking shall be permitted in the basement levels and in the lower two levels or stories of any permitted principal use. All such parking shall be completely indoors and substantially enclosed other than for ventilation purposes, and no unenclosed parking shall be permitted on rooftops.
- P. Overnight lodging for visitors, provided that not more than two persons shall be accommodated in any bedroom.
- Q. Recreation facilities for the exclusive use of employees and their families, provided that all facilities are at least 200 feet from any property line.

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- R. Parking lots and garage spaces for executives, employees and visitors, provided that none shall be closer than 50 feet to any street or property line.
- S. In-service training schools for employees.
- T. Central heating and power plants on lots of 10 or more acres having thereon three or more principal buildings, provided that the chimney shall be of such height and design as may be certified by a qualified engineer as in accord with accepted engineering practices.
- U. Maintenance and utility shops and storage facilities incidental to the principal use.
- V. Assembly halls for meetings incidental to the business of the principal use or for civic meetings, provided that no rental charge is made therefor and provided that at the time of such use for any meeting there shall be available parking space for all persons in attendance at any such meeting.
- W. Accessory single-family dwellings, provided that each such dwelling shall be situated on a clearly defined portion of the principal lot shown on the site plan and shall have an area of not less than 10,000 square feet and shall front on an access driveway having a width of not less than 20 feet which shall provide access to a public street, and provided further that the space between any two such dwellings shall be not less than 40 feet at any point and that no accessory profession or home occupation shall be permitted therein, and provided further that at least two off-street parking spaces or bays shall be provided convenient to each dwelling unit and that no parking of any vehicles on any access drive shall be permitted at any time unless such drive has a width of 30 feet, and then only on one side thereof.
- X. Residential facilities for training purposes on lots of 10 or more acres under a single use.

### **Mixed-Use District (MU)**

- A. Restaurants, barbershops, beauty parlors and newsstands.
- B. Overnight lodgings, provided that not more than two persons shall be accommodated in any bedroom.
- C. Recreation facilities.
- D. Garage space.
- E. Maintenance and utility shops and storage facilities incidental to the principal use.
- F. Parking lots.
- G. Assembly halls for meetings incidental to the business of the principal use or for civic meetings, provided that no rental charge is made, and that at the time of such use for any meeting, there shall be parking spaces available for all persons in attendance.

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- H. Restaurants and cafeterias.
- I. Research laboratories and pilot experimental facilities for processing or assembling units or products resulting from research, experimental and developmental work on one premises of such laboratory and for the assembly of other related units, equipment or tools incidental thereto, provided that:
  - (a) The processing or assembling requires the participation primarily of the technical staff of such laboratory.
  - (b) Such assembled or processed experimental units shall consist only of small quantities of test or trial products, models or prototypes of newly developed or redesigned products for the following purposes:
    - (i) Testing the characteristics and qualities of such products and/or their consumer acceptance.
    - (ii) Determining the technical feasibility of using the product design or assembly process on a full-scale repetitive production basis.
  - (c) Such pilot assembly or processing facilities shall not occupy an area greater than 10% of the total area of the lot.

### **Limited Business District (LB)**

- A. Restaurants, classrooms, assembly halls and shops with necessary equipment and facilities for use in connection with and accessory to technical training centers.

### **Neighborhood Shopping District (NS)**

- A. No accessory buildings shall be permitted. No entertainment device or vending machine shall be permitted except within the principal building. Only such accessory uses shall be permitted as are specified as principal uses for this district, and all such shall be within a principal building.

### **Historic Commons District (HC)**

- A. Public restaurant.
- B. Recreation facilities.
- C. Parking lots.
- D. Tennis courts.

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- E. Swimming pools.
- F. Accessory private garage space.

### **Restricted Retail District (RR)**

- A. No accessory buildings shall be permitted. No entertainment device or vending machine shall be permitted except within the principal building. Only such accessory uses shall be permitted as are specified as principal uses for this district, and all such shall be within a principal building.
- B. Any other accessory use permitted in and as regulated in a multifamily residence district.

### **General Business District (GB)**

- A. Any accessory use permitted in any residence or business district or as customarily incidental to and reasonably related in volume to a principal use permitted, but no separate freestanding accessory building shall be permitted.
- B. Sewing, altering, cleaning, dyeing or fabricating operations, provided that such procedures are incidental to a retail or wholesale operation, and that no more than 10 operatives shall be so engaged, and only steam or electric power shall be engaged.

### **Waterfront District (WD)**

- A. Uses incidental and necessary to permitted principal uses, but for no other purpose.
- B. Accessory to a boat or yacht club, a restaurant serving food and drink; a marine railway for hauling out and launching boats; a boat storage yard; customary accessory structures, including locker houses, storage for spars, sails, outboard motors, tenders and other yachting equipment, but no commercial operations or sale of supplies shall be rendered except such as are incidental and necessary as well as customary in the operation of a yacht and boat club and marina.

### **Industrial District (ID)**

- A. Any accessory use normally appurtenant to a principal permitted or compatible use permit use.
- B. None of the accessory uses permitted in one-family and multifamily residence districts.
- C. Storage of goods or equipment accessory to permitted uses.
- D. Utility, maintenance and service facilities.

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### **Waterfront General Business District (WGBD)**

- A. Any accessory use normally appurtenant to a permitted principal use or a compatible use permit use in this district.
- B. Boathouses, cabanas, locker rooms and other similar types of enclosures.
- C. Club support facilities such as administrative offices, maintenance facilities, boat storage, fuel and oil sales to boaters, laundry facilities, facilities for pumping of marine holding tanks and facilities for waste oil collection.
- D. Facilities for the sale of materials, parts, supplies and other equipment used in connection with boats; bait, supplies, equipment, materials and parts used in connection with fishing; and ice, food and beverages in sealed packages and containers for off-premises consumption in connection with boating.
- E. Parking facilities in connection with permitted principal, compatible use permit and accessory uses.
- F. Other support facilities for the functioning of principal or compatible use permit uses, including snack bars, first aid stations, information stations/services and short-term baggage storage facilities. To the extent possible, such facilities will be sited inland of the principal or compatible use permit use.