

ZONING

197 Attachment 1

Village of Westhampton Beach

Business Districts, Hamlet
Commercial/Residential District, and Hotel District
Table of Use Regulations

[Added 2-14-2000 by L.L. No. 1-2000; amended 12-11-2000 by L.L. No. 17-2000; 4-9-2001 by L.L. No. 2-2001; 2-11-2002 by L.L. No. 2-2002; 8-12-2002 by L.L. No. 7-2002; 5-12-2003 by L.L. No. 4-2003; 10-12-2004 by L.L. No. 4-2004; 12-1-2005 by L.L. No. 10-2005; 5-7-2009 by L.L. No. 4-2009; 6-7-2012 by L.L. No. 6-2012; 9-6-2012 by L.L. No. 7-2012; 1-3-2019 by L.L. No. 1-2019; 11-7-2019 by L.L. No. 9-2019; 10-7-2021 by L.L. No. 5-2021]

- P = Permitted use
- SE = Special exception use
- X = Prohibited use

ALL UNLISTED USES AND NAICS CLASSIFICATIONS ARE PROHIBITED IN ALL DISTRICTS

NAICS ¹	Use Classification	Business Zoning Districts				
		B-1	B-2	B-3	HC	Hotel
	Residential Uses					
	One-family residence	X	X	X	P	X
	Two-family residence	X	X	X	SE	X
	Three- or multifamily residence	SE	X	X	SE	SE
	Existing dwellings	P ²	P	P	P	P
	Conversions of nonresidential buildings to exclusively residential use	X	X	X	P	X
	Upper-floor apartments	SE	SE	X	SE	SE
	Rooming house, boardinghouse	SE	X	X	X	SE
72119	Bed-and-breakfast					SE
	Senior citizen housing	X	X	X	X	SE
	Assisted (congregate-care) housing	X	X	X	X	SE
	Public or Semipublic Uses					
81311	Church or similar place of worship or religious instruction; parish house, rectory, pastor's residence	P	P	P	P	P
62441	Day-care facility	SE	SE	SE	SE	X
	Public park, playground	P	P	P	P	P

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NAICS ¹	Use Classification	Business Zoning Districts				
		B-1	B-2	B-3	HC	Hotel
51912; 71211	Public library, museum	P	P	P	P	P
711310	Performing arts facility	SE	X	X	SE	X
	Emergency service facility	P	P	P	P	P
	Municipal office or governmental building	P	P	P	P	P
61111	Public, denominational or private school, nonprofit, operated or licensed by the State of New York	P	P	P	P	P
	School operating under Article 31, Mental Hygiene Law, State of New York	SE	SE	SE	SE	SE
8133; 8134; 81399	Philanthropic, fraternal, social, educational or institutional nonprofit facility	P	P	P	P	P
	Public utility structure or right-of-way	SE	SE	SE	SE	SE
	Sewage treatment plant	SE	SE	SE	SE	SE
	Water supply facility	SE	SE	SE	SE	SE
	Business Uses Agricultural Category					
81291	Animal shelter, aviary, kennel	X	SE	SE	X	X
54194	Veterinary services	X	P	SE	X	X
56173	Landscape or horticultural services; irrigation contractors	X	P	P	X	X
1114	Agricultural or commercial greenhouse	X	SE	SE	X	X
42493	Plant nursery	X	P	P	X	X
	Wholesale Businesses					
4231	Motor vehicles and motor vehicle parts and supplies	X	SE	SE	X	X
4232	Furniture and home furnishings	X	SE	SE	X	X
4233	Lumber and other construction materials	X	SE	SE	X	X
4234	Professional and commercial equipment and supplies	X	SE	SE	X	X
4236	Electrical goods distribution	X	SE	SE	X	X
4237	Hardware, plumbing, heating equipment and supplies	X	SE	SE	X	X
42391	Sporting and recreational goods and supplies	X	SE	SE	X	X
42394	Jewelry, watches, precious stones and metals	X	SE	SE	X	X
4241	Paper and paper products	X	SE	SE	X	X
4242	Drugs, drug proprietaries and druggists' supplies	X	SE	SE	X	X
4243	Apparel, piece goods and notions	X	SE	SE	X	X
4248	Beer, wine and alcoholic beverage distribution	X	SE	SE	X	X
4249	Miscellaneous nondurable goods distribution	X	SE	SE	X	X

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		B-1	B-2	B-3	HC	Hotel
Retail Businesses						
448	Apparel and accessory store	P	X	X	P	SE
45392	Art gallery	P	X	X	P	SE
45399	Auction house	SE	X	X	SE	X
45299	Auto and home supply store	X	P	P	X	X
31181	Bakery	P	SE	SE	P	X
72241	Bar, tavern, drinking place	X	X	X	X	X
4412	Boat and recreational vehicle dealer	X	P	SE	X	X
4512	Bookstore	P	X	X	P	SE
581302	Cabaret, disco, nightclub	X	X	X	X	X
44313	Camera and photographic supply store	P	X	X	P	SE
445292	Candy, nut or confectionery store	P	X	X	P	SE
454113	Catalog and mail-order house	P	P	P	P	X
4452	Dairy products store	P	X	X	P	X
4521	Department store	P	X	X	P	X
4461	Drugstore	P	X	X	P	X
4531	Florist	P	P	P	P	SE
4452	Fruit and vegetable market	P	SE	X	P	X
45431	Fuel, fuel oil, liquefied gas and ice dealers	X	SE	SE	X	X
447	Gasoline service station	X	SE	SE	X	X
452	General merchandise store	P	X	X	P	X
45322	Gift, novelty and souvenir shop	P	X	X	P	SE
445110	Grocery stores with maximum 5,000 square feet gross floor area, excluding convenience stores	P	SE	SE	P	SE
44413	Hardware store	X	P	SE	X	X
45112	Hobby, toy and game store	P	X	X	P	SE
442	Home furniture, furnishings and equipment	P	P	P	P	X
443	Household appliance store	P	P	P	P	X
44831	Jewelry store	P	X	X	P	SE
44422	Lawn and garden supply, nursery, garden center	X	P	P	X	X
44531	Liquor, beer and wine sales	P	P	P	P	X
44832	Luggage and leather goods	P	P	P	P	SE
44419	Lumber and other building materials dealers	X	SE	SE	X	X
7222	Luncheonette, coffee shop, coffee house or tea house, delicatessen	P	P	P	P	SE
4452	Meat and seafood market	P	P	P	P	X

