

**Town of Fallsburg, New York**  
**Schedule I - Table of Use and Bulk Requirements**  
**[Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]**

**KEY:**  
P - Permitted Use  
SP - Special Permit Use  
NA – Not Applicable  
“ – “ No Requirement

| 1   | Agricultural District AG  | Use Type | Minimum Lot Area (acres) | Required Setbacks (feet) |                                 |      |         |            | Maximum Lot Coverage ***** | Minimum Floor Area | Maximum Height (feet) | Notes          | Accessory Uses  |  |
|---|---|----------|--------------------------|--------------------------|---------------------------------|------|---------|------------|----------------------------|--------------------|-----------------------|----------------|---|--|
|   |   |          |                          | Width                    | Front                           | Rear | Side, 1 | Side, Both |                            |                    |                       |                |   |  |
| <b>District Intent</b><br><br>To preserve large areas of open space and existing agricultural activities and to density while preserving the right to farm. | One-family dwelling   | P        | 10                       | 350                      | 50                              | 50   | 50      | 100        | 10%                        | 1,200 square feet  | 35                    |                | Accessory parking, loading and private garage<br>Class 1 and 2 Agricultural Operations: Greenhouses, barns, silos, tool sheds, outdoor storage, etc., provided any such accessory building is set back at least 150 feet from any lot line.<br>Domestic animals keeping pursuant to § 310-5.2<br>Farm stand - temporary<br>Greenhouse for private home use<br>Outdoor recreation activities<br>Reservoirs and ponds subject to DEC approval<br>Satellite dishes in accordance with § 310-4.7I<br>Signs as regulated by Chapter 234, Signs<br>Storage of goods, equipment or accessory product<br>Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F<br>Storage shed<br>Swimming pools in accordance with § 310-4.6<br><i>Other accessory uses customarily incidental to the principal use.</i> |  |
|   | Farm worker housing [two units per farm]                                  | P        | 10                       | 350                      | 75                              | 50   | 50      | 100        | 10%                        | 750 square feet    | 35                    |                |   |  |
|   | Agricultural Operation - Class 1  | P        | 10                       | 350                      | 75                              | 50   | 50      | 100        | 10%                        | NA                 | 35                    | See § 310-4.6  |   |  |
|   | Agricultural Operation - Class 2*   | P        | 10                       | 500                      | 75                              | 100  | 100     | 200        | 10%                        | NA                 | 35                    | See § 310-4.6  |   |  |
|   | Commercial forestry and timber processing**                               | P        | 10                       | 500                      | 100                             | 100  | 100     | 200        | 10%                        | NA                 | 35                    |                |   |  |
|   | Concentrated Animal Feeding Operation*****                                | P        | 10                       | 500                      | 75                              | 100  | 100     | 200        | 10%                        | NA                 | 35                    | See § 310-5.2  |   |  |
|   | Hunting and fishing cabins  | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | 800 square feet    | 35                    | See § 310-5.7  |   |  |
|   | Public parks and playgrounds  | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | Wildlife and game preserves   | P        | 25                       | 750                      | 100                             | 100  | 100     | 200        | 10%                        | NA                 | 35                    |                |   |  |
|   | Winery, vineyard, distillery, cidery or brewery                           | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | <b>Permitted Subject to Site Plan Review</b>                              |          |                          |                          |                                 |      |         |            |                            |                    |                       |                |   |  |
|   | Greenhouse - commercial   | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | Home occupation***  | P        | 1/2                      | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    | See § 310-5.6  |   |  |
|   | House of worship  | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    | See § 310-4.6  |   |  |
|   | Nursery   | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | Hospital or medical diagnosis center/children's comprehensive care center | P        | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | Stables and riding academies  | P        | 10                       | 500                      | 100                             | 100  | 100     | 200        | 10%                        | NA                 | 35                    |                |   |  |
|   | <b>Special Permit Uses Subject to Site Plan Review</b>                    |          |                          |                          |                                 |      |         |            |                            |                    |                       |                |   |  |
|   | Agribusiness  | SP       | 10                       | 500                      | 75                              | 100  | 100     | 200        | 10%                        | NA                 | 35                    |                |   |  |
|   | Bed-and-breakfast   | SP       | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | 1,500 square feet  | 35                    | See § 310-6.3B |   |  |
|   | Cemeteries  | SP       | 10                       | 500                      | 200                             | 150  | 150     | 300        | 10%                        | NA                 | 35                    |                |   |  |
|   | Kennels   | SP       | 25                       | 1,000                    | 500                             | 500  | 500     | 500        | 20%                        | NA                 | 35                    | See § 310-6.3H |   |  |
|   | Public utilities  | SP       | 5                        | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    |                |   |  |
|   | Quarry operations   | SP       | 10                       | 500                      | 200                             | 150  | 150     | 300        | 20%                        | NA                 | 35                    | See § 310-6.3L |   |  |
|   | Transmission towers - cellular, radio and TV                              | SP       | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | See Notes             | See § 310-6.3D |   |  |
|   | Veterinary hospital   | SP       | 10                       | 350                      | 100                             | 75   | 75      | 150        | 10%                        | NA                 | 35                    | See § 310-6.3O |   |  |
|   | <b>Accessory Structures</b>   |          |                          |                          |                                 |      |         |            |                            |                    |                       |                |   |  |
|   | Off-street parking  |          |                          |                          | In accordance with Article VIII |      |         |            |                            |                    |                       |                |   |  |

**NOTES:** See also § 310-5.26.

\* Minimum lot size 50 acres for raising hogs.

\*\* Subject to NYSDEC requirements.

\*\*\* In accordance with NYS Uniform Building Code.

\*\*\*\* A CAFO shall be a permitted use, not subject to Site Plan Review or Special Permit Use Review, only if the subject property is located in a State-designated Agricultural District pursuant to Article 25AA of the NYS Agriculture and Markets Law.

