

ZONING

290 Attachment 26

Town of Clarkstown

Table 7
General Use Regulations – RS District
(For use of table see § 290-12)

[Amended 8-7-1974; 6-4-1975; 5-12-1976; 4-19-1978; 3-10-1981; 1-13-1987; 3-10-1987; 9-26-1989; 11-28-1989; 3-21-1991; 6-11-19991; 12-14-1999; 11-14-2006 by L.L. No. 14-2006; 6-19-2007 by L.L. No. 12-2007; 6-4-2013 by L.L. No. 4-2013;6-28-2016 by L.L. No. 8-2016; 1-23-2018 by L.L. No. 1-2018; 3-26-2019 by L.L. No. 4-2019; 9-14-2021 by L.L. No. 3-2021; 3-22-2022 by L.L. No. 5-2022; 2-28-2023 by L.L. No. 4-2023; 9-12-2023 by L.L. No. 9-2023]

1	2	3	4	5	6	7	8	
District	Uses Permitted by Right	Uses Permitted by Special Permit of the Board of Appeals, Town Board, or the Planning Board, Where Specified (Subject to § 290-15 and to Section Listed Use, Where Applicable)	Permitted General Accessory Uses	(Reserved)	Minimum Required Off-Street Parking Spaces (Subject to Article VI)		Minimum Required Accessory Off-Street Loading Berths (Subject to Article VI)	Additional Use Regulations (For Regulations Governing All Nonconforming Uses, See Article VII)
					For:	At Least One Parking Space for Each:		
RS	1. Churches and similar places of worship, Sunday school buildings, parish houses and rectories.	A. BOARD OF APPEALS	1. Keeping of not more than 1 unoccupied trailer or commercial vehicle, provided that it is parked in the rear yard only.		1. Churches, public buildings, libraries, community and recreational buildings	200 square feet of floor area, but not less than 1 space for each 5 seats where provided	1. For a public library, museum, art gallery or similar institution or governmental building, community center, hospital or sanitarium, nursing or convalescent home, institution for children or the aged, or school with floor area of 10,000 square feet, 1 berth; for each additional 25,000 square feet or fraction thereof, 1 additional berth.	1. All new nonresidential uses are subject to continued enforcement of performance standards procedure (§ 290-13B).
	2. Public parks and playgrounds.	1. Substations, pumping stations and telephone exchanges, housed in a structure that harmonizes with the character of the neighborhood and having adequate fences and other safety devices and adequate screening and landscaping, and subject to performance standards procedure § 290-13B, provided that they provide service to the surrounding area.	2. Accessory production and servicing of goods subject to No. 10 in Column 8.		2. Schools of general instruction, nursery schools, private schools or schools of special instruction	12 seats or students for schools of elementary or nursery grades and 6 seats or students for other schools	2. For buildings with offices and retail sales and service establishments, 1 berth for 8,000 to 25,000 square feet of gross floor area, and 1 additional for each 25,000 square feet or major fraction thereof so used.	2. In addition to the particular requirements for any use listed in Column 3, the Board of Appeals or Town Board, as specified in Column 3 for a particular use, where reasonable and appropriate, may require fences and other safety devices, landscaping, screening and access roads and buffer areas as required.
	3. Schools, except nursery schools.	2. (Reserved)	3. Accessory storage subject to No. 11 in Column 8.		3. Sanitariums, convalescent or nursing homes	4 beds plus 1 for each employee	3. For undertakers, 1 berth for each chapel.	3. No use listed in Column 3 shall be permitted for which access shall not be sufficient and suitably located to accommodate prospective traffic in a manner which will not create traffic congestion or hazard on adjacent highways.
	4. Fire, police and similar public buildings.	3. Public utility right-of-way, towers and lines, provided that it is necessary for the general welfare; neighborhood character and surrounding property values are reasonably safeguarded; and that the towers and poles conform to the height restrictions of the district.	4. Accessory parking, subject to § 290-22.		4. Restaurants	100 gross square feet	4. For wholesale and storage uses, and for dry-cleaning and rug-cleaning establishments, laundries, printing and publishing establishments, 1 berth for 5,000 to 10,000 square feet of floor area in such use, and 1 additional berth for each additional 10,000 square feet of floor area or major fraction thereof so used.	4. (Reserved)
	5. Offices for professional, governmental and business uses.	4. Floodplain uses within areas designated on the Official Map as a floodplain, swamp, drainageway or drainage easement as follows: parking spaces, driveways, open recreation in landscaped areas, signs and fences, provided that said uses do not block, impede or interfere with the natural drainage of the area so as to increase the danger of flooding down- or up-stream from the lot.	5. Accessory loading, subject to § 290-23.		(a) Standard	75 gross square feet	5. For mini-warehouse sites: at least one off-driveway loading area of 12 feet by 33 feet shall be provided at each elevator or passageway to a second story of a storage area.	5. All uses other than a one- or two-family residence shall obtain site plan approval subject to § 290-31C.
	6. Retail drug, dry goods and variety, food, hardware, stationery and tobacco stores; newsstands; and pickup and delivery stores for dry-cleaning, laundry, launderette, laundromat and shoe repair establishments.	5. (Reserved)	6. (Reserved)		(b) Fast-food			6. All uses other than single-family residences shall obtain approval of the Architectural Historic Review Board.
	7. Other retail stores and service establishments, such as banks, package liquor stores and personal service shops dealing directly with consumers (such as barbershops and beauty parlors, tailor shops, pet shops, photographic studios and restaurants, tearooms, taverns and outdoor cafes), except that drive-in restaurants shall be located only along major roads as classified on the Official Map (See § 290-4).	6. (Reserved)	7. Recreation facilities, indoor and outdoor, incidental to churches and similar places of worship or to schools.		5. Telephone exchanges.	2 employees or 300 square feet of floor area, whichever is less		7. All uses, accessory storage and loading berths shall be within completely enclosed buildings, except garden supplies, lumber, building and masonry materials.
