

ZONING

60 Attachment 4

TOWN OF NEW CASTLE

§ 60-410B. Schedule of regulations for business and industrial districts. Use Regulations – Part 1

[Amended 4-27-1982 by L.L. No. 5-1982; 9-14-1982 by L.L. No. 11-1982; 6-22-1983 by L.L. No. 5-1983; 5-8-1984 by L.L. No. 4-1984; 4-16-1985 by L.L. No. 8-1985; 8-13-1985 by L.L. No. 11-1985; 4-8-1997 by L.L. No. 7-1997; 10-14-1997 by L.L. No. 18-1997; 7-8-2008 by L.L. No. 3-2008; 4-10-2012 by Ord. No. 2-2012; 12-15-2015 by L.L. No. 14-2015; 10-25-2016 by L.L. No. 8-2016; 5-9-2017 by L.L. No. 2-2017; 8-8-2017 by L.L. No. 6-2017; 7-16-2019 by L.L. No. 10-2019]

The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). Restaurants and carry-out restaurants shall not be subject to the approval procedure set forth in § 60-430. A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.		
		Permitted Accessory Uses (only in conjunction with a permitted principal use)
District	Permitted Principal Uses	
B-RO-4 Research and Office Business (4 acres)	#1. Any principal use permitted in the B-RO-20 District, as permitted therein. [See § 60-430O(3).] #2. Any nonresidential principal use permitted in the R-2A District, excluding wireless telecommunication services facilities. #3. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). #4. Small wireless facilities, subject to § 60-410O. *5. Non-small cell wireless facilities, subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14).	1. The following signs, as permitted by § 60-410D(13): (a) 1 Type (c) sign for each principal building. (b) 1 Type (d) sign for each street frontage where there is an active entrance drive. (c) Type (f) signs. #2. Any other accessory use customarily incidental to a permitted principal use on the same lot. 3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.
B-RO-20 Research and Office Business (20 acres)	#1. Business and professional offices, including administrative, scientific, medical, engineering, training, statistical, financial and similar activities in connection with such use. [See § 60-430O(3).] #2. Research and development laboratories, provided that there shall be no manufacturing or fabrication of products for sale, except for a small number of plot or experimental models. [See § 60-430O(3).] #3. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). #4. Small wireless facilities, subject to § 60-410O. *5. Non-small cell wireless facilities subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14). 6. The adaptive reuse of the upper two floors of commercial buildings in existence as of January 1, 1942, for residential use in accordance with § 60-220 or its successor, provided the following requirements are satisfied: (a) one off-street parking space shall be provided per dwelling unit no greater than 400 feet from the building in which the dwelling units are located, and if such parking area is not located on the same parcel an easement or other recordable document securing	#1. Buildings and uses immediately and exclusively accessory to the principal uses permitted on the site, including automobile parking facilities, storage and maintenance of motor vehicles and other equipment, central heating and power plant, solar energy collectors, storage of documents and other properties, training schools for employees, guest lodges for transient accommodation of guest and visitors of the occupants of the building, living quarters for a custodial or caretaker of the building or buildings and the following uses where necessary for the comfort, convenience and exclusive use of the building occupants: (a) Clinics, cafeterias, banks, post offices, retail trade and service uses, when conducted within a principal building. (b) Recreation facilities, provided that all such necessary buildings and uses shall be planned as an integral part of the building development and located on the same lot with the building or buildings to which they are accessory; provided, however, that nothing herein shall be construed to permit the erection of multiple dwellings within the district. (c) Radio or television towers, dish antennas or radar screens, excluding wireless telecommunication services facilities. 2. The following signs, as permitted by § 60-410D(13): (a) 1 Type (c) sign for each principal building. (b) 1 Type (d) sign for each street frontage where there is an active entrance drive. (c) Type (f) signs.