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		B-1	B-2	B-3	HC	Hotel
44512	Mini-market and convenience store	X	X	X	X	X
445299	Miscellaneous food store	SE	X	X	SE	X
4411	Motor vehicle dealer (new and used)	X	SE	SE	X	X
4512	News dealer, newsstand	P	X	X	P	SE
44613	Optical goods store	P	P	P	P	X
453	Other retail stores	P	X	X	X	X
44412	Paint, glass and wallpaper stores	P	P	P	P	X
45391	Pet supply store	X	P	X	X	X
443112	Radio, television, consumer electronics and music store	P	P	P	P	X
7221	Restaurant, standard	SE	SE	SE	SE	SE
445; 446; 448; 451; 453	Retail sale of consumer goods	P	X	X	P	X
45113	Sewing, needlework and piece goods store	P	X	X	P	SE
45111	Sporting goods, bicycle shop	P	P	P	P	X
45321	Stationery store	P	X	X	P	SE
45399	Tobacco and cigar stores, excluding marijuana dispensaries/cafes	P	P	P	P	X
4533	Used merchandise store	P	P	P	P	X
45299	Variety store	P	X	X	P	X
	Finance, Insurance and Real Estate					
522	Financial depository and nondepository institution	P	P	P	P	SE
523	Security and commodity brokers, exchanges and service	P	P	P	P	SE
524	Insurance carriers, agents, brokers and service	P	P	P	P	SE
5312	Real estate office	P	P	P	P	SE
523	Other investment office	P	P	P	P	SE
	Services: Personal, Business, Health and Other					
81232	Laundry, cleaning and garment service	P	X	X	P	SE
56174	Carpet, upholstery cleaning, industrial laundry	X	SE	SE	X	X
541921	Photographic studio	P	SE	X	P	X
81211	Beauty or barber shop	P	X	X	P	SE
81143	Shoe repair	P	X	X	P	X
81221	Funeral service	P	P	P	P	X
8129	Other personal service	SE	P	P	SE	SE
71394	Health spa	SE	SE	SE	SE	SE
5416	Business services	P	P	P	P	SE

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		B-1	B-2	B-3	HC	Hotel
8111	Automotive repair and services, auto laundry	X	SE	SE	X	X
8112	General electrical repair	X	P	SE	X	X
81149	Watch, clock or jewelry repair	P	X	X	P	X
81142	Reupholstery, furniture refinishing and repair	X	P	SE	X	X
6211	Offices of physicians, dentists and other health practitioners	P	P	P	P	SE
62161	Nursing and personal care	SE	SE	SE	SE	X
62151	Hospitals, medical or dental laboratory	X	SE	SE	X	X
62149	Outpatient care and other health facilities	X	SE	SE	X	X
54111	Legal services	P	P	P	P	SE
54199	General professional office	P	P	P	P	SE
81131	Miscellaneous repair; welding	X	P	SE	X	X
5413	Engineering, architectural and surveying services	P	P	P	P	SE
5412	Accounting, auditing and bookkeeping services	P	P	P	P	SE
54171	Noncommercial research organization	P	P	P	P	SE
54182	Management or public relations services	P	P	P	P	SE
5416	Business consulting services	P	P	P	P	SE
236; 238	General and special trade contractors' offices	X	SE	SE	X	SE
551114	General and special trade contractors' administrative offices	SE	SE	SE	X	SE
812100	Day spas, permanent makeup and piercing salons, electrolysis	P	P	P	P	X
	Amusement and Recreational Businesses					
5121	Motion-picture, videotape, television or sound production studio	SE	SE	SE	SE	X
53223	Motion-picture and video tape rental and distribution	P	SE	X	P	X
512131	Motion-picture theater	SE	SE	SE	SE	X
61161	Dance studio school or hall	P	SE	SE	P	X
71111	Theatrical production	P	X	X	P	X
71395	Bowling center	SE	SE	SE	SE	X
71394	Physical fitness facility	P	P	P	SE	SE
713940	Other indoor recreation	X	SE	SE	X	SE
453998	Swimming pools, supplies and equipment	X	P	P	X	X
	Other Business Uses					
72111	Hotel, transient	SE	X	X	X	SE
72111	Hotel, resort	X	X	X	X	SE
	Transportation Facilities and Services					
4852	Local public passenger facility	P	P	P	P	P
4853	Taxicab establishment	SE	SE	SE	SE	SE

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		B-1	B-2	B-3	HC	Hotel
	Industrial Uses					
323	Printing, publishing	SE	P	P	SE	X
	Accessory Uses					
	Customary and secondary uses related to principal use	P	P	P	P	P
	Outdoor Dining	SE	SE	SE	SE	X
44211	Outdoor Tables and Chairs	SE	SE	SE	SE	X
	Outdoor Music	SE	SE	SE	SE	X

NOTES:

1. "NAICS refers to the 2007 North American Industry Classification System, 2007, published by the United States Office of the management and Budget, and is incorporated by reference as part of this chapter.
- 2 See § 197-16.1.1.