\*\*\*\*\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

ZONING

Town of Fallsburg, New York  
Schedule I - Table of Use and Bulk Requirements

[Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014; 12-22-2014 by L.L. No. 8-2014]

**KEY:**  
P - Permitted Use SP - Special Permit Use  
N?A – Not Applicable “-” - No requirement

| 2   | Recreation Districts REC                             | Use Type | Minimum Lot Area (acres) | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage** | Minimum Floor Area | Maximum Height (feet) | Notes            | Accessory Uses   |
|---|--|----------|--------------------------|--------------------------|-------|------|---------|------------|------------------------|--------------------|-----------------------|------------------|--|
|   |  |          |                          | Width                    | Front | Rear | Side, 1 | Side, Both |                        |                    |                       |                  |  |
| <b>District Intent</b><br><br>To conserve open space while allowing for very low density development. | One-family dwelling, without public sewer            | P        | 3                        | 200                      | 75    | 50   | 40      | 80         | 10%                    | 1,200 square feet  | 35                    |                  | Accessory parking, loading and private garage<br>Class 1 and 2 Agricultural Operations: Greenhouses, barns, silos, tool sheds, outdoor storage, etc., provided any such accessory building is set back at least 150 feet from any lot line.<br>Domestic animals keeping pursuant to § 310-5.2<br>Dormitory, fraternity, sorority house § 310-5.3<br>Greenhouse for private home use<br>Outdoor recreation activities<br>Reservoirs and ponds subject to DEC approval<br>Satellite dishes in accordance with § 310-4.7I |
|   | One family dwelling, with public sewer               | P        | 2                        | 200                      | 75    | 50   | 40      | 80         | 10%                    | 1,200 square feet  |                       |                  |  |
|   | Manufactured home                                    | P        | 3                        | 200                      | 75    | 50   | 40      | 80         | 10%                    | 1,200 square feet  | 35                    |                  |  |
|   | Agricultural Operation - Class 1                     | P        | 5                        | 350                      | 75    | 50   | 50      | 100        | 20%                    | NA                 | 35                    | See § 310-4.6    |  |
|   | Agricultural Operation - Class 2*                    | P        | 10                       | 500                      | 75    | 100  | 100     | 200        | 20%                    | NA                 | 35                    | See § 310-4.6    |  |
|   | Day-care home  | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
|   | Hunting and fishing cabins                           | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | 600 square feet    | 35                    | See § 310-5.7    |  |
|   | Public parks and playgrounds                         | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
|   | Wildlife and game preserves                          | P        | 25                       | 750                      | 100   | 100  | 100     | 200        | 10%                    | NA                 | 35                    |                  |  |
| <b>Permitted Subject to Site Plan Review</b>  |  |          |                          |                          |       |      |         |            |                        |                    |                       |                  |  |
|   | House of worship                                     | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    | See § 310-4.6    | Signs as regulated by Chapter 234, Signs<br>Storage of goods, equipment or accessory product<br>Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F<br>Storage shed<br>Swimming pools in accordance with § 310-4.8<br><i>Other accessory uses customarily incidental to the principal use.</i>   |
|   | Greenhouse - commercial                              | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
|   | Home occupation                                      | P        | 1/2                      | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    | See § 310-6.3I   |  |
|   | Manufactured home parks (w/o public water and sewer) | P        | 10                       | 750                      | 75    | 50   | 50      | 100        | 20%                    | 980 square feet,   | 35                    | See § 310-5.13   |  |
|   | Nonprofit organizations                              | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
|   | Nursery  | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | 1,500 square feet  | 35                    |                  |  |
|   | Nursing homes  | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
|   | Stables and riding academies                         | P        | 10                       | 500                      | 100   | 100  | 100     | 200        | 10%                    | NA                 | 35                    |                  |  |
|   | Winery and vineyard                                  | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    |                  |  |
| <b>Special Permit Uses Subject to Site Plan Review</b>  |  |          |                          |                          |       |      |         |            |                        |                    |                       |                  |  |
|   | Bed-and-breakfast                                    | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | 1,500 square feet  | 35                    | See § 310-6.3B   |  |
|   | Campgrounds - vacation                               | SP       | 25                       | 200                      | 200   | 150  | 150     | 300        | 10%                    | NA                 | 35                    | See § 310-6.3N   |  |
|   | Camps - day  | SP       | 25                       | 200                      | 200   | 150  | 150     | 300        | 10%                    | NA                 | 35                    |                  |  |
|   | Camps - sleep-away                                   | SP       | 25                       | 200                      | 200   | 150  | 150     | 300        | 10%                    | NA                 | 35                    |                  |  |
|   | Cemeteries   | SP       | 5                        | 350                      | 100   | 75   | 75      | 150        | 10%                    | NA                 | 35                    |                  |  |
|   | Colleges and universities                            | SP       | 10                       | 500                      | 200   | 100  | 100     | 200        | 20%                    | NA                 | 35                    |                  |  |
|   | Commercial recreation facilities                     | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 20%                    | NA                 | 35                    |                  |  |
|   | Day-care center                                      | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | See Notes          | 35                    | See § 310-6.3E   |  |
|   | Elementary and secondary schools                     | SP       | 10                       | 500                      | 200   | 100  | 100     | 200        | 20%                    | NA                 | 35                    |                  |  |
|   | Family or group care facilities                      | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | See Notes          | 35                    | See § 310-6.3F   |  |
|   | Hotels and resort hotels                             | SP       | 10                       | 500                      | 100   | 100  | 100     | 200        | 20%                    | 250 square         | 35                    | See § 310-6.3J   |  |
|   | Kennels  | SP       | 25                       | 1,000                    | 500   | 500  | 500     | 500        | 20%                    | NA                 | 35                    | See § 310-6.3H   |  |
|   | Public utilities                                     | SP       | 3                        | 200                      | 100   | 100  | 100     | 200        | 20%                    | NA                 | NA                    |                  |  |
|   | Retreat  | SP       | 25                       | 200                      | 200   | 150  | 150     | 300        | 10%                    | NA                 | 35                    |                  |  |
|   | Transmission towers - cellular, radio and TV         | SP       | 3                        | 200                      | 75    | 75   | 75      | 150        | 10%                    | NA                 | See Notes             | See § 310-6.3(D) |  |
|   | Veterinary hospital                                  | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                    | NA                 | 35                    | See § 310-6.3(O) |  |
|   | <b>Accessory Structures</b>                          |          |                          |                          |       |      |         |            | <b>20%</b>             |                    | <b>25</b>             |                  | <b>In accordance with § 310-4.7 and Article V</b>  |
|   | Off-street parking                                   |          |                          |                          |       |      |         |            |                        |                    |                       |                  | In accordance with Article VIII  |

**NOTES:**

\* Minimum lot size 50 acres for raising hogs.

