

ZONING

43 Attachment 1

Town of Orangetown
Table of General Use Regulations
(§ 3.11)
R-80 District
(Part 1)

[Amended 3-12-1990 by L.L. No. 3-1990; 6-24-1991 by L.L. No. 7-1991; 11-29-1994 by L.L. No. 14-1994; 9-27-2016 by L.L. No. 9-2016; 8-15-2017; 8-15-2017 by L.L. No. 8-2017]

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District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses	Minimum Required Off-Street Parking Spaces	Additional Use Regulations (See Note 13)	
R-80	<ol style="list-style-type: none"> Single-family detached residences. The following commercial agricultural operation, provided that there shall be no greenhouse-heating plant where coal is used for fuel, stables or similar animal housing or the storage of manure or other odor- or dust-producing substance or use, except spraying or dusting to protect vegetation within 200 feet of any lot line: <ol style="list-style-type: none"> Nurseries, greenhouses and growing of mushrooms, provided that no smokestacks shall exceed the height regulations. Orchards, truck gardening and growing of field crops and vineyards and growing of other bush or berry crops. Keeping, breeding training and raising of sheep, goats, pigs and horses and rental of horses on lots of 10 acres or more, including accessory training tracks, and as restricted under general accessory uses. Churches and similar places of worship, Sunday-school buildings, parish houses and rectories. Libraries and similar community facilities. Public parks and playgrounds. Schools of general instruction, schools of religious instruction. Conversion of a detached, owner-occupied, single-family dwelling so as to add 1 additional dwelling unit clearly subordinate to the main 1-family use to occupy not more than 600 square feet of floor area, subject to § 4.5. Telephone exchange. Fire, police and community-owned ambulance stations, government offices and office buildings, town garages, municipal parking lots and similar public buildings and governmental uses. 	<p>Town Board</p> <ol style="list-style-type: none"> Agency boarding home. Agency group home. Radio and television towers. Airports and heliports. High-tension transmission lines, accessory poles and towers, provided that all brush and cut timber are disposed of in accord with approved forestry practices and as provided by the Town Board. Railroad and public utility rights-of-way. <p>Zoning Board</p> <ol style="list-style-type: none"> Agency community residence. Family day-care homes and group-family day-care homes with all parking and outdoor play areas complying with all required yards as provided in § 3.12. Convalescent and nursing homes and institutions for the aged and children, whether or not operated for profit, provided that no building is located within 300 feet of any lot line. Hospitals and sanatoriums primarily for special medical care. Reservoir of 3 acres or more. Use of a building in existence on the effective date of this code and located on a lot of no less than 2 acres for a restaurant or for the sale of antiques, provided that all parking facilities shall be located and maintained to the rear of the building not in any required yards, and provided that there shall be no outdoor display or storage of antiques. Commercial dog kennels, animal hospitals and rental of horses, provided that no kennel, runway, stable, corral or exercise pen or track is located within 300 feet of any lot line, which provision shall not be subject to variance. 	<ol style="list-style-type: none"> Camps, subject to § 4.32. Golf courses and tennis clubs or private swim clubs not less than 5 acres in area, yacht or similar clubs. Schools of special instruction. Museums and public art galleries. Public utility substations and pump stations, housed in buildings that harmonize with the character of the neighborhood and having adequate fences and other safety devices and landscaping and subject to performance standards procedure, § 4.12. Elevated standpipes and water tanks located at a distance from any lot line equal to the height of the structure. Commercial forestry, as provided in § 4.32(D). Satellite dish antennas. Nursery schools with all parking and outdoor play areas complying with all required yards as provided for in § 3.12, but not less than 30 feet. 	<ol style="list-style-type: none"> Accommodations for servants or caretakers, subject to § 5.228. Keeping not more than 2 nontransient boarders or roomers. Private greenhouses, barns, silos, toolsheds, garages, swimming pools and tennis courts. Home occupations. Accessory parking as permitted in § 6.1. Accessory loading as permitted in § 6.2. Buildings for display and sale of agricultural products, at least 50% of which shall be grown by the owner or lessee of the premises, provided that such building is at least 30 feet from any lot line; buildings for processing and storing agricultural products subject to the same restrictions as for buildings for the display and sale; temporary open stands for display and sale of agricultural products subject to the same restrictions as buildings, except that such shall be located not less than 15 feet from any lot line and shall not encroach on pedestrian or vehicular rights-of-way or any required parking space. Keeping not more than 2 domestic animals over 6 months old for individual domestic purposes or for cultivation of the soil, except that not more than 1 horse per acre and 5 cats or dogs over 6 months old, and not more than 99 fowl shall be kept on any lot, and no animals (except cats or dogs) or fowl shall be penned or housed and no odor- or dust-producing substance or use, except spraying or dusting to protect vegetation, shall be maintained within 200 feet of any lot line; nor shall any such animal or fowl be permitted to graze upon, pasture in or use that portion of any lot within 100 feet of any lot line. Keeping not more than 1 unoccupied trailer or commercial vehicle of not over 1,000 pounds' capacity, subject to §§ 6.1 and 11.2. 	<p>Use</p> <ol style="list-style-type: none"> Residences Buildings or structures, except for display of agricultural products Churches and similar places of worship, public buildings, libraries community and recreation buildings Schools of general instruction, schools of religious instruction, trade schools or other schools of special instruction Camps and recreation buildings Hospitals, sanatoriums or convalescent or nursing homes Golf courses and tennis clubs Restaurants Telephone exchanges 	<p>At Least 1 Parking Space for Each</p> <ol style="list-style-type: none"> 1/2 dwelling, plus 2 spaces for any accessory home occupation or principal agricultural use 5 feet of front wall or 100 square feet of such building 200 square feet of gross floor area but not less than 1 space for each 5 seats, where provided 200 square feet of gross floor area but not less than 1 space for each 6 students where provided 5 persons for which there are accommodations 1 bed, plus 1 space per 250 square feet of outpatient area 1/3 hole or 4 persons' practical capacity 100 square feet gross floor area 1 employee per maximum work shift 	<ol style="list-style-type: none"> All new nonresidential uses are subject to continued enforcement of performance standards as provided in § 4.13. In addition to the particular requirements for uses in Columns 2, 3, 4 and 5, any board or town agency having jurisdiction may require adequate fences and other safety devices and adequate landscaping and screening. The landscaping and screening plan shall be approved by the board or town agency having jurisdiction prior to the issuance of a building permit. Such screening must actually screen what is to be screened. A new use that is, in the opinion of the board having jurisdiction, sufficiently detrimental to adjoining and surrounding properties and cannot be screened to protect the property values adjoining and surrounding the proposed use shall not be permitted, notwithstanding the provisions of the use table. For large-scale projects of 10 acres or more, see § 10.41. For open development areas, see § 10.43. Private swimming pools shall comply with Orangetown Swimming Pool Ordinance.¹ All restaurants or food-serving facilities shall be within completely enclosed buildings, unless by special permit of the Zoning Board of Appeals. Concrete sidewalks and curbs are to be provided for all uses. (See § 4.0.) The Town Board may require that in order to protect the public health, safety and welfare, at the time that a special permit is issued for such use by the Town Board, all public utility installations of electrical transmission systems over 14,000 volts shall be installed underground. In the event that aboveground towers or poles are permitted, they shall be required to be set back from the property line or right-of-way line a minimum distance of the height of the tower or pole.

