

ZONING

355 Attachment 1

Town of North Castle

§ 355-21. Schedule of Residence District Regulations

[Amended 12-6-1978; 3-24-1994 by L.L. No. 4-1994; 8-14-2002 by L.L. No. 7-2002; 10-23-2002 by L.L. No. 10-2002; 12-3-2002 by L.L. No. 11-2002; 12-13-2006 by L.L. No. 26-2006; 4-14-2010 by L.L. No. 2-2010; 6-9-2010 by L.L. No. 4-2010; 9-11-2013 by L.L. No. 8-2013; 9-10-2014 by L.L. No. 3-2014; 7-13-2016 by L.L. No. 5-2016; 6-12-2019 by L.L. No. 4-2019; 4-12-2023 by L.L. No. 4-2023; 8-14-2024 by L.L. No. 4-2024]

District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)	Minimum Lot Size				Minimum Yards (c) (l) (m)			Maximum Building Height (f)		Maximum Building Coverage (r) (s)	Minimum Dwelling Unit Size (square feet) (refer also to § 355-70)	Refer Also to These Pertinent Sections	
			Area	Frontage (feet) (a)	Width (feet) (b)	Depth (feet) (c)	Front (feet) (d) (e)	Side (feet) (f) (g)	Rear (feet) (g)	Stories	Feet	Lot Area			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	
<b>R-4A</b>	1. Single-family dwellings, not to exceed 1 on any lot.	1. Offices or studios of a professional person, when conducted in a dwelling by the inhabitant thereof, provided that there are no more than 2 nonresident employees in such office or studio. If lot is at least 4 acres, the office or studio may be in an accessory building.	4 acres	250	250	150	75	50	50	--	30 <sup>a</sup>	6%	1,600	Articles IV through X	
<b>R-2A</b>	2. Temporary storage of contractor's equipment, provided that the equipment has been in use on the property on which it is stored during the last 30 days.	2. Customary home occupations, as defined in this chapter, employing only a person or persons resident on the premises. Such use shall not be carried on in an accessory building and shall not occupy more than 1/2 the area of 1 floor.	2 acres	150	150	150	50	30	50	--	30 <sup>a</sup>	8%	1,400		
<b>R-1.5A</b>			1 1/2 acres	150	150	150	50	30	40	--	30 <sup>a</sup>	10%	1,300		
<b>R-1A</b>	3. Governmental uses, parks, playgrounds, parkways, firehouses, police stations or other municipal uses; not including incinerators or dumps, garages or public works yards.	3. Boardinghouses, provided that: a. Rented quarters shall not exceed 1/3 of the total floor area of the dwelling. b. The rented quarters shall not have cooking facilities, such as a stove or refrigerator. c. Where renting of rooms is to 2 persons, at least 1 additional off-street parking space must be provided. d. There is no advertising thereof on the premises. e. None are located in the R-2F District or multifamily districts. f. The owner of the home in which the boardinghouse is located shall live and continue to live in that home.	1 acre	125	125	150	50	25	40	--	30 <sup>a</sup>	12%	1,200		
<b>R-3/4A</b>			3/4 acre	125	125	150	40	25	40	2 1/2	30	15%	1,000		
<b>R-1/2A</b>			1/2 acre	125	125	100	40	20	30	2 1/2	30	15%	900		
<b>R-10</b>	4. Farm uses, provided that: a. None are located in a multifamily district. b. No building pertinent to such use shall occupy an area in excess of 2% of the lot area or be located within 50 feet of any residence on an adjoining property. c. No storage of manure or any other odor- or dirt-producing substance shall be permitted within 100 feet of a property line, watercourse or wetland area.	4. The keeping of dogs, cats and other animals which may be considered household pets, provided that not more than 12 head of poultry and not more than 4 other animals exceeding 6 months of age are kept.	10,000 square feet	100	100	100	30	15	30	2 1/2	30	30%	900		
<b>R-5</b>			5,000 square feet	50	50	100	30	At least 8; total both sides, 18	30	2 1/2	30	30%	800		
	*5. Churches or other places of worship, including parish houses, church school rooms, convents or rectories.	5. Private gardenhouses, toolhouses, greenhouses, gatehouses, garages or similar private accessory uses not over 1 story and 15 feet in height and limited to 800 square feet in area, except that the Planning Board may, by special permit, authorize the construction of accessory buildings not over 2 stories or 22 feet in height, provided that any such individual accessory building does not exceed 25% of the floor area of the main building, and further provided that all such accessory buildings meet all required setbacks for main buildings in the district in which they are located and are not located within any front yard.													
	*6. Public elementary or high schools.	6. Private tennis courts, swimming pools, cabanas or similar recreation facilities, provided that such facilities conform to the same yard requirements as for the main building and subject, where such facilities are accessory to multifamily uses, to site plan approval.													
	*7. Private or parochial elementary or high schools which meet the same site standards of the State Department of Education for a public school.	7. Private garages or carports for housing noncommercial passenger vehicles of residents, not exceeding 4 spaces. There shall be no living quarters in a private garage.													
	*8. Public libraries.	7A. Commercial vehicles may be stored, parked or maintained on a lot subject to the following:													
	*9. Religious or charitable institutions, other than a hospital, sanatorium, camp, correctional institution or institution for the insane, drug addicted or retarded.	a. On any lot, 1 commercial vehicle used by the occupant, exceeding 7,500 pounds' gross weight, as shown on the registration certificate, provided that the same be housed in a fully enclosed structure.													
	*10. Membership clubs, not operated for gain.	b. On any lot of less than 1/2 acre, 1 commercial vehicle used by the occupant, having a gross weight not exceeding 7,500 pounds, as shown on the registration certificate.													
	*11. Nurseries or greenhouses.	c. On any lot of 1/2 acre or more, 1 commercial vehicle, used by the occupant, having a gross weight not exceeding 7,500 pounds, as shown on the registration certificate, provided that such vehicle is garaged or suitably screened by a wall, fence or evergreen planting from the view of persons standing on adjoining lots.													
	*12. Public telephone booths.	d. Commercial vehicles having more than 2 axles shall not be parked, maintained, garaged or stored on any lot.													
	*13. Public utility transmission lines, exchanges or substations, but excluding battery energy storage systems consisting of Type 1 and Type 2 systems.	e. Notwithstanding the foregoing, no more than 1 commercial vehicle may be stored, parked or maintained on any lot.													
	*14. Watershed or water supply facilities not part of the Town's water system.														
	*15. Convalescent or nursing homes.														
	*16. Scientific research centers, not operated for gain or owned by any profit-making entity, with incidental educational activities.														
	*17. Private stables.														
	*18. Day camp														