\*\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

ZONING

**Town of Fallsburg, New York**  
**Schedule I - Table of Use and Bulk Requirements**  
 [Amended 6-25-2012 by L.L. No. 4-2012; 7-9-2012 by L.L. No. 7-2012; 12-22-2014 by L.L. No. 8-2014]

**KEY:**  
 P - Permitted Use  
 SP - Special Permit Use  
 NA – Not Applicable  
 “ – “ No Requirement

| 3   | Residence District R                                   | Use Type | Minimum Lot Area (acres) | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage*** | Minimum Floor     | Maximum Height (feet) | Notes                           | Accessory Uses  |                    |  |
|---|--|----------|--------------------------|--------------------------|-------|------|---------|------------|-------------------------|-------------------|-----------------------|---------------------------------|---|--------------------|--|
|   |  |          |                          | Width                    | Front | Rear | Side, 1 | Side, Both |                         |                   |                       |                                 |   |                    |  |
| District Intent<br>To allow for low-medium development. | One-family dwelling (with public sewer and water)      | P        | 1/2                      | 100                      | 35    | 25   | 20      | 40         | 20%                     | 1,200 square feet | 35                    |                                 | Accessory parking, loading and private garage<br>Domestic animals keeping pursuant to § 310-5.2<br>Greenhouse for private home use<br>Outdoor recreation activities<br>Reservoirs and ponds subject to DEC approval<br>Satellite dishes in accordance with § 310-4.7I<br>Signs as regulated by Chapter 234, Signs<br>Storage of goods, equipment or accessory product<br>Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F<br>Storage shed<br>Swimming pools in accordance with § 310-4.8<br><i>Other accessory uses customarily incidental to the principal use.</i> |                    |  |
|   | One-family dwelling (w/o public sewer and water)       | P        | 3                        | 200                      | 50    | 50   | 40      | 80         | 10%                     | 1,200 square feet | 35                    |                                 |   |                    |  |
|   | Agricultural Operation - Class 1                       | P        | 5                        | 350                      | 75    | 50   | 50      | 100        | 10%                     | NA                | 35                    |                                 |   |                    |  |
|   | Day-care home  | P        | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                     | NA                | 35                    |                                 |   |                    |  |
|   | Public parks and playgrounds                           | P        | 3                        | 200                      | 75    | 50   | 40      | 80         | 10%                     | NA                | 35                    |                                 |   |                    |  |
|   | <b>Permitted Subject to Site Plan Review</b>           |          |                          |                          |       |      |         |            |                         |                   |                       |                                 |   |                    |  |
|   | Home occupation**                                      | P        | 1/2                      | 200                      | 75    | 50   | 40      | 60         | 10%                     | NA                | 35                    | See § 310-6.3I                  |   |                    |  |
|   | <b>Special Permit Uses Subject to Site Plan Review</b> |          |                          |                          |       |      |         |            |                         |                   |                       |                                 |   |                    |  |
|   | Bed-and-breakfast (w/o public sewer and water)         | SP       | 3                        | 200                      | 75    | 50   | 40      | 80         | 10%                     | 1,500 square feet | 35                    | See § 310-6.3B                  |   |                    |  |
|   | Day-care center  | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                     | NA                | 35                    | See § 310-6.3E                  |   |                    |  |
|   | Duplex development                                     | SP       | See § 310-5.30           |                          |       |      |         |            |                         |                   |                       |                                 |   | See § 310-5.30     |  |
|   | Family or group care facilities                        | SP       | 3                        | 200                      | 75    | 50   | 50      | 100        | 10%                     | See Notes         | 35                    | See § 310-6.3F                  |   |                    |  |
|   | Hospitals and medical diagnostic centers               | SP       | 3                        | 200                      | 75    | 50   | 40      | 60         | 10%                     | NA                | 35                    |                                 |   |                    |  |
|   | House of worship                                       | SP       | 3                        | 200                      | 75    | 50   | 40      | 60         | 10%                     | NA                | 35                    | See § 310-4.6                   |   |                    |  |
|   | Townhouse dev. (with public sewer and water)           | SP       | 10                       | 500                      | 150   | 50   | 50      | 100        | 30%                     | See Below         | 35                    | See Article XVII                |   |                    |  |
|   | Townhouse structures*                                  | SP       | See Article XVII-        |                          |       |      |         |            |                         |                   |                       | 35                              |   | See Article XVII-  |  |
|   | <i>Minimum habitable floor area - 3 BR</i>             | NA       | NA                       | NA                       | NA    | NA   | NA      | NA         | NA                      | NA                | 1,100 square feet     | NA                              |   | See § 310-17.3B(3) |  |
|   | <i>Minimum habitable floor area - 2 BR</i>             | NA       | NA                       | NA                       | NA    | NA   | NA      | NA         | NA                      | NA                | 950 square feet       | NA                              |   |                    |  |
|   | <i>Minimum habitable floor area - 1 BR</i>             | NA       | NA                       | NA                       | NA    | NA   | NA      | NA         | NA                      | NA                | 800 square feet       | NA                              |   |                    |  |
|   | <i>Maximum units per townhouse structure</i>           | NA       | NA                       | NA                       | NA    | NA   | NA      | NA         | NA                      | NA                | 7                     | NA                              |   |                    |  |
| <i>Minimum distance between TH structures</i>           | NA   | NA       | NA                       | NA                       | NA    | NA   | NA      | NA         | NA                      | See Article XVII- | NA                    |                                 |   |                    |  |
| <b>Accessory Structures</b>                             |  |          |                          |                          |       |      |         |            |                         |                   |                       |                                 |   |                    |  |
| Off-street parking                                      | In accordance with Article VIII                        |          |                          |                          |       |      |         |            |                         |                   |                       | In accordance with Article VIII |   |                    |  |

**NOTES:**

- \* The side yard applies to the townhouse structure, not each townhouse unit, refer to townhouse law, Article XVII.
- \*\* In accordance with NYS Uniform Building Code.
- \*\*\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

ZONING

Town of Fallsburg, New York  
Schedule I - Table of Use and Bulk Requirements

[Amended 6-25-2012 by L.L. No. 4-2012; 7-9-2012 by L.L. No. 7-2012; 12-22-2014 by L.L. No. 8-2014; 12-22-2014 by L.L. No. 8-2014]

