

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]

1	Agricultural District AG-1	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						
District Intent To preserve large areas of open space and existing agricultural activities and to density while preserving the right to farm.	One-family dwelling	P	5	350	50	50	50	100	10%	1,200 square feet	35		Accessory parking, loading and private garage 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. Domestic animals keeping pursuant to § 310-5.2 Farm stand - temporary Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.6 <i>Other accessory uses customarily incidental to the principal use.</i>	
	Farm worker housing [two units per farm]	P	5	350	75	50	50	100	10%	750 square feet	35			
	Agricultural Operation - Class 1	P	5	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			
	Day-care home	P	5	350	100	75	75	150	10%	NA	35			
	Hunting and fishing cabins	P	5	350	100	75	75	150	10%	800 square feet	35	See § 310-5.7		
	Public parks and playgrounds	P	5	350	100	75	75	150	10%	NA	35			
	Wildlife and game preserves	P	25	750	100	100	100	200	10%	NA	35			
	Winery and vineyard	P	5	350	100	75	75	150	10%	NA	35			
	Permitted Subject to Site Plan Review													
	Greenhouse - commercial	P	5	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		
	Hospital or medical diagnosis center/children's comprehensive care center	P	5	350	100	75	75	150	10%	NA	35			
	Stables and riding academies	P	10	500	100	100	100	200	10%	NA	35			
	Special Permit Uses													
	Agribusiness	SP	10	500	100	100	100	200	20%	NA	35			
	Bed-and-breakfast	SP	5	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	5	350	100	75	75	150	10%	NA	See Notes	See § 310-6.3D		
Veterinary hospital	SP	5	350	100	75	75	150	10%	NA	35	See § 310-6.3O			
Accessory Structures														
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.

Bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

FALLSBURG CODE

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
NA – Not Applicable “-“ No requirement

2	Recreation District REC-1	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						
District Intent To conserve open space while allowing for very low density development.	One-family dwelling	P	3	200	75	50	40	80	10%	1,200 square feet	35		Accessory parking, loading and private garage 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. Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>	
	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			
	Permitted Subject to Site Plan Review													
	House of worship	P	3	200	75	50	50	100	10%	NA	35	See § 310-4.6		
	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 § 310-5.6		
	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			
	Special Permit Uses Subject to Site Plan Review													
	Bed-and-breakfast	SP	3	200	75	50	50	100	10%	1,500 square feet	35	See § 310-6.3B		
	Campgrounds - vacation	SP	50	500	200	150	150	300	10%	NA	35	See § 310-6.3N		
	Camps - day	SP	50	500	200	150	150	300	10%	NA	35			
	Camps - sleep-away	SP	50	500	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			
	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 feet/room	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			
	Religious retreat	SP	20	500	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)			
Accessory Structures									20%	25	In accordance with § 310-4.7 and Article V			
Off-street parking											In accordance with Article VIII			

NOTES:
* Only within NYS-designated Agricultural Districts; minimum lot size 50 acres for raising hogs.
** Subject to NYSDEC requirements.
*** In accordance with NYS Uniform Building Code.
Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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-1	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						
District Intent To allow for low-medium development.	One-family dwelling (with public sewer and	P	1/2	100	35	25	20	40	20%	1,200 square feet	35	Accessory parking, loading and private garage Domestic animals keeping pursuant to § 310-5.2 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>		
	One-family dwelling (w/o public sewer and	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			
	Permitted Subject to Site Plan Review													
	Home occupation**	P	1/2	200	75	50	40	60	10%	NA	35		See § 310-5.6	
	Special Permit Uses Subject to Site Plan													
	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 home	SP	Refer to duplex regulations at § 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	100	100	100	200	30%	See	35		Article XVII	
	Townhouse structures*	SP	NA	NA	16-20	25	30	60	NA	Below	35			
	<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>			See § 310-17.3B(3)	
	<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>				
	<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>				
	<i>Maximum units per townhouse structure</i>									<i>7</i>				
<i>Minimum distance between TH structures</i>									<i>60 feet</i>					
Accessory Structures														
Off-street parking												In accordance with Article VIII		

NOTES:

* The side yard applies to the townhouse structure, not each townhouse unit.

** In accordance with NYS Uniform Building Code.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

FALLSBURG CODE

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-1	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 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 Domestic animals keeping pursuant to § 310-5.2 Greenhouse for private home use Outdoor recreation activities Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs in accordance with § 310-8.1F Storage shed Swimming pools in accordance with § 310-4.8 <i>Other accessory uses customarily incidental to the principal use.</i>	
	Two-family dwelling	P	20,000 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	35,000 square feet	150	50	35	25	50	25%	800 square feet	35			
	Public parks and playgrounds	P	1 acre	200	75	50	40	80	10%	NA	35			
	Permitted Subject to Site Plan Review													
	Home occupation**	P	1/2 acre	200	75	50	40	80	10%	NA	35	See § 310-5.6		
	Special Permit Uses Subject to Site Plan Review													
	Adult home, skilled nursing facility or nursing home	SP	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		
	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	SP	3 acres	200	75	50	50	100	50%	NA	35			
	House of worship	SP	1 acre	200	75	50	40	80	10%	NA	35	See § 310-4.6		
	Multifamily (more than 4 units)	SP	50,000	200	75	50	40	80	25%	800 square feet	35	See § 310-5.14		
	Townhouse dev. (with public sewer and water)***	SP	5 acres	350	100	100	100	200	30%	NA	NA	Article XVII		
	Townhouse structures	SP	NA	NA	16-20	25	30	60	NA	NA	35			
	Minimum habitable floor area - 3 BR										1,100 square feet	See § 310-17.3B(4)		
	Minimum habitable floor area - 2 BR										950 square feet			
	Minimum habitable floor area - 1 BR										800 square feet			
Maximum units per townhouse structure										7				
Minimum distance between TH structures										60 feet				
Accessory Structures														
Off-street parking													In accordance with Article VIII	