(continued)

NORTH CASTLE CODE

A use marked with an asterisk (*) is subject to conformance to additional standards as set forth in Article VII. All uses are subject to site plan approval and performance standards in accordance with Articles VIII and X. Except as specifically permitted, all uses, including storage of materials and equipment, shall be within enclosed structures. Standards shown are minimum requirements, unless otherwise indicated. Any use not specifically listed shall be deemed to be prohibited. Dimensions are in feet, unless otherwise noted															
District	Permitted Principal Uses	Permitted Accessory Uses (only in conjunction with a permitted principal use)	Minimum Lot Size				Minimum Yards (c) (l) (m)			Maximum Building Height (f)		Maximum Building Coverage (r) (s)	Minimum Dwelling Unit Size (square feet) (refer also to § 355-70)	Refer Also to These Pertinent Sections	
			Area	Frontage (feet) (a)	Width (feet) (b)	Depth (feet)	Front (feet) (d) (e)	Side (feet) (f) (g)	Rear (feet) (g)	Stories	Feet				Lot Area
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
R-2F	1. Same as single-family residence districts. 2. Two-family dwellings, not to exceed 1 such dwelling per lot.	f. Commercial vehicles actually used for agriculture or horticulture purposes on the premises shall be exempt from the provisions of this section. 8. Off-street parking, as regulated in Article IX on the same lot as a principal use permitted in this district.	5,000 square feet	50	50	100	20	6	15	2 1/2	30	30%	800	Articles IV through X	
R-MF	1. Any uses permitted in an R-1A District, as permitted and regulated therein. 2. Attached, semidetached, detached or multifamily dwellings, subject to the requirements of § 355-24.	9. Individual or joint private water supply and sewerage facilities. 10. Storage of auto trailers and boats; unoccupied travel trailers, motor homes and pickup coaches; and other such recreational vehicles, provided that: a. On any lot of less than 1/2 acre, any such vehicle in excess of 1 shall be garaged or suitably screened from view of persons standing on adjoining lots by a wall, fence or evergreen planting. b. On any lot of 1/2 acre or more, any such vehicle shall be garaged or suitably screened from the view of persons standing on adjoining lots by a wall, fence or evergreen planting. c. Such storage shall conform to all yard and size requirements for accessory buildings. 11. Signs, as regulated in § 355-16. 12. On any lot having a minimum area of 1 acre, 2 horses may be maintained. Additional horses may be maintained by special permit pursuant to Article VII. 13. Temporary offices in connection with construction on a lot, which offices must be removed before a certificate of occupancy is issued for the new construction. *14. Noncommercial radio transmitting towers. 15. Storage of building materials outside of a building, provided that a building permit has been issued and such materials are stored for the purposes set forth in such building permit. 16. Solar energy collectors, subject to the requirements of Chapter 258. 17. Servants' quarters, subject to the requirements of § 355-14A(2). *18. Accessory apartments, in single-family residence districts, subject to the requirements of § 355-40K. 19. Dish antennas, subject to the requirements of § 355-15. *20. Outdoor display and sales where accessory to a permitted principal nonresidential use. 21. Outdoor dining pursuant to Chapter 218 where accessory to a permitted principal nonresidential use.	10 acres	25	250	250	75 (k)	50 (k)	50 (k)	3	30	12%	As required by § 355-24		
Perimeter(m)			24 acres	25	250	250	75	50*	50	3	30	12%	As required by § 355-24		
Attached			5,000 square feet	25	35	80	20	10 (0 + 10)	15	3	30	35%	As required by § 355-24		
Detached			7,500 square feet	25	65	80	20	10 (p) (10 + 15)	15	3	30	35%	As required by § 355-24		
R-MF-A	Same as R-MF	Same as R-MF													
Perimeter			5 acres	25	250	250	10 (r)	10, 6 (r) for accessory structures	25 (r)	3	30	20%	As required by § 355-24		
Attached			2,500 square feet	25	25	60	10 (r)	0	10 (r)	3	30	50%	As required by § 355-24		
Detached			7,000 square feet	25	65	60	10 (r)	6, 3 (r) for accessory structures	10, 6 (r) for accessory structures	3	30	35%	As required by § 355-24		
R-MF-DA	*1. Attached, semidetached, detached, or multifamily dwellings, subject to the requirements of § 355-40X	Same as R-MF	4 acres	200	200	200	50	25 (10 for parking)	30 (10 for parking)	-	40	20%	As required by § 355-24		
R-MF-SS	Same as R-MF	Same as R-MF	20,000 square feet	100	150	150	10	15	5	3	30	40%	As required by § 355-24		
R-MF-SCH	1. Senior citizen housing, subject to the requirements of § 355-27.	1. Any uses customarily incidental and accessory to a senior citizen dwelling unit, provided there is no external evidence of such use, no nonresident employees, no patients or clients visiting the premises and no keeping of a stock-in-trade. 2. Off-street parking, as regulated in Article IX. 3. Solar energy collectors, subject to the requirements of Chapter 258. 4. Dish antennas, subject to the requirements of § 355-15.	To be determined by the Town Board at the time of zoning approval							2.5	30	To be determined by the Town Board at the time of zoning approval			