**KEY:**  
P - Permitted Use  
SP - Special Permit Use  
NA – Not Applicable  
“ – “ No Requirement

| 4   | Hamlet Residence District HR  | Use Type | Minimum Lot Area   | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage* | Minimum Floor Area | Maximum Height (feet) | Notes                           | Accessory Uses  |                    |
|---|---|----------|--------------------|--------------------------|-------|------|---------|------------|-----------------------|--------------------|-----------------------|---------------------------------|---|--------------------|
|   |   |          |                    | Width                    | Front | Rear | Side, 1 | Side, Both |                       |                    |                       |                                 |   |                    |
| District Intent<br>To provide areas adjacent to hamlet centers residential use at higher densities. | One-family dwelling (with public sewer and water)                         | P        | 12,500 square feet | 100                      | 35    | 25   | 10      | 30         | 25%                   | 1,200 square feet  | 35                    |                                 | Accessory parking, loading and private garage<br>Domestic animals keeping pursuant to § 310-5.2<br>Greenhouse for private home use<br>Outdoor recreation activities<br>Reservoirs and ponds subject to DEC approval<br>Satellite dishes in accordance with § 310-4.7I<br>Signs as regulated by Chapter 234, Signs<br>Storage of goods, equipment or accessory product<br>Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F<br>Storage shed<br>Swimming pools in accordance with § 310-4.8<br><i>Other accessory uses customarily incidental to the principal use.</i> |                    |
|   | Two-family dwelling   | P        | 25,000 square feet | 125                      | 35    | 25   | 20      | 50         | 25%                   | 1,500 square feet  | 35                    |                                 |   |                    |
|   | Family and group care facilities  | P        | 20,000 square feet | 125                      | 35    | 25   | 20      | 50         | 25%                   | See Notes          | 35                    | See § 310-6.3(F)                |   |                    |
|   | Multifamily dwellings (3 and 4 units)                                     | P        | 37,500 square feet | 150                      | 35    | 25   | 25      | 50         | 25%                   | 800 square feet    | 35                    |                                 |   |                    |
|   | Public parks and playgrounds  | P        | 1 acre             | 200                      | 75    | 50   | 40      | 80         | 10%                   | NA                 | 35                    |                                 |   |                    |
|   | <b>Permitted Subject to Site Plan Review</b>                              |          |                    |                          |       |      |         |            |                       |                    |                       |                                 |   |                    |
|   | Home occupation**   | P        | 1/2 acre           | 200                      | 75    | 50   | 40      | 80         | 10%                   | NA                 | 35                    | See § 310-6.3I                  |   |                    |
|   | <b>Special Permit Uses Subject to Site Plan Review</b>                    |          |                    |                          |       |      |         |            |                       |                    |                       |                                 |   |                    |
|   | Adult home, skilled nursing facility or nursing home                      | P        | 3 acres            | 200                      | 75    | 50   | 50      | 100        | 50%                   | NA                 | 35                    |                                 |   |                    |
|   | Bed-and-breakfast   | SP       | 1 acre             | 150                      | 50    | 35   | 25      | 50         | 25%                   | 1,500 square feet  | 35                    | See § 310-6.3B                  |   |                    |
|   | Day-care center   | SP       | 1 acre             | 200                      | 75    | 50   | 40      | 60         | 10%                   | NA                 | 35                    | See § 310-8.3E                  |   |                    |
|   | Duplex development  | SP       |                    |                          |       |      |         |            |                       | See § 310-5.30     | 35                    | See § 310-5.30                  |   |                    |
|   | Elementary and secondary schools  | SP       | 5 acres            | 350                      | 100   | 100  | 100     | 200        | 10%                   | NA                 | 35                    |                                 |   |                    |
|   | Hospital or medical diagnosis center/children's comprehensive care center | P        | 3 acres            | 200                      | 75    | 50   | 50      | 100        | 50%                   | NA                 | 35                    |                                 |   |                    |
|   | Multifamily (more than 4 units)   | P        | 50,000             | 200                      | 35    | 25   | 25      | 50         | 25%                   | 800 square feet    | 35                    | See § 310-5.14                  |   |                    |
|   | House of worship  | SP       | 1 acre             | 200                      | 75    | 50   | 40      | 80         | 10%                   | NA                 | 35                    | See § 310-4.6                   |   |                    |
|   | Townhouse dev. (with public sewer and water)***                           | SP       | 5 acres            | 350                      | 35    | 25   | 25      | 50         | 30%                   | NA                 | NA                    | Article XVII                    |   |                    |
|   | Townhouse structures  | SP       |                    |                          |       |      |         |            |                       | See Article XVII   | NA                    | 35                              |   | See Article XVII-  |
|   | Minimum habitable floor area - 3 BR                                       |          | NA                 | NA                       | NA    | NA   | NA      | NA         | NA                    | NA                 | 1,100 square feet     | NA                              |   | See § 310-17.3B(4) |
|   | Minimum habitable floor area - 2 BR                                       |          | NA                 | NA                       | NA    | NA   | NA      | NA         | NA                    | NA                 | 950 square feet       | NA                              |   |                    |
| Minimum habitable floor area - 1 BR   |   | NA       | NA                 | NA                       | NA    | NA   | NA      | NA         | NA                    | 800 square feet    | NA                    |                                 |   |                    |
| Maximum units per townhouse structure   |   | NA       | NA                 | NA                       | NA    | NA   | NA      | NA         | NA                    | 7                  | NA                    |                                 |   |                    |
| Minimum distance between TH structures  |   | NA       | NA                 | NA                       | NA    | NA   | NA      | NA         | NA                    | 60 feet            | NA                    |                                 |   |                    |
| <b>Accessory Structures</b>   |   |          |                    |                          |       |      |         |            |                       |                    |                       |                                 |   |                    |
| Off-street parking  |   |          |                    |                          |       |      |         |            |                       |                    |                       | In accordance with Article VIII |   |                    |

**NOTES:**

- \* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.
- \*\* In accordance with NYS Uniform Building Code.
- \*\*\* The side yard applies to the townhouse structure, not each townhouse unit, refer to townhouse law, Article XVII.