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	<p>the parking area for such use shall be submitted in a form satisfactory to the Town Attorney. If any spaces are grouped together, the nearest one shall be located no greater than 400 feet from the building; (b) a minimum of 1,440 square feet of open space, which shall include a patio, courtyard, playground or similar amenity; (c) the building shall have a central location for mailboxes; and (d) refuse and recycling receptacles shall be located within a building with proper ventilation and odor and pest/vermin control, or within outdoor enclosures screened with fencing or vegetation.</p> <p>7. The adaptive reuse of all floors within commercial buildings in existence as of January 1, 1942, for residential use, provided that all of the requirements set forth in No. 6, above, are satisfied and the building is improved with no more than 28 units of AFFH model ordinance housing, and further provided that: (i) at least 15% but no more than 20% of all residential units in the building are designated as workforce housing, as defined at § 60-210; (ii) a declaration shall be submitted in form satisfactory to Town Counsel to ensure compliance with income limits and total percentage of workforce housing units; and (iii) the remaining units in the building shall not have any restrictions as to income eligibility. To the extent permitted by law, a preference shall be afforded to employees of the Town of New Castle, Westchester County and the Chappaqua Central School District, together with volunteer members of the Chappaqua and Millwood Fire Departments and the Chappaqua and Ossining Volunteer Ambulance Corps, to prioritize the selection of income-eligible applicants for any workforce housing units developed hereunder. Occupancy of the work force housing and implementation of the preference shall be in accordance with such regulations adopted by the Town Board. Within the B-RO-20 District only, income eligibility for workforce housing units shall be established under the regulations of such federal or state agency having subsidized the development of such units rather than under § 60-210.</p>	<p>#3. No motorized vehicle, other than passenger cars, shall be parked on the premises overnight except in a garage or on a ramp adjoining a main building</p> <p>4. The regrading, filling or excavation of land, including the removal of earth material, which is necessary and incidental to the use or development of land pursuant to an approved subdivision, site plan, special permit, wetlands permit or other written permit or written approval granted by the Town of New Castle or any agency or official thereof.</p> <p>5. Temporary use of up to 390 existing, unallocated, and otherwise unutilized parking spaces within an existing automobile parking facility or surface lot by a nonprofit hospital and its employees during the expansion or reconstruction of medical or related ancillary facilities location within five miles of such District on condition that: (i) an acceptable shuttle van service is provided to transport such employees between such parking spaces and such hospital; (ii) no shuttle van shall leave such parking spaces between 12:40 a.m. and 5:00 a.m. on any day; (iii) such hospital will provide ancillary taxi or other automobile service for emergency trips to and from such parking spaces and such hospital; (iv) access to the site containing such parking spaces shall be controlled by gate or other mechanism; and (v) an operational plan for that parking and shuttle service and ameliorating any traffic and traffic pattern generated by that temporary use to the satisfaction of the Town Board is approved by resolution of the Town Board. Anything to the contrary contained in this Code notwithstanding, such temporary use need not be immediate, exclusive or accessory to, or in conjunction with, a permitted principal use in such District so long as the requirements of this paragraph are satisfied, but any such temporary use shall expire on or before the earlier of the completion of the expansion or reconstruction of the medical or related ancillary facilities, or February 28, 2014, and any such temporary use may not and shall not be continued after that date notwithstanding any other provision or application of law.</p> <p>6. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.</p>
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Former B-2 Zoning District Map.

Editor's Note: Former accessory use (b), Type (j) sign for a service station, was repealed 6-22-1983 by L.L. No. 5-1983, which local law also redesignated former use (c) and use (b).

Subject to referral to the Planning Board by the Building Inspector. Within 30 days after referral by the Building Inspector to the Planning Board, the Planning Board shall render a report to the Building Inspector with its recommendations regarding planning considerations associated with such use, and the Building Inspector, at his sole discretion, may require the applicant to incorporate the recommendations into the proposed plans either prior to the issuance of a building permit or prior to the issuance of a certificate of occupancy as such timing may be appropriate based on the recommendation(s).

ZONING

TOWN OF NEW CASTLE § 60-410B. Schedule of regulations for business and industrial districts. Use Regulations – Part 2

[Amended 6-22-1983 by L.L. No. 5-1983; 4-16-1985 by L.L. No. 8-1985; 8-13-1985 by L.L. No. 11-1985; 4-8-1997 by L.L. No. 7-1997; 10-14-1997 by L.L. No. 18-1997; 6-9-2015 by L.L. No. 5-2015; 7-16-2019 by L.L. No. 10-2019]

