

ZONING

290 Attachment 25

Town of Clarkstown

Table 6  
General Use Regulations – CS District  
(For use of table see § 290-12)

[Amended 12-3-1969; 11-12-1970; 5-15-1974; 8-7-1974; 6-4-1975; 5-12-1976; 12-15-1976; 4-19-1978; 2-7-1979; 4-25-1979; 3-10-1981; 1-13-1987; 3-10-1987; 7-17-1990; 6-11-1991; 12-14-1999; 2-8-2000; 5-9-2006 by L.L. No. 6-2006; 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]

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:			
CS	1. Churches and similar places of worship, Sunday school buildings, parish houses and rectories.	A. BOARD OF APPEALS 1. 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. 2. (Reserved) 3. 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 tot he height restrictions of the district. 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 upstream from the lot. 5. (Reserved) 6. (Reserved) 7. Funeral homes, subject to all the conditions of § 290-17P. 8. Pet care services with outdoor areas for pets, subject to the conditions of § 290-17DD. B. TOWN BOARD 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. 2. Sandpits, gravel pits, removal of topsoil and landfill or excavation operations, for a period not to exceed 5 years, subject to § 290-17L. 3. (Reserved) 4. Agency boarding homes, agency group homes, agency community residences and residential care facilities for victims of domestic violence. 5. Theaters, except drive-in theaters, subject to the additional following conditions: (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. 6. (Reserved) 7. Railroad passenger stations or bus stations subject to § 290-17K. 8. Railroad right-of-way, provided that all brush and cut timber are disposed of in accord with approved forestry practices. 9. Gasoline pumps with kiosk only, subject to § 290-17F. 10. 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. C. PLANNING BOARD 1. Senior citizen housing subject to § 290-17O(A).	1. Keeping of not more than 1 unoccupied trailer or commercial vehicle, provided that it is parked in the rear yard only. 2. Accessory production and servicing of goods subject to No. 10 in Column 8. 3. Accessory storage subject to No. 11 in Column 8. 4. Accessory parking, subject to § 290-22. 5. Accessory loading, subject to § 290-23. 6. (Reserved) 7. Recreation facilities, indoor and outdoor, incidental to churches and similar places of worship or to schools. 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.		1. Churches, public buildings, libraries, community and recreational buildings	200 sq. ft. 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 sq. ft., 1 berth; for each additional 25,000 sq. ft. or fraction thereof, 1 additional berth. 2. For buildings with offices and retail sales and service establishments, 1 berth for 8,000 to 25,000 sq. ft. of gross floor area, and 1 additional for each 25,000 sq. ft. or major fraction thereof so used. 3. For undertakers, 1 berth for each chapel.	1. All new residential uses are subject to continued enforcement of performance standards procedure (§ 290-13B). 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. 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. Buffer areas of 75 ft. shall be required for special permit uses, except Board of Appeals or Town Board or Planning Board as specified in Column 3 for particular use may reduce width of buffer areas 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. 5. All uses other than one- or two-family residence shall obtain site plan approval subject to § 290-31C. 6. All uses other than single-family residences shall obtain approval of the Architectural Historic Review Board. 7. All uses, accessory storage and loading berths shall be within completely enclosed buildings, except garden supplies, lumber, building and masonry materials. 8. No primary business or vehicular entrances, show windows or signs shall be located within 50 ft. of any residential district boundary along any residential street. 9. Any use first permitted in this district and located on a plot, any plot line of which lies within 25 ft. of an R District boundary shall be screened along such plot line. 10. All accessory production and servicing of goods shall conform to the following restrictions: (a) All such goods shall be sold or delivered to customers on the premises. (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 sq. ft. whichever is greater. (c) Nor more than 5 employees shall be engaged in such production or servicing. (d) Only electrically driven machinery shall be used. 11. Accessory outdoor storage areas of vehicles, equipment or other materials shall be permanently screened from adjoining residential districts and streets. 12. Notwithstanding any other buffer requirement, a buffer area of at least 30 ft. shall be provided along residential districts. 13. No restaurant, limited menu or otherwise, drive-in or food dispensing establishment shall be permitted within 200 ft. of any church, school, synagogue, or similar place of assembly. (The 200-foot prohibition herein shall be measured from the nearest property line.) 14. For auto repairs or installation of auto parts, all work shall be performed indoors.	
	2. Public parks and playgrounds.				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.			
	3. Schools, except nursery schools.				3. Sanitariums, convalescent or nursing homes	4 beds plus 1 for each employee.			
	4. Fire, police and similar public buildings.				4. Restaurants (a) Standard (b) Fast-food	100 gross sq. ft. 75 gross sq. ft.			
	5. Offices for professional, governmental and business uses.				5. Telephone exchanges	2 employees or 300 sq. ft. of floor area, whichever is less.			
	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.				6. (a) Banks (b) Offices (c) Retail and service stores and establishments	200 sq. ft. of gross floor area. 150 sq. ft. of gross floor area. 200 gross sq. ft.			
	7. Other retail stores and service establishments, such as banks, package liquor stores and personal service shops dealing directly with consumers (such as barbers 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.)				7. Undertakers, funeral homes	2 employees, plus 5 spaces for each chapel.			
	8. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations.				8. Theaters	5 seats.			
	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, provided that no auto repairs or installation of auto parts shall be permitted in this district except on lots with more than 20,000 sq. ft. with access from a major road as classified on the Official Map and not adjoining properties zoned for residential use.				9. Animal hospitals	150 sq. ft. of gross floor area			
	10. (Reserved)				10. Bowling alleys	½ alley.			
	11. Animal hospitals.				11. Billiard parlors	½ table.			
	12. Bowling alleys and billiard parlors.				12. Motels and hotels	Guest room or dwelling unit.			
	13. Carnivals and circuses, subject to § 290-17E and L.L. No. 4-1976. (Ch. 117) as amended by L.L. No. 2-1978.				13. Auto repairs or installation of auto parts	At least 3 parking spaces for each service bay.			
	14. Motels and hotels.								
	15. Pet care services with all facilities and amenities within an enclosed building.								