ZONING

**Town of Fallsburg, New York**  
**Schedule I - Table of Use and Bulk Requirements**  
**[Amended 5-25-2010 by L.L. No. 10-2010; 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]**

**KEY:**  
P - Permitted Use  
SP - Special Permit Use  
NA – Not Applicable  
“ – “ No Requirement

| 5  | Business District B                                    | Use Type  | Minimum Lot Area | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage* | Minimum Floor Area   | Maximum Height (feet) | Notes  | Accessory Uses |
|--|--|-----------|------------------|--------------------------|-------|------|---------|------------|-----------------------|----------------------|-----------------------|--|----------------|
|  |  |           |                  | Width                    | Front | Rear | Side, 1 | Side, Both |                       |                      |                       |  |                |
| <b>District Intent</b><br><br>To provide for the development of small commerce to serve the traveling public as well as the local residents. | Public parks and playgrounds                           | P         | 3 acres          | 200                      | 75    | 50   | 50      | 100        | 10%                   | NA                   | 35                    | Accessory parking, loading and private garage<br>Bus stops and taxi stands<br>Fuel storage tank pursuant to § 310-5.25<br>Keeping of not more than 3 household pets or domestic animals<br>Signs as regulated by Chapter 234, Signs<br>Other accessory uses customarily incidental to the principal use. |                |
|  | Living-over-the-store dwelling                         | P         | NA               | NA                       | NA    | NA   | NA      | NA         | NA                    | 800 square feet      | 35                    |  |                |
|  | <b>Permitted Subject to Site Plan Review</b>           |           |                  |                          |       |      |         |            |                       |                      |                       |  |                |
|  | Artist gallery or artist studio                        | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Automobile sales and service                           | P         | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  |                |
|  | Fitness center or gymnasium                            | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Funeral home   | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Greenhouses  | P         | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  | See § 310-4.6  |
|  | Home occupation  | P         | 1/2 acre         | —                        | 35    | 25   | 10      | 20         | 25%                   | NA                   | 35                    |  | See § 310-6.3I |
|  | House of worship                                       | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 25%                   | NA                   | 35                    |  |                |
|  | Lumber yards   | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 25%                   | NA                   | 35                    |  |                |
|  | Nursery  | P         | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  |                |
|  | Personal service establishment                         | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Pharmacy   | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Professional office                                    | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Public utilities                                       | P         | 10,000 sf        | —                        | 75    | 50   | 50      | 100        | 50%                   | NA                   | 35                    |  | See § 310-4.6  |
|  | Restaurants and drinking establishments                | P         | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Retail shopping center                                 | P         | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  |                |
|  | <b>Special Permit Uses Subject to Site Plan Review</b> |           |                  |                          |       |      |         |            |                       |                      |                       |  |                |
|  | Banks  | SP        | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  | See § 310-6.3A |
|  | Bed-and-breakfast                                      | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | 1,500 square feet    | 35                    |  | See § 310-6.3B |
|  | Car wash   | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  | See § 310-6.3C |
|  | Commercial recreation facilities                       | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  |                |
|  | Day-care center  | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  | See § 310-6.3E |
|  | Elementary and secondary schools                       | SP        | 5 acres          | 350                      | 100   | 100  | 100     | 200        | 10%                   | NA                   | 35                    |  |                |
|  | Family and group care facilities                       | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  | See § 310-6.3F |
|  | Gasoline service stations/repair garage                | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 40%                   | NA                   | 35                    |  | See § 310-6.3G |
|  | Hospitals and medical diagnostic centers               | SP        | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 25%                   | NA                   | 35                    |  |                |
|  | Hotels,  | SP        | 5 acres          | 350                      | 100   | 100  | 100     | 200        | 20%                   | 250 square feet/room | 35                    |  | See § 310-6.3J |
|  | Self-storage facilities                                | SP        | 10,000 sf        | —                        | 200   | 100  | 100     | 200        | 35%                   | NA                   | 35                    |  | See § 310-6.3M |
|  | Theaters, other than drive-in                          | SP        | 10,000 sf        | —                        | 35    | 25   | 10      | 20         | 50%                   | NA                   | 35                    |  |                |
|  | Transmission towers - cellular, radio and TV           | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | See Notes             |  | See § 310-6.3D |
|  | Veterinary hospitals                                   | SP        | 10,000 sf        | —                        | 35    | 25   | 20      | 40         | 50%                   | NA                   | 35                    |  | See § 310-6.3O |
| Warehouse  | SP   | 10,000 sf | —                | 35                       | 25    | 20   | 40      | 50%        | NA                    | 35                   |                       |  |                |
| <b>Accessory Structures</b>  |  |           |                  |                          |       |      |         |            |                       |                      |                       |  |                |
| Off-street parking   | In accordance with Article VIII                        |           |                  |                          |       |      |         |            |                       |                      |                       | In accordance with Article VIII  |                |

**NOTES:**

\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

ZONING

Town of Fallsburg, New York  
 Schedule I - Table of Use and Bulk Requirements  
 [Amended 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]

