

ZONING

290 Attachment 28

Town of Clarkstown

Table 9
General Use Regulations – LIO District
(For use of table see § 290-12)

[Amended 4-9-1975; 5-12-1976; 1-26-1977; 3-1-1978; 4-19-1978; 4-4-1979; 1-13-1987; 3-10-1987; 7-8-1986; 10-7-1986; 5-23-1989; 8-29-1989; 9-26-1989; 4-17-1990; 6-25-1991; 12-30-1993; 8-8-1995; 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; 7-10-2018 by L.L. No. 7-2018; 3-26-2019 by L.L. No. 4-2019]

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:		
LIO	<ol style="list-style-type: none"> Industrial land uses with related offices and showrooms which assemble, make, process, package, store and distribute handcrafted or custom-made products, such as optical devices, precision instruments, electric and electronic equipment, signs, sporting goods, wearing apparel and dry goods. Research development, experimental or testing laboratories. Schools for industrial or business training. Professional administrative, governmental or business offices. Warehouses and wholesale distribution centers with related offices and showrooms with trucking limited solely to daytime hours. No retail sales shall be permitted. Public utility substations, telephone control and exchange centers, railroad right-of-way and public utility right-of-way. Automotive new car dealerships and distributorships. Printing and publishing of a newspaper. Firehouses, police and ambulance stations. All uses permitted hereunder must comply with federal, state, county and local standards concerned with the preservation and protection of the environment and ecology, both human and otherwise, from pollution from any source whatsoever and comply with federal, state, county and local anti-noise standards. Public and private tennis clubs, indoors, on lots not less than 3 acres in area, whether or not operated for profit. Health clubs (with or without indoor swimming pool). Carnivals and circuses, subject to § 290-17E and L.L. No. 4, 1976 (Ch. 117) as amended by L.L. No. 2, 1978. Automotive and machinery repair shops, including body shops, provided that these uses comply with the following requirements: <ol style="list-style-type: none"> All repairs shall be made within a totally enclosed structure. Solid evergreen screening shall be provided along the entire rear lot line and both side lot lines to a point perpendicular to the front building line, except for points of driveway access. Vehicles requiring body work and all machinery shall be parked or stored to the rear of the enclosed structure and be adequately screened. Social halls and cultural centers operated by nonprofit organizations on lots of not less than 80,000 sq. ft. in area. Family recreation, when located within a fully enclosed building. Mini-warehouses. Pet care services with all facilities and amenities within an enclosed building. 	<p>A. BOARD OF APPEALS</p> <ol style="list-style-type: none"> Public housing substations or 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. (Reserved) Public utility right-of-way towers and lines, provided 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. Floodplain uses within areas designated on the Official Map as a floodplain, swamp, drainage way or drainage easement as follows: parking spaces, driveways, open recreation in landscaped areas, signs and fences, provided 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. Pet care services with outdoor areas for pets, subject to the conditions of § 290-17DD. <p>B. TOWN BOARD</p> <ol style="list-style-type: none"> 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. Sandpits, gravel pits, removal of topsoil and landfill or excavation operations, for a period not to exceed 5 years, subject to § 290-17. Gasoline filling stations, subject to § 290-17G. Auto laundries, subject to § 290-17C. (Reserved) Recycling facility, subject to § 290-17R. (Reserved) Family recreation when located outdoors, subject to § 290-17T. Shipping and receiving of hazardous waste and regulated medical waste, if not totally indoors, subject to § 290-17U. The proposed mixing or combination of unlike materials or the opening of sealed containers requires a special permit. Manufacturing uses, except those specifically prohibited in § 290-18. Railroad right-of-way, provided that all brush and cut timber are disposed of in accord with approved forestry practices. Child day-care center pursuant to § 290-17Z and subject to site plan approval by the Planning Board, which approved site plan shall accompany the application for special permit. <p>C. PLANNING BOARD</p>	<ol style="list-style-type: none"> For any institutional use: 1 dwelling unit for a