	8. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations.	7. (Reserved)	8. Temporary structures for storage of equipment and materials used in connection with the construction of residential development and temporary sales offices, not to exceed 2 years.		6.	200 square feet of gross floor area		8. No primary business or vehicular entrances, show windows or signs shall be located within 50 feet of any residential district boundary along any residential street.
	9. Other retail stores and service establishments, such as automobile salesrooms, auto-supply stores, home appliance stores, jewelry and art shops, upholsterers and commercial printing shops.	8. (Reserved)	9. For mini-warehouses, the following accessory uses shall also be permitted:		(a) Banks	150 square feet of gross floor area		9. Any use first permitted in this district and located on a plot, any plot line of which lies within 25 feet of an R District boundary, shall be screened along such plot line.
	10. (Reserved)	9. Light-manufacturing uses, such as dry-cleaning, rug-cleaning and laundry plants, printing and publishing.	(a) Administrative offices.		(b) Offices	200 gross square feet		10. All accessory production and servicing of goods shall conform to the following restrictions:
	11. Animal hospitals.	10. (Reserved)	(b) One dwelling for a full-time caretaker or live-in manager.		(c) Retail and service stores and establishments			(a) All such goods shall be sold or delivered to customers on the premises.
	12. Bowling alleys and billiard parlors.	11. Funeral homes, subject to all the conditions of § 290-17P.	(c) Retail sales or service no larger than 4,000 square feet. Retail sales shall be limited to those items supporting the mini-warehouse use, including, for example, moving pads, cartons, hand trucks, trailer hitches and similar materials.		7. Undertakers, funeral homes	2 employees, plus 5 spaces for each chapel		(b) The floor area used for such production and servicing shall be limited to 10% of the floor area of the establishment or 3,000 square feet whichever is greater.
	13. Commercial recreation establishments, such as dance halls, driving ranges, miniature golf courses and skating rinks, except that amusement parks, rides and other similar activities are prohibited.	12. Pet care services with outdoor areas for pets, subject to the conditions of § 290-17DD.			8. Theaters	5 seats		(c) Not more than 5 employees shall be engaged in such production or servicing.
	14. Automotive and machinery repair shops, and open automobile and trailer sales lots.	B. TOWN BOARD			9. Animal hospitals	150 square feet of gross floor area		(d) Only electrically driven machinery shall be used.
	15. Other retail stores and facilities and service establishments, including frozen-food lockers, and sale of grain, feed, agricultural products, building materials and monuments, and outdoor sales of automobiles.	1. Reservoirs on lots of 3 acres or more and water towers and water tanks owned and operated by a public utility, which water tank or water tower is located at or above ground, on plots of 3 acres or more.			10. Bowling alleys	½ alley		11. Accessory outdoor storage areas of vehicles, equipment or other materials shall be permanently screened from adjoining residential districts and streets.
	16. Wholesale sales or storage and warehouses.	2. (Reserved)			11. Billiard parlors	½ table		12. Notwithstanding any other buffer requirement, a buffer area of at least 50 feet shall be provided along residentially zoned districts.
	17. Carnivals and circuses, subject to § 290-17E and L.L. No. 4-1976 (Ch. 117), as amended by L.L. No. 2-1979.	3. Gasoline filling stations, subject to § 290-17G.			12. Motels and hotels			13. (Reserved)
	18. Motels and hotels.	4. Bus terminals on lots of at least 5 acres or more and located on major or secondary roads.			13. Outdoor sales of automobiles or monuments	Guest room or dwelling unit		
	19. Pet care services with all facilities and amenities within an enclosed building.	5. (Reserved)			14. Dance halls	600 square feet of display and sales area		
	20. Mini-warehouses.	6. (Reserved)			15. Driving ranges, miniature golf courses	75 gross square feet		
	21. Theaters, except drive-in theaters.	(a) No theater, whether standard or mini, shall be located within 500 feet of any residential district or within 1,000 feet of any church or school or similar place of education or worship, said measurement to be from property line to property line.			16. Skating rinks	Tee		
		(b) There shall be no more than 2 theaters, whether standard or mini, located on any single parcel of land.			17. Dry-cleaning, rug-cleaning, laundry plants, printing and publishing	75 square feet of floor area		
		7. (Reserved)			18. Storage and warehouses for sites under 1 ownership and having a lot area of at least 20,000 square feet or greater	300 square feet of gross floor area		
		8. (Reserved)			19. Mini-warehouse	500 square feet of gross floor area		
		9. Railroad passenger stations or bus stations subject to§ 290-17K.			(a) Administrative offices	150 square feet of gross floor area		
		10. Railroad right-of-way, provided that all brush and cut timber are disposed of in accord with approved forestry practices.			(b) Caretaker dwelling unit	½ unit		
		C. PLANNING BOARD			(c) Retail sales	300 square feet		
		1. Auto-laundries, subject to § 290-17C.			(d) Outside storage of vehicles and equipment	Vehicle, such as a recreational vehicle for rent, or as determined by the Planning Board		
		2. Child day-care center pursuant to § 290-17Z and subject to site plan approval by the Planning Board.			20. Shopping centers	Based upon individual uses as listed in this table		
					(a) On less than 2 acres of land	1 per 300 gross square feet for all nonresidential conforming uses		
					(b) One 2 acres or more of land			