**KEY:**  
 P - Permitted Use  
 SP - Special Permit Use  
 NA - Not Applicable  
 “ - “ No Requirement

| 6   | Mixed-Use District - MX                                | Use Type | Minimum Lot Area                | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage* | Minimum Floor Area | Maximum Height (feet)   | Notes   | Accessory Uses   |  |
|---|--|----------|---------------------------------|--------------------------|-------|------|---------|------------|-----------------------|--------------------|---|---|--|--|
|   |  |          |                                 | Width                    | Front | Rear | Side, 1 | Side, Both |                       |                    |   |   |  |  |
| <b>District Intent</b><br><br>To provide for a mix of commercial and residential land uses within the hamlet centers. | One-family dwelling (with public sewer and water)      | P        | See Notes<br>12,500 square feet | 100                      | 35    | 25   | 10      | 30         | 25%                   | 1,200 square feet  | 35  | All existing vacant parcels in the MX District shall be buildable   | Accessory parking, loading and private garage<br>Bus stops and taxi stands<br>Domestic animals keeping pursuant to § 310-5.2<br>Fuel storage tank pursuant to § 310-5.25<br>Signs as regulated by Chapter 234, Signs<br><i>Other accessory uses customarily incidental to the principal use.</i> |  |
|   | Artist gallery or artist studio                        | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | 850 square feet    | 35  |   |  |  |
|   | Artist live/work units                                 | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | 850 square feet    | 35  |   |  |  |
|   | Living-over-the-store dwelling                         | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | 1,000 square feet  | 35  | No residential on first floor of mixed-use buildings                |  |  |
|   | Public parks and playgrounds                           | P        | —                               | —                        | —     | 10   | —       | —          | 50%                   | NA                 | 35  |   |  |  |
|   | <b>Permitted Subject to Site Plan Review</b>           |          |                                 |                          |       |      |         |            |                       |                    |   |   |  |  |
|   | Fitness center or gymnasium                            | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Home occupation  | P        | 1/2 acre                        | —                        | —     | 25   | —       | —          | 80%                   | NA                 | 35  | See § 310-5.6   |  |  |
|   | House of worship                                       | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  | See § 310-4.6   |  |  |
|   | Personal service establishment                         | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Pharmacy   | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Printing and publishing                                | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Professional offices                                   | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Restaurants and drinking establishments                | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Retail establishments                                  | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Theaters   | P        | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | <b>Special Permit Uses Subject to Site Plan Review</b> |          |                                 |                          |       |      |         |            |                       |                    |   |   |  |  |
|   | Banks  | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  | See § 310-6.3A  |  |  |
|   | Bed-and-breakfast                                      | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | 1,500 square feet  | 35  | See § 310-6.3B  |  |  |
|   | Elementary and secondary schools                       | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Fuel storage < 500 gallons for permitted use           | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Outdoor café   | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | NA  | See § 310-5.18  |  |  |
|   | Public utilities                                       | SP       | —                               | —                        | —     | 10   | —       | —          | 50%                   | NA                 | 35  |   |  |  |
|   | Telecommunications companies                           | SP       | —                               | —                        | —     | 10   | —       | —          | 80%                   | NA                 | 35  |   |  |  |
|   | Townhouse development (with public sewer and water)    | SP       | NA                              | NA                       | 35    | 25   | 25      | 50         | 80%                   | NA                 | 35  | See Article XVIII   |  |  |
|   | Townhouse structures                                   | SP       | NA                              | See Article XVII         |       |      |         |            |                       |                    |   | 35  | See Article XVII   |  |
|   | Minimum habitable floor area - 3 BR                    | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | NA                    | 1,100 square feet  | NA  | Minimum land area per dwelling unit shall average 2,500 square feet |  |  |
|   | Minimum habitable floor area - 2 BR                    | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | NA                    | 950 square feet    | NA  |   |  |  |
|   | Minimum habitable floor area - 1 BR                    | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | NA                    | 800 square feet    | NA  |   |  |  |
|   | Maximum units per townhouse structure                  | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | NA                    | 7                  | NA  |   |  |  |
|   | Minimum distance between TH structures                 | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | NA                    | 60 feet            | NA  |   |  |  |
|   | Row house structures* (with public sewer and water)    | SP       | NA                              | NA                       | 0-5   | 5    | 0       | 0          | 80%                   | NA                 | 35  | See Article XVIII   |  |  |
| Minimum habitable floor area - 3 BR   | NA   | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | 1,100 square feet     | NA                 | Minimum land area per dwelling unit shall average 2,500 square feet |   |  |  |
| Minimum habitable floor area - 2 BR   | NA   | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | 950 square feet       | NA                 |   |   |  |  |
| Minimum habitable floor area - 1 BR   | NA   | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | 800 square feet       | NA                 |   |   |  |  |
| Maximum units per townhouse structure   | NA   | NA       | NA                              | NA                       | NA    | NA   | NA      | NA         | 7                     | NA                 |   |   |  |  |
| <b>Accessory Structures</b>   |  |          |                                 |                          |       |      |         |            |                       |                    |   |   |  |  |
| Off-street parking  | In accordance with Article VIII                        |          |                                 |                          |       |      |         |            |                       |                    |   | In accordance with Article VIII                                     |  |  |

**NOTES:** If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

ZONING

**Town of Fallsburg, New York**  
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**[Amended 5-25-2010 by L.L. No. 10-2010; 6-25-2012 by L.L. No. 4-2012; 12-22-2014 by L.L. No. 8-2014]**

**KEY:**  
P - Permitted Use  
SP - Special Permit Use  
NA – Not Applicable  
“ – “ No Requirement

| 7  | Neighborhood Business District - NB                    | Use Type                        | Minimum Lot Area | Required Setbacks (feet) |       |      |         |            | Maximum Lot Coverage* | Minimum Floor Area | Maximum Height (feet) | Notes          | Accessory Uses  |                                 |
|--|--|---------------------------------|------------------|--------------------------|-------|------|---------|------------|-----------------------|--------------------|-----------------------|----------------|---|---------------------------------|
|  |  |                                 |                  | Width                    | Front | Rear | Side, 1 | Side, Both |                       |                    |                       |                |   |                                 |
| <b>District Intent</b><br><br>To provide areas for the development of small commerce in harmony with adjacent residential neighborhoods. | Public parks and playgrounds                           | P                               | —                | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    |                | Accessory parking, loading and private garage<br>Bus stops and taxi stands<br>Domestic animals keeping pursuant to § 310-5.2<br>Fuel storage tank pursuant to § 310-5.25<br>Signs as regulated by Chapter 234, Signs<br>Other accessory uses customarily incidental to the principal use. |                                 |
|  | <b>Permitted Subject to Site Plan Review</b>           |                                 |                  |                          |       |      |         |            |                       |                    |                       |                |   |                                 |
|  | Artist gallery or artist studio                        | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Fitness center or gymnasium                            | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Funeral home   | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    |                |   |                                 |
|  | Greenhouse - commercial                                | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    |                |   |                                 |
|  | Home occupation  | P                               | 1/2 acre         | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    | See § 310-5.6  |   |                                 |
|  | House of worship                                       | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    | See § 310-4B   |   |                                 |
|  | Nonprofit organizations                                | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    |                |   |                                 |
|  | Nursery  | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | NA                 | 35                    |                |   |                                 |
|  | Personal service establishment                         | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Pharmacy   | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Professional office                                    | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Retail store   | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | Restaurants and drinking establishments                | P                               | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    |                |   |                                 |
|  | <b>Special Permit Uses Subject to Site Plan Review</b> |                                 |                  |                          |       |      |         |            |                       |                    |                       |                |   |                                 |
|  | Banks  | SP                              | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 50%                   | NA                 | 35                    | See § 310-6.3A |   |                                 |
|  | Bed-and-breakfast                                      | SP                              | 10,000 sf        | —                        | 35    | 20   | 10      | 20         | 25%                   | 1,500 square feet  | 35                    | See § 310-6.3B |   |                                 |
|  | Day-care center  | SP                              | 10,000 sf        | —                        | 50    | 20   | 20      | 40         | 25%                   | NA                 | 35                    | See § 310-6.3E |   |                                 |
|  | Elementary and secondary schools                       | SP                              | 10,000 sf        | —                        | 35    | 20   | 20      | 40         | 25%                   | NA                 | 35                    |                |   |                                 |
|  | <b>Accessory Structures</b>                            |                                 |                  |                          |       |      |         |            |                       |                    |                       |                |   |                                 |
|  | Off-street parking                                     | In accordance with Article VIII |                  |                          |       |      |         |            |                       |                    |                       |                |   | In accordance with Article VIII |

**NOTES:**

\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.