caretaker, gatehouse, reception office or watchman's post, subject to § 290-21B(7). The following private structures: greenhouses, barns, silos, tool sheds, garages, tennis courts, swimming pools, recreational structures and other similar structures. Swimming pools are subject to Chapter 258 of the Town Code. Accessory parking, subject to § 290-22. Accessory loading, subject to § 290-23. (Reserved) 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. Accessory uses to golf courses, tennis clubs, offices and research laboratories including garages for storage and maintenance of company motor vehicles; storage of gasoline and lubricating oils thereof; parking facilities; maintenance and utility shops for the upkeep and repair of buildings and structures on the site; central heating and air conditioning; plants and power substations; water supply and sewage disposal facilities; training schools for employees; buildings for storage of documents, records and personal property, communication facilities; and clinics, dining and recreation facilities, banks, post offices, company stores and guest lodges for the exclusive use of company employees and of visitors to the buildings but not for the general public, provided that the office building or laboratory development is located on the same site therewith; residential quarters for conferees, members and guests but not including a motel. Any other similar accessory use subject to approval of Board of Appeals. (Indoor only) managers' offices, employees' facilities, locker rooms, sauna or steam rooms, shower rooms, swimming pools, children's nurseries, pro-shops, exercising rooms and game-rooms, parking and loading areas. The keeping and use of primates for laboratory and experimental purposes within the same premises. (Reserved) (Reserved) (Reserved) Restaurants, as accessory uses to family recreation, not to exceed 15% of the total family recreation floor area. Related retail space (pro shop, souvenir counter, etc.), as accessory to family recreation, not to exceed 5% of the total family recreation floor area. Accessory indoor assembly space for birthday parties, team lectures and similar space, not to exceed 15% of the total family recreation floor area. Accessory uses to manufacturing uses, subject to Town Board special permit approval. For mini-warehouses, the following accessory uses shall also be permitted: <ol style="list-style-type: none"> Administrative offices 	<ol style="list-style-type: none"> Churches, public buildings, libraries, community and recreational buildings Schools of general instruction nursery schools, private schools or schools of special instruction Indoor tennis clubs, health clubs and handball courts Telephone exchanges Airports or heliports Offices, banks Laboratories Social halls, meeting rooms, convention halls and catering facilities Light manufacturing Warehouses, wholesaling, freight terminals Restaurants associated with an indoor tennis club or health club Automotive new car dealerships, distributorships Firehouses, police and ambulance stations Automotive repair shops Machinery repair shops, etc. Mini-warehouses <ol style="list-style-type: none"> Administrative offices Caretaker dwelling unit Retail sales Outside storage of vehicles and equipment Bowling alleys Exercise centers; health clubs; gymnastics Self-defense activities; aerobic exercises; dance studios or halls Miniature golf; driving ranges; golf facilities Baseball batting cages; firing ranges Bumper cars, water bumper boats and similar Video, pinball and other arcade-type amusements Petting zoos Billiard parlors and pool rooms Skating rinks Swimming pools Horseback riding facilities, corrals, etc. Restaurants, as accessory uses to specific recreational uses <ol style="list-style-type: none"> Standard Fast-food Related retail space (pro shop, souvenir counter, etc.) Shipping and receiving of hazardous waste and regulated medical waste Manufacturing 	<p>200 square feet of floor area, but not less than 1 for each 5 seats where provided</p> <p>12 seats or students for schools of elementary or nursery grades and 6 seats or students for other schools</p> <p>1 per court and 1 per 200 square feet of gross floor area</p> <p>2 employees or 300 square feet of floor area, whichever is less</p> <p>2 employees, plus 1 for each private aircraft parking space and</p> <p>5 per scheduled aircraft arrival or departure within the peak three-hour period</p> <p>300 square feet of gross floor area</p> <p>500 square feet of gross floor area</p> <p>200 square feet of gross floor area, but not less than 1 for each 5 seats where provided</p> <p>500 square feet of gross floor area</p> <p>1,000 square feet of gross floor area</p> <p>100 gross sq. ft.