The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.		
		Permitted Accessory Uses (only in conjunction with a permitted principal use)
District	Permitted Principal Uses	
B-RO-150 Research and Office Business	#1. Any principal use permitted in the B-RO-4 District, as permitted therein, provided that no more than 10 persons per acre of site area may be employed within the B-RO-150 District [See § 60-430O(3).] #2. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2).	1. Accessory uses as permitted in the B-RO-4 and B-RO-20 Districts.
B-PO Professional and Office Business	1. Any residential use permitted in a residence district. #2. Any nonresidential use permitted in a residence district, excluding wireless telecommunication services facilities. #3. Business and professional offices and studios, except those offering retail goods for sale from catalogs. #4. Funeral home. #5. Telephone exchange. #6. Hospital or clinic for small animals, including dogs, cats, birds and the like, provided that such hospital or clinic and any treatment room, cages, pens or kennels shall be maintained within a completely enclosed building. #7. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). #8. Small wireless facilities, subject to § 60-410O. #9. Non-small cell wireless facilities, subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14). *10. Massage establishment.	1. The following signs, as permitted by § 60-410D(13): (a) Type (a) and (b) signs. (b) 1 Type (d) sign. (c) 1 Type (e) sign. (d) Type (f) sign. #2. Any other accessory use customarily incidental to a permitted principal use on the same lot. 3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.

NOTES:

Former B-2 Zoning District Map.

Editor's Note: Former accessory use (b), Type (j) sign for a service station, was repealed 6-22-1983 by L.L. No. 5-1983, which local law also redesignated former use (c) and use (b).

NEW CASTLE TOWN CODE

TOWN OF NEW CASTLE
§ 60-410B. Schedule of regulations for business and industrial districts.
Use Regulations -- Part 3
[Amended 7-16-2019 by L.L. No. 10-2019]

The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.		
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)
B-D Designed Business	#1. Any nonresidential principal use permitted in a B-PO District. #2. Retail stores and shops, but not including a public garage, gas station, amusement center or overnight storage in the open of merchandise, except living plants, for sale or display. #3. Business and professional offices and studios. *4. Restaurant, subject to the issuance of a special permit by the Planning Board, in accordance with the standards set forth in § 60-430. #5. Barber, hairdresser, tailor, dressmaker, shoe repair or other personal service. #6. Financial institutions. *7. Cabaret or bar, subject to the issuance of a special use permit by the Planning Board, in accordance with the standards as set forth in § 60-430. *8. Fast-food restaurant, subject to the issuance of a special use permit by the Planning Board, in accordance with the standards as set forth in § 60-430. [See § 60-430O(7).] #9. Multifamily dwellings, either alone or in combination with nonresidential uses, in accordance with the standards and requirements for multifamily developments in the MFR-C District as set forth in § 60-410H(2). *10. Carry-out restaurant, subject to the issuance of a special permit by the Planning Board, in accordance with the standards set forth in § 60-430. #11. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). *12. Massage establishment.	1. The following signs, as permitted by § 60-410D(13): (a) Type (a) and (b) signs. (b) 1 Type (c) sign for each unit of occupancy of each building. (c) 1 Type (d) sign for each building. (d) 1 Type (e) sign for each building. (e) Type (f) signs. (f) Type (g) signs. #2. Any other accessory use customarily incidental to a permitted use on the same lot, including a maximum of three amusement devices. 3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.

ZONING

TOWN OF NEW CASTLE

§ 60-410B. Schedule of regulations for business and industrial districts.

Use Regulations -- Part 4

[Amended 7-15-1975; 4-12-1977 by L.L. No. 3-1977; 4-12-1977 by L.L. No. 4-1977; 3-22-1982 by L.L. No. 4-1982; 6-22-1983 by L.L. No. 5-1983; 10-25-1983 by L.L. No. 10-1983; 4-16-1985 by L.L. No. 8-1985; 8-13-1985 by L.L. No. 11-1985; 9-22-1987 by L.L. No. 12-1987; 4-11-1990 by L.L. No. 21-1990; 4-8-1997 by L.L. No. 7-1997; 10-14-1997 by L.L. No. 18-1997; 12-14-2004 by L.L. No. 12-2004; 11-28-2006 by L.L. No. 7-2006;

7-8-2008 by L.L. No. 4-2008; 6-22-2010 by L.L. No. 5-2010; 6-9-2015 by L.L. No. 5-2015; 6-10-2022 by L.L. No. 7-2022]