ZONING

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RC	1. Any uses permitted in an R-1/2A District, as permitted and regulated therein. 2. Residential dwelling units, at least 900 square feet in size, along with a business and professional office and studio, retail use, carry-out restaurant, fine arts instruction school or recreation center. The total of all such permitted nonresidential uses shall not occupy more than 1,500 square feet.	1. Accessory uses associated with principal use 1; accessory uses as permitted in an R-1/2A District. 2. Accessory uses associated with principal use 2; accessory uses as permitted in a CB-B District, except uses 6 and 7. 3. Accessory uses to a nonresidential use, a garage which shall accommodate not more than 2 two-axle commercial vehicles, each associated with a permitted principal use and each with a GVWR not to exceed 14,000 pounds. Outdoor storage of commercial vehicles shall be prohibited. The outdoor storage of any materials or equipment shall be prohibited.	1/2 acre	125	125	100	40	20	30	2 1/2	30	15	900	Articles IV through X

**NOTES:**

- (a) This requirement may be modified by the Planning Board with respect to any lot abutting a turnaround terminating a dead-end street, provided that a minimum frontage of 25 feet is provided.
- (b) As required by § 355-14I and J.
- (c) On interstate highways, all buildings shall be set back a minimum distance of 200 feet from the nearest edge of pavement of the mainlines section of such highway.
- (d) On a streets with less than a fifty-foot right-of-way, all buildings shall be set back a distance, measured from the center line of the existing roadway, of at least the required front yard, plus 1/2 the proposed right-of-way dimension.
- (e) Where lot frontage is less than lot width, any building shall also observe any special setback lines established by the Planning Board on the subdivision plat of which the lot is a part.
- (f) Except as provided in § 355-15I.
- (g) Except for stables, one-story accessory buildings, less than 800 square feet in area, may be located not nearer to any side or rear lot line than 1/2 the distance established in the foregoing schedule for principal buildings in the respective districts, but not nearer to any street than the required front yard setback distances.
- (j) (Reserved)
- (k) Except that the minimum setback from a common property line shared with land in an adjoining single-family residence district shall be no less than two times the setback required from such common property line in that single-family district, but in no case less than is required elsewhere in this chapter.
- (m) Except that the minimum setback from a common property line shared with land in an adjoining commercial district shall be no less than the rear yard requirement for such commercial district.
- (n) Perimeter requirements must be satisfied for initial R-MF zoning and in the event that further subdivision is not requested. If an R-MF property is subdivided, the perimeter requirements shall apply only to the total site.
- (o) Notwithstanding Note (n) above, where residential lots are located within an R-MF subdivision and abut a separate property which is also zoned R-MF, the side yard setbacks shall be 25 feet.
- (p) All buildings shall be set back 25 feet from buildings on adjacent lot(s).
- (q) See § 355-25 regarding increased height provisions for the R-1A through R-4A Districts.
- (r) (Reserved)
- (s) See § 355-26C for maximum gross land coverage limitations applicable to one- and two-family residences.
- (h) Except as provided in § 355-15E.
- (i) (Reserved)