NOTES:

¹ Editor's Note: See Ch. 33, Swimming Pools.

ORANGETOWN CODE

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R-80 (cont'd)		<p>8. Sand pits, gravel pits, removal of topsoil and landfill and excavation operations not undertaken in connection with the construction of a building for which a building permit has been issued or the development of a subdivision in accordance with an approved plat thereof, as provided in § 4.32(C).</p> <p>9. Public swimming facilities, beaches, marinas, boat rental or storage and picnic grounds.</p> <p>10. Cemeteries on plots of 10 acres or less, adjacent to an established cemetery or place of worship.</p>		<p>10. Any other accessory use not inconsistent with the uses permitted herein.</p> <p>11. For any residence and home occupation, if any, on the premises, 1 nameplate and 1 home occupation sign, each not over 2 square feet in area; except for physicians, such nameplates or signs shall be nonilluminated.</p> <p>12. For any nonresidential establishment or institution permitted in R-80, the Board of Appeals may permit one sign not over 20 square feet in area which may be illuminated, provided that the light source is not visible to, or directed toward, a residential use, and is located at 25 feet from any lot line, and not more than 2 nonilluminated directional signs, each not over 2 square feet in area, provided that such signs are located not over a mile from the establishment, as measured along existing public roads, and are set back at least 10 feet from the front lot line, except at intersections, where the setback shall be 35 feet.</p> <p>(a) For uses permitted within the historic areas:</p> <p>(1) Neon, electronic, and back-lighted signs are not permitted on the building or in the windows and on the doors of the structure.</p> <p>(2) Temporary signs affixed to a building or a post until a permanent sign is installed may be displayed for 60 days prior to approval of a permanent sign. The sign shall not be any larger than what is allowed for permanent signs.</p> <p>(3) Lettering on windows and doors is subject to approval by the Historical Areas Board of Review.</p> <p>13. For any premises for sale or for rent, 1 temporary nonilluminated "for sale" or "for rent" sign not over 6 square feet in area, located at least 10 feet from any lot line. For parcels of land over 1 acre in area, such sign shall not be over 24 square feet in area.</p> <p>14. Temporary sales offices and sales promotion devices such as outdoor lighting and signs accessory to construction of residential development as provided in § 4.2.</p>	<table border="1"> <thead> <tr> <th data-bbox="1809 250 1970 289">Use</th> <th data-bbox="1970 250 2158 289">At Least 1 Parking Space for Each</th> </tr> </thead> <tbody> <tr> <td data-bbox="1809 289 1970 328">10. 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Offices</td> <td data-bbox="1970 483 2158 522">200 square feet of gross floor area</td> </tr> <tr> <td data-bbox="1809 522 1970 561">16. Agency boarding and group homes, agency community residences, family and group-family day-care homes</td> <td data-bbox="1970 522 2158 561">½ dwelling unit, but not less than 5 spaces, of which not more than 2 shall be visible to the public way</td> </tr> </tbody> </table>	Use	At Least 1 Parking Space for Each	10. Airports and heliports	2 employees, plus 1 for each private aircraft parking space, and 5 per scheduled aircraft arrival or departure within the peak 3-hour period	11. Antique shops	100 square feet of gross floor area	12. Accessory training tracks	5 seats or spectator accommodations	13. Marina	2 mooring spaces	14. Picnic grounds and open-air recreational uses, including swimming clubs	5 persons for which there are accommodations	15. Offices	200 square feet of gross floor area	16. Agency boarding and group homes, agency community residences, family and group-family day-care homes	½ dwelling unit, but not less than 5 spaces, of which not more than 2 shall be visible to the public way	<p>9. All utilities, including electricity and telephone, shall be underground, except that telephone terminals may be installed in pedestal terminals at approved sites, and except that, where properties on each side of the subject lot have overhead utilities, the utilities may be overhead from poles across any street to a new pole and may be overhead from the street to the proposed structure.</p> <p>10. No trucking movement of any kind shall be permitted in any district between the hours of 11:00 p.m. and 6:00 a.m., prevailing time, unless permission has been granted by the Zoning Board of Appeals.</p>
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