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**KEY:**  
P - Permitted Use  
SP - Special Permit Use  
NA - Not Applicable  
“ - “ No Requirement

| 8   | Industrial District - I                                   | Use Type | Minimum Lot Area (acres) | Required Setbacks (feet)        |       |      |         |            | Maximum Lot Coverage* | Minimum Floor Area | Maximum Height (feet) | Notes          | Accessory Uses  |  |
|---|---|----------|--------------------------|---------------------------------|-------|------|---------|------------|-----------------------|--------------------|-----------------------|----------------|---|--|
|   |   |          |                          | Width                           | Front | Rear | Side, 1 | Side, Both |                       |                    |                       |                |   |  |
| <b>District Intent</b><br><br>To provide areas for the development of light industry and associated commerce in locations where development will not be in conflict with residential land uses. | Agricultural Operation - Class 1                          | P        | 5                        | 350                             | 75    | 50   | 50      | 100        | 10%                   | NA                 | 35                    | See § 310-4.6  | Accessory parking, loading and private garage<br>Bus stops and taxi stands<br>Gatehouse quarters or watchman's quarters<br>Fuel storage tank pursuant to § 310-5.25<br>Home occupations pursuant to § 310-5.6 for pre-existing nonconforming residential use properties subject to special permit.<br>Office and showroom accessory to principle use<br>Signs as regulated by Chapter 234, Signs<br>Other accessory uses customarily incidental to the principal use. |  |
|   | <b>Permitted Subject to Site Plan Review</b>              |          |                          |                                 |       |      |         |            |                       |                    |                       |                |   |  |
|   | ATV, motorcycle and snowmobile racing and practice tracks | P        | 10                       | 250                             | 100   | 75   | 75      | 150        | —                     | —                  | 35                    |                |   |  |
|   | Automobile and machinery repair shops                     | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Automobile sales and service                              | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Farm/contractor equipment sales and service               | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Greenhouse - commercial                                   | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Lumber yard   | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Home sales lot  | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Outdoor storage of machinery and equipment                | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Plumbing supplies   | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Printing and publishing                                   | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Professional office                                       | P        | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Theater, drive-in   | P        | 10                       | 500                             | 200   | 100  | 100     | 200        | 20%                   | NA                 | 40                    |                |   |  |
|   | <b>Special Permit Uses Subject to Site Plan Review</b>    |          |                          |                                 |       |      |         |            |                       |                    |                       |                |   |  |
|   | Agribusiness  | SP       | 3                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Agricultural Industry                                     | SP       | 3                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Baking plant  | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Bulk fuel storage and distribution                        | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Car wash  | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    | See § 310-6.3C |   |  |
|   | Distribution center                                       | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Freight and trucking terminal                             | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Gasoline service stations/repair garages                  | SP       | 1                        | 200                             | 75    | 50   | 50      | 100        | 40%                   | NA                 | 40                    | See § 310-6.3G |   |  |
|   | Kennels   | SP       | 25                       | 1,000                           | 500   | 500  | 500     | 500        | 20%                   | NA                 | 40                    | See § 310-6.3H |   |  |
|   | Light industrial offices                                  | SP       | 3                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    | See § 310-6.3J |   |  |
|   | Light industrial and manufacturing                        | SP       | 3                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    | See § 310-6.3J |   |  |
|   | Public utilities  | SP       | 3                        | 200                             | 100   | 100  | 100     | 200        | 20%                   | NA                 | 40                    |                |   |  |
|   | Public utility generating plants                          | SP       | 25                       | 750                             | 100   | 100  | 100     | 200        | 20%                   | NA                 | 40                    |                |   |  |
|   | Quarry operations   | SP       | 10                       | 500                             | 200   | 150  | 150     | 300        | 20%                   | NA                 | 40                    | See § 310-6.3L |   |  |
|   | Recycling facility  | SP       | 3                        | 200                             | 75    | 75   | 75      | 150        | 35%                   | NA                 | 40                    |                |   |  |
|   | Research laboratories and related offices                 | SP       | 3                        | 200                             | 75    | 50   | 50      | 100        | 20%                   | NA                 | 40                    |                |   |  |
|   | Sanitation operation                                      | SP       | 3                        | 200                             | 75    | 75   | 75      | 150        | 35%                   | NA                 | 40                    |                |   |  |
|   | Self-storage facilities                                   | SP       | 3                        | 200                             | 200   | 100  | 100     | 200        | 20%                   | NA                 | 35                    | See § 310-6.3M |   |  |
| Storage and processing of scrap metal   | SP  | 3        | 200                      | 75                              | 75    | 75   | 150     | 35%        | NA                    | 40                 | No smelting           |                |   |  |
| Transmission towers - cellular, radio and TV  | SP  | 3        | 200                      | 75                              | 50    | 50   | 100     | 20%        | NA                    | See Notes          | See § 310-6.3O        |                |   |  |
| Veterinary hospital   | SP  | 1        | 200                      | 75                              | 50    | 50   | 100     | 20%        | NA                    | 40                 | See § 310-6.3O        |                |   |  |
| Warehouse   | SP  | 1        | 200                      | 75                              | 50    | 100  | 100     | 20%        | NA                    | 40                 |                       |                |   |  |
| <b>Accessory Structures</b>   |   |          |                          |                                 |       |      |         |            |                       |                    |                       |                |   |  |
| Off-street parking  |   |          |                          | In accordance with Article VIII |       |      |         |            |                       |                    |                       |                | In accordance with Article VIII   |  |

**NOTE:** \* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.



ZONING

Town of Fallsburg, New York  
 Schedule I - Table of Use and Bulk Requirements  
 [Amended 7-9-2012 by L.L. 7-2012; 12-22-2014 by L.L. No. 8-2014]