	The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.	
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)
B-R Retail Business	<ul style="list-style-type: none"> #1. Any nonresidential principal use permitted in a residence district, as permitted therein, and provided further that compliance with § 60-410C of this chapter shall be required if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. #2. Any use permitted in a B-D District, except fast-food restaurant and multifamily dwellings, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. #3. Bakery incidental to the conduct of a retail bake shop, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. #4. Hand laundry, dry cleaning and dyeing, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. *5. Gasoline filling station, subject to § 60-410F and provided further that compliance with § 60-410C of this chapter shall be required if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. #6. Shops for repair and upholstering of furniture, shops for electricians, plumbers, silversmiths or shops of similar crafts, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. The number of personnel shall not exceed 5. #7. Telephone exchange, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. *8. Bowling alley, billiard and pool room, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. *9. Wholesale trade, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. #10. Utility structures for the transmission, storage and/or treatment of water and sewage, subject to compliance with § 60-410C of this chapter if such use is located in a building constructed after the effective date of this provision or to which floor area above the street level floor is added after such date. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). #11. Apartments above or below the street level floor in a building used for nonresidential purposes, subject to § 60-410H(6) and provided further that compliance with § 60-410C of this chapter shall be required if such use is located in a building constructed after the effective date of this provision or to which floor area above or below the street level floor is added after such date. #12. Multiple dwellings on sites containing only residential principal and accessory uses, in accordance with the standards and requirements for multifamily developments in the MFR-C District as set forth in § 60-410H(2). *13. Workforce housing, subject to the issuance of a special permit by the Town Board in accordance with the provisions of § 60-430O(15). 	<ul style="list-style-type: none"> 1. Signs as permitted in the B-D District. #2. Any other accessory use customarily incidental to a permitted use on the same lot, including a maximum of three amusement devices. 3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.

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<p>The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.</p>		
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)
	<ul style="list-style-type: none"> *14. Massage establishment. #15. Small wireless facilities, subject to § 60-4100. *16. Non-small cell wireless facilities subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-4300(14). 	

ZONING

TOWN OF NEW CASTLE
§ 60-410B. Schedule of regulations for business and industrial districts.
Use Regulations -- Part 4
(Cont'd)

The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.		
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)
B-RP Retail Business and Parking	<ol style="list-style-type: none"> #1. Any nonresidential principal use permitted in a residence district, as permitted therein, provided that it is conducted within the permitted building areas as shown on the adopted B-RP Zoning District Map.¹ #2. Any nonresidential use permitted in a B-R District, excluding structurally mounted wireless telecommunication services facility (minor), structurally mounted wireless telecommunication services facility (major), monopoles and towers, provided that: (a) such use is conducted within the permitted building areas as shown on the adopted B-RP Zoning District Map,¹ (b) in the case of any use other than a professional office or a financial institution, such use is located only on the street level floor, except that such floor area restriction shall not apply to any floor space in existence prior to September 25, 1987, for which a certificate of occupancy was initially issued for commercial use to any floor space for which site plan approval was granted within two years prior to September 25, 1987, or to any floor space for which residential use in combination with nonresidential use is not permitted in accordance with the provisions of § 60-410C of this chapter, and (c) in the case of a professional office or a financial institution, such use is located above the street level floor. #3. Apartments above or below the street level floor in a building used for nonresidential purposes, subject to § 60-410H(6) and provided further that compliance with § 60-410C of this chapter shall be required if such use is located in a building constructed after the effective date of this provision or to which floor area above or below the street level floor is added after such date. #4. Utility structure for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2). #5. Small wireless facilities, subject to § 60-410O. #6. Non-small cell wireless facilities, subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14). *7. Workforce housing, subject to the issuance of a special permit by the Town Board in accordance with the provisions of § 60-430O(15).\ *8. Massage establishment. 	<ol style="list-style-type: none"> 1. Signs as permitted in the B-R District. 2. Other accessory uses as permitted in the B-R District, provided that they are conducted within the permitted building areas as shown on the adopted B-RP Zoning District Map. 3. The parking and loading of motor vehicles within the designated parking areas as shown on the adopted B-RP Zoning District Map, but not including the storage, servicing or dismantling of motor vehicles. 4. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.

NOTES:

¹ Former B-2 Zoning District Map.