</p> <p>200 square feet of office and sales area</p> <p>200 square feet of floor area</p> <p>1/3 bay</p> <p>300 square feet of floor area</p> <p>None</p> <p>150 square feet of gross floor area ½ unit</p> <p>300 square feet</p> <p>Vehicle, such as a recreational vehicle for rent, or as determined by the Planning Board</p> <p>½ space per alley</p> <p>Each player position</p> <p>200 square feet of floor area</p> <p>2 spaces per tee</p> <p>Each player position</p> <p>Vehicle unit</p> <p>2 player positions</p> <p>200 square feet</p> <p>Table</p> <p>75 square feet of floor area</p> <p>50 square feet of water surface area</p> <p>Animal</p> <p>100 gross square feet</p> <p>75 gross square feet</p> <p>200 gross square feet</p> <p>1,000 square feet of gross floor area</p> <p>300 square feet of floor area in such uses, plus 600 square feet of floor area in accessory uses or as determined by the Planning Board</p>	<ol style="list-style-type: none"> 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 sq. ft., 1 berth; for each additional 25,000 sq. ft. or fraction thereof, 1 additional berth. For all other uses with a floor area of 10,000 to 25,000 sq. ft., 1 berth; for each additional 25,000 sq. ft. or major fraction thereof up to 100,000 sq. ft., 1 additional berth; for each additional 50,000 sq. ft. or major fraction thereof, 1 additional berth For wholesaling and warehousing, 1 berth for 5,000 to 10,000 sq. ft. of floor area in such use, and 1 additional berth for each additional 10,000 sq. ft. of floor area or major fraction thereof so used. 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. 	<ol style="list-style-type: none"> All new nonresidential uses are subject to continued enforcement of performance standards procedure (§ 290-13B). 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. 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. Buffer areas of 75 ft. shall be required for special permit uses, except Board of Appeals or Town Board as specified in Column 3 for particular use may reduce width of buffer area no more than 50 ft. where local conditions and substitute appropriate protection for neighboring properties is reasonably indicated. Such buffer areas shall be permanently landscaped and maintained in harmony with the landscaping or natural growths in the neighborhood. All uses other than a one- or two-family residence shall obtain site plan approval subject to § 290-31C. All uses other than single-family residences shall obtain approval of the Architectural Historic Review Board. All uses and accessory storage shall be within completely enclosed buildings except that open storage is permitted no closer than 50 ft. to any residential district line, street line, and 25 ft. to any other lot line or building, provided all such areas are adequately screened from adjacent uses. All areas not used for buildings, circulation space and for accessory off-street parking shall be suitably landscaped and maintained in good condition. Entrances and exits shall be located only on a major or secondary road and shall be so located as to draw a minimum of vehicular traffic to and through local roads. No shipping or receiving of goods shall be carried on between 11:00 p.m. and 7:00 a.m. Usable open space for offices and laboratories shall be provided on the basis of 100 sq. ft. for each 5,000 sq. ft. of gross floor space; buffer areas may be included in such space if they are provided with benches or similar equipment and have no dimension less than 15 ft. Minimum distance between buildings shall be no less than height of highest wall. All exterior of buildings, parking areas, walkways and vehicular entrance ways shall be suitably lighted when facilities are used after dusk, but such lighting shall not glare on adjacent districts or residential properties. Notwithstanding any other buffer requirement, no parking shall be provided within 50 ft. of any residential district, and such area shall be landscaped. No parking shall be provided within 10 ft. of any building. No recreational facilities shall be located within 200 ft. of any property line where residential use is first permitted by right. Loading berths facing public or private roads or facing residential zoning districts shall be within fully enclosed buildings or be completely shielded from view by walls, berms, year-round landscaping and/or fencing. 	

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			(b) One dwelling for a full-time caretaker or live-in manager. (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.				