**KEY:**  
 P - Permitted Use  
 SP - Special Permit Use  
 NA - Not Applicable  
 " - " No Requirement

| 9  | Planned Resort Development - PRD             | Use Type | Minimum Lot Area (acres)** | Required Setbacks (feet) |                  |      |         |                      | Minimum Floor Area | Maximum Height (feet) | Notes              | Minimum Required Parking Spaces | Accessory Uses  |
|--|--|----------|----------------------------|--------------------------|------------------|------|---------|----------------------|--------------------|-----------------------|--------------------|---------------------------------|---|
|  |  |          |                            | Width                    | Front            | Rear | Side, 1 | Side, Both           |                    |                       |                    |                                 |   |
| <b>District Intent</b><br><br>To facilitate proper development on large tracts by fostering continuance of existing uses, while encouraging adaptive reuse and innovative mixed use, compatible with the rural character of the Town of Fallsburg. | <b>Permitted Uses (Residential)</b>          |          |                            |                          |                  |      |         |                      |                    |                       |                    |                                 |   |
|  | One-family dwellings                         | P        | .75                        | 125                      | 150              | 25   | 25      | 50                   | 1,200 square feet  | 35                    | See Notes          | § 310-8.1G                      | Accessory parking, loading and private garage<br>Day-care center<br>Domestic animals keeping pursuant to § 310-5.2<br>Dormitory, fraternity, sorority house § 310-5.3<br>Greenhouse for private home use<br>Home occupation pursuant to § 310-5.6<br>Outdoor recreation facilities<br>Public assembly<br>Reservoirs and ponds subject to DEC approval<br>Satellite dishes in accordance with § 310-4.7I<br>Signs as regulated by Chapter 234, Signs<br>Storage of goods, equipment or accessory product<br>Storing of not more than 3 boats, trailers or RVs<br>Storage shed<br>Swimming pools in accordance with § 310-4.6<br>Theaters - indoor<br>Utility structures<br>Warehousing<br><i>Other accessory uses customarily incidental to the principal use.</i> |
|  | Two-family dwellings                         | P        | 1.5                        | 125                      | 150              | 25   | 25      | 50                   | 1,200 square feet  | 35                    | See Notes          | § 310-8.1G                      |   |
|  | <b>Permitted Subject to Site Plan Review</b> |          |                            |                          |                  |      |         |                      |                    |                       |                    |                                 |   |
|  | Banquet facilities                           | P        | 2                          | 200                      | 75               | 75   | 75      | 150                  | NA                 | 45                    |                    | 1 space per 4 seats             |   |
|  | Colleges and universities                    | P        | 10                         | 500                      | 200              | 150  | 150     | 300                  | 10%                | 35                    |                    | § 310-8.1G                      |   |
|  | Commercial recreational facilities           | P        | 10                         | 500                      | 200              | 150  | 150     | 300                  | 10%                | 35                    |                    | § 310-8.1G                      |   |
|  | Conference center                            | P        | 10                         | 500                      | 200              | 150  | 150     | 300                  | 10%                | 45                    |                    | 1 space per 4 seats             |   |
|  | Golf course                                  | P        | 50                         | 750                      | 100              | 100  | 100     | 200                  | NA                 | 35                    |                    | § 310-8.1G                      |   |
|  | House of worship                             | P        | 10                         | 500                      | 200              | 150  | 150     | 300                  | 10%                | 45                    | See § 310-4.6      | § 310-8.1G                      |   |
|  | Personal service establishments              | P        | 1                          | 125                      | 50               | 25   | 25      | 50                   | NA                 | 35                    | Accessory to hotel | § 310-8.1G                      |   |
|  | Professional office                          | P        | 1                          | 125                      | 50               | 25   | 25      | 50                   | NA                 | 35                    |                    | § 310-8.1G                      |   |
|  | Retail                                       | P        | 1                          | 125                      | 50               | 25   | 25      | 50                   | NA                 | 35                    | Accessory to hotel | § 310-8.1G                      |   |
|  | Restaurants                                  | P        | 1                          | 125                      | 50               | 25   | 25      | 50                   | NA                 | 35                    | Accessory to hotel | § 310-8.1G                      |   |
|  | Retreat                                      | P        | 10                         | 500                      | 200              | 150  | 150     | 300                  | 10%                | 45                    | See § 310-6.3..R   | § 310-8.1G                      |   |
|  | <b>Special Permit Uses (Residential)</b>     |          |                            |                          |                  |      |         |                      |                    |                       |                    |                                 |   |
|  | Townhouse development (time-shared)          | SP       | 10                         | 300                      | 150              | 50   | 50      | 100                  | NA                 | NA                    | Article XVII       |                                 |   |
|  | Townhouse structures*                        | SP       | NA                         | NA                       | See Article XVII |      |         |                      | NA                 | 35                    |                    |                                 |   |
|  | Minimum habitable floor area - 3 BR          | NA       | NA                         | NA                       | NA               | NA   | NA      | NA                   | 1,100 square feet  | NA                    | See § 310-17.3B(4) |                                 |   |
|  | Minimum habitable floor area - 2 BR          | NA       | NA                         | NA                       | NA               | NA   | NA      | NA                   | 950 square feet    | NA                    |                    |                                 |   |
|  | Minimum habitable floor area - 1 BR          | NA       | NA                         | NA                       | NA               | NA   | NA      | NA                   | 800 square feet    | NA                    |                    |                                 |   |
|  | Maximum units per townhouse structure        | NA       | NA                         | NA                       | NA               | NA   | NA      | NA                   | 7                  | NA                    |                    |                                 |   |
|  | Minimum distance between TH structures       | NA       | NA                         | NA                       | NA               | NA   | NA      | NA                   | 60 feet            | NA                    |                    |                                 |   |
| <b>Special Permit Uses (Nonresidential)</b>  |  |          |                            |                          |                  |      |         |                      |                    |                       |                    |                                 |   |
| Hotels and resort hotels   | SP   | 10       | 500                        | 200                      | 150              | 150  | 300     | 250 square feet/room | 45                 |                       | § 310-8.1G         |                                 |   |
| <b>Accessory Structures</b>  |  |          |                            |                          |                  |      |         |                      |                    |                       |                    |                                 |   |
| Off-street parking   | In accordance with Article VIII              |          |                            |                          |                  |      |         |                      |                    |                       |                    | In accordance with Article VIII |   |

**NOTES:**

The location of residential units within a Planned Resort Development District shall not be restricted to the Town water or sewer district boundaries, provided all units are served with public and/or central water and sewer.

\* New Planned Resort Developments shall require site plan review by the Planning Board. Existing resort developments shall only require site plan review for those actions that require site plan review in accordance with Article VII of this chapter.

\*\* If the site is also located in the Neversink River Overlay, the maximum lot coverage shall not exceed 10%, and a minimum 100-foot undisturbed buffer shall be preserved along the river shoreline, per §310-29.1.