

ZONING

185 Attachment 11

Town of Newburgh

Table of Use and Bulk Requirements

B District -- Schedule 7

[Amended 9-23-1998 by L.L. No. 10-1998; 1-20-2009 by L.L. No. 2-2009; 2-10-2014 by L.L. No. 2-2014; 12-29-2014 by L.L. No. 13-2014; 4-9-2018 by L.L. No. 3-2018; 4-9-2018 by L.L. No. 5-2018; 5-27-2020 by L.L. No. 2-2020; 1-23-2023 by L.L. No. 1-2023; 9-23-2024 by L.L. No. 1-2024]

A. Accessory Uses	B. Permitted With	C. Permitted Uses	D. Uses Subject to Site Plan Review by the Planning Board	Minimum Required								Maximum Permitted					
				Lot Area (square feet)	Lot Width (feet)	Lot Depth (feet)	Front Yard (feet)	Rear Yard (feet)	1 Side Yard (feet)	Both Side Yards (feet)	Habitable Floor Area Per Dwelling Unit (square feet)	Dwelling Units Per Acre	Lot Building Coverage (percent)	Building Height (feet)	Lot Surface Coverage (percent)		
1. Home occupations.	C1 and 2	1. Existing single-family dwellings:		20,000	125	150											
2. Private garage or carport for not more than 4 vehicles	C1, 2, 4 and 5 D1-12	a. Without both public sewer and public water systems		15,000	100	125	40	40	15	30							
3. Garden house, toolshed, wading or swimming pool or tennis court in accordance with § 185-434	C1, 2 and 4	b. With both public sewer and public town water systems		17,500													
4. Off-street parking as required by the principal use	All	c. With either public sewer or public water only		30,000	150	175		50		50	900	NA	25%	35	50%		
5. Storage buildings up to 50% of the floor area of the principal building	D2 and 11	2. Existing 2-family dwellings:		22,500													
6. Signs in accordance with § 185-14		a. Without both public sewer and public water systems		25,000	125	150			25								
a. Professional		b. With both public sewer and public town water systems		NA	NA	NA	NA	NA	NA	NA	NA		20%	NA			
b. Business		c. With either public sewer or public water only		25,000	150	175		40	15	30	900		25%				
c. Institutional	C1 and 2, D2, D17 C5, D1-7, D9-12, D18	3. Municipal buildings and town activities															
d. Identification	C3 and 4, D10 C3-5 D1-7, D9-12, D18	4. Membership clubs without outdoor recreation facilities in accordance with § 185-29															
6a. Signs in accordance with § 185-14.1.	D8	5. Funeral homes	1. Retail stores and personal service stores and uses, health clubs and fitness facilities, cannabis retail dispensaries in accordance with § 185-48.9, cannabis microbusiness retail premises, cannabis microbusinesses with indoor cultivation canopies only and cannabis medical dispensaries in accordance with § 185-48.9.														
7. Keeping up to 5 (total) dogs or cats over 6 months of age	C1 C2		2. Business, professional and research offices and banks								30						
8. Off-street parking for commercial vehicles in accordance with § 185-13	D1-9, 11 and 12		3. Eating and drinking places	15,000	100	125	40	30	15					40/60% <sup>1</sup>	35	80/85% <sup>1</sup>	
9. Accessory apartments in accordance with § 185-38	C1 and 2		4. Indoor amusement establishments														
10. Fuel tanks in accordance with § 185-39	D2, 5, 11 and 12		5. Motor vehicle service stations and public garages, car wash and rental agency in accordance with § 185-28	20,000								NA	NA	40/50% <sup>2</sup>		80/85%	
11. Satellite earth stations in accordance with § 185-40	C1-3 and 5 D1-12		6. Convenience stores with or without gasoline filling stations													80%	
12. Cafeterias and clinics for employees	D2 and 12		7. Hotels and motels in accordance with § 185-27	5 acres	200	200	50									60%	
13. Restaurants and conference and banquet facilities	D2, 7 and 11		8. Shopping centers	5 acres	300	300	60										
14. Retail outlets	D11		9. Theaters	3 acres	300	300	60	60									
15. Car wash	D5 and 6		10. Places of worship, parish houses, seminaries, convents, dormitories and related activities	2 acres	200	200	50		50	100			NA	25%	40	50%	
			11. Business parks in accordance with § 185-41	10 acres	400	400	60							25%	40	50%	
			12. Public utility structures and rights-of-way	NA	NA	NA	NA	NA	NA	NA				20%	35	50%	
			13. Affordable housing in accordance with § 185-47														
			14. Senior citizen housing in accordance with § 185-48														

NEWBURGH TOWN CODE

16. Motor vehicle rental agency	D5 and 7	15. Restaurants	40,000	150	150	50	30	15	30			40%	35	80%
---------------------------------	----------	-----------------	--------	-----	-----	----	----	----	----	--	--	-----	----	-----

A. Accessory Uses	B. Permitted With	C. Permitted Uses	D. Uses Subject to Site Plan Review by the Planning Board	Minimum Required								Maximum Permitted			
				Lot Area (square feet)	Lot Width (feet)	Lot Depth (feet)	Front Yard (feet)	Rear Yard (feet)	1 Side Yard (feet)	Both Side Yards (feet)	Habitable Floor Area Per Dwelling Unit (square feet)	Dwelling Units Per Acre	Lot Building Coverage (percent)	Building Height (feet)	Lot Surface Coverage (percent)
17. Eating and drinking facilities or food preparation shops not offering full table service	D1, 6, 8, 9 and 16		16. Mini-malls	2 acres	200	200	40	50	30	60			40%	35	80%
			17. Veterinarian offices and related services necessary for the complete practice of veterinarian medicine in accordance with § 185-45.	40,000	150	150	40	40	30	60	NA	NA	30%	35	60%
18. Cargo storage containers in accordance with § 185.15.1	D2 and 11														
			18. Nursery school for pre-school children registered with NYS Department of Education and day-care center licensed by NYS OCFS, in accordance with § 185- 48.8	1 acre	150	150	50	50	40	80	NA	NA	20%	35	40%

NOTES:

- <sup>1</sup> Forty without public water and sewer; 60 with public water and sewer.
- <sup>2</sup> Forty without public water and sewer; 50 with public water and sewer.
- <sup>3</sup> Minimum 1,500 square feet of lot area per guest room.
- <sup>4</sup> Also requires a special permit from the Zoning Board of Appeals.