NEW CASTLE TOWN CODE

TOWN OF NEW CASTLE § 60-410B. Schedule of regulations for business and industrial districts. Use Regulations – Part 5

[Amended 6-22-1983 by L.L. No. 5-1983; 4-16-1985 by L.L. No. 8-1985; 8-13-1985 by L.L. No. 11-1985; 7-12-1988 by L.L. No. 10-1988; 8-14-1990 by L.L. No. 33-1990; 11-14-1995 by L.L. No. 10-1995; 4-8-1997 by L.L. No. 7-1997; 10-14-1997 by L.L. No. 18-1997; 6-22-2010 by L.L. No. 5-2010; 6-9-2015 by L.L. No. 5-2015; 7-16-2019 by L.L. No. 10-2019]

The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). A use marked with an asterisk (*) is subject to the approval procedure set forth in § 60-430 and shall conform to any additional requirements made in connection with such approval. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.		
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)
I-P Planned Industrial	<p>#1. Light industry and manufacturing, including the storage of books, periodicals and like printed material, fabrication, processing, converting, altering, assembling or other handling of products, the operating of which is conducted solely within a building or buildings and uses only electric power.</p> <p>#2. Any use permitted in the B-RO-4 District, as permitted therein.</p> <p>#3. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2).</p> <p>*4. Massage establishment</p>	<p>1. The following signs, as permitted by § 60-410D(13):</p> <p>(a) 1 Type (d) sign.</p> <p>(b) Type (f) signs.</p> <p>#2. Any other accessory use customarily incidental to a permitted principal use on the same lot.</p> <p>3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunication facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment building, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.</p>
I-G General Industrial	<p>#1. Any nonresidential use permitted in any other district, excluding s wireless telecommunication services facilities (, except that only electric power shall be used and that no more than 1 person per 100 square feet of floor space shall be employed or engaged in the use.</p> <p>#2. Public garage, subject to § 60-410F.</p> <p>#3. Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2).</p> <p>#4. Athletic training center, subject to § 60-410J.</p> <p>#5. Animal kennel for small animals, including dogs, cats, birds and the like, provided that said kennels and appurtenant uses are within an enclosed building.</p> <p>#6. Small wireless facilities, subject to § 60-410O.</p> <p>*7. Non-small cell wireless facilities, subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14).</p> <p>*8. Workforce housing, subject to the issuance of a special permit by the Town Board in accordance with the provisions of § 60-430O(15).</p> <p>*9. Massage establishment</p>	<p>1. Signs as permitted in the B-R District.</p> <p>#2. Any other accessory use customarily incidental to a permitted principal use on the same lot.</p> <p>#3. Animal or veterinarian hospitals in conjunction with a kennel.</p> <p>4. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.</p>

ZONING

TOWN OF NEW CASTLE
§ 60-410B. Schedule of regulations for business and industrial districts.
Use Regulations – Part 6
[Added 12-18-2014 by L.L. No. 2-2015; 7-16-2019 by L.L. No. 10-2019]

<p>The following are the only uses permitted in business or industrial districts. All uses not listed shall be deemed to be prohibited. Permitted uses are subject to any notes where indicated, and no use shall have any of the characteristics prohibited by § 60-420B(3). Restaurants and carry-out restaurants shall not be subject to the approval procedure set forth in § 60-430. A use marked with a # is subject to development plan approval procedure set forth in § 60-440.</p>		
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use) Where an Office Park Retail Overlay District has been approved by the Town Board, any accessory use permitted in the Office Park Retail Overlay District shall also be permitted in the underlying Office Park District.
<p>Office Park Retail Overlay</p>	<p>#1. Retail stores and shops, but not a pharmacy, public garage, or a retail establishment that sells smoking or tobacco products, devices or accessories, or that uses 25% or more of its floor space to sell liquor, wine, beer or other alcoholic beverages.</p> <p>#2. Post office, package center, copy center, and the like; but not personal service.</p> <p>#3. Financial institutions.</p> <p>4. Restaurants and carry-out restaurants, with carry-out restaurants occupying, in the aggregate, not more than 7,500 square feet.</p> <p>#5. Health- and fitness-related uses, such as an athletic, tennis, squash, swim, health or fitness club; yoga, dance, Pilates, CrossFit, cycling or other exercise studio; wellness center or day spa; or similar commercial health-, recreation- or fitness-related use or uses.</p> <p>#6. Small wireless facilities, subject to § 60-410O.</p> <p>*7. Non-small cell wireless facilities, subject to issuance of a special permit by the Planning Board in accordance with the provisions of § 60-430O(14).</p> <p>#8. For aboveground utility structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-420D(2).</p>	<p>1. Signs as required and permitted by § 60-360 et seq.</p> <p>2. Any other accessory use customarily incidental to a permitted use on the same lot.</p> <p>3. Any equipment serving or being used in conjunction with wireless telecommunications facilities and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, buildings and similar structures, and, when collocated on a structure, which is mounted or installed at the same time as an antenna.</p>