NOTES:

** In accordance with NYS Uniform Building Code.

*** The side yard applies to the townhouse structure, not each townhouse unit.

Cluster, bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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-1	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 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 Bus stops and taxi stands Fuel storage tank less than 550 gallons Keeping of not more than 3 household pets or domestic animals Signs as regulated by Chapter 234, Signs 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		
	Permitted Subject to Site Plan Review												
	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 § 310-5.6	
	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		
	Special Permit Uses Subject to Site Plan Review												
	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			
Accessory Structures													
Off-street parking												In accordance with § 310-4.7 and Article V In accordance with Article VIII	

NOTES:

FALLSBURG CODE

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

District Intent	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						
To provide for a mix of commercial and residential land uses within the hamlet centers.			See Notes									All existing vacant parcels in the MX District shall be buildable No residential on first floor of mixed-use buildings Accessory parking, loading and private garage Bus stops and taxi stands Domestic animals keeping pursuant to § 310-5.2 <i>Fuel storage tank < 550 gallons</i> Signs as regulated by Chapter 234, Signs <i>Other accessory uses customarily incidental to the principal use.</i>		
	One-family dwelling (with public sewer and water)	P	12,500 square feet	100	35	25	10	30	25%	1,200 square feet	35			
	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			
	Public parks and playgrounds	P	—			10			50%	NA	35			
	Permitted Subject to Site Plan Review													
	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			
	Special Permit Uses Subject to Site Plan Review													
	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	5-10	20	12	24	80%	NA	35		See Article XVIII	
	Townhouse structures*	SP	NA	NA	5-10	10	12	24	NA	NA	35			
	<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>			Minimum land area per dwelling unit shall average 2,500 square feet	
	<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>				
	<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>				
	<i>Maximum units per townhouse structure</i>									<i>7</i>				
	<i>Minimum distance between TH structures</i>									<i>60 feet</i>				
Row house structures* (with public sewer and water)	SP	NA	NA	0-5	5	0	0	80%	NA	35	See Article XVIII			
<i>Minimum habitable floor area - 3 BR</i>									<i>1,100 square feet</i>		Minimum land area per dwelling unit shall average 2,500 square feet			
<i>Minimum habitable floor area - 2 BR</i>									<i>950 square feet</i>					
<i>Minimum habitable floor area - 1 BR</i>									<i>800 square feet</i>					
<i>Maximum units per townhouse structure</i>									<i>7</i>					
<i>Accessory Structures</i>														
Off-street parking												In accordance with Article VIII		

NOTES:

* The side yard applies to the townhouse structure, not each townhouse unit.

Bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.

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

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					
District Intent 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 Bus stops and taxi stands Domestic animals keeping pursuant to § 310-5.2 Fuel storage tank less than 550 gallons Signs as regulated by Chapter 234, Signs Other accessory uses customarily incidental to the principal use.
	Permitted Subject to Site Plan Review Subject to Site Plan Review												
	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		
	Special Permit Uses Subject to Site Plan Review												
	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		
Accessory Structures													
Off-street parking												In accordance with Article VIII	

NOTES:

FALLSBURG CODE

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

8	Industrial District I-1	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						
District Intent To provide areas for the development of 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 Bus stops and taxi stands Gatehouse quarters or watchman's quarters Fuel storage tank less than 550 gallons Home occupations pursuant to § 310-5.6 for pre-existing nonconforming residential use properties subject to special permit. Office and showroom accessory to principle use Signs as regulated by Chapter 234, Signs Other accessory uses customarily incidental to the principal use.	
	Permitted Subject to Site Plan Review													
	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			
	Special Permit Uses Subject to Site Plan Review													
	Agricultural Industry	SP	3	200	75	50	50	100	20%	NA	40	See § 310-5.27.A		
	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		
	Research laboratories and related offices	SP	3	200	75	50	50	100	20%	NA	40			
	Self-storage facilities	SP	3	200	200	100	100	200	20%	NA	35	See § 310-6.3M		
	Transmission towers - cellular, radio and TV	SP	3	200	75	50	50	100	20%	NA	See Notes	See § 310-6.3O		
	Recycling facility	SP	3	200	75	75	75	150	35%	NA	40			
	Sanitation operation	SP	3	200	75	75	75	150	35%	NA	40			
Storage and processing of scrap metal	SP	3	200	75	75	75	150	35%	NA	40	No smelting			
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				
Accessory Structures														
Off-street parking													In accordance with § 310-4.7 and Article V In accordance with Article VIII	

NOTES:

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 Destination - 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						
District Intent 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.	Permitted Uses (Residential)												Accessory parking, loading and private garage Day-care center Domestic animals keeping pursuant to § 310-5.2 Dormitory, fraternity, sorority house § 310-5.3 Greenhouse for private home use Home occupation pursuant to § 310-5.6 Outdoor recreation facilities Public assembly Reservoirs and ponds subject to DEC approval Satellite dishes in accordance with § 310-4.7I Signs as regulated by Chapter 234, Signs Storage of goods, equipment or accessory product Storing of not more than 3 boats, trailers or RVs Storage shed Swimming pools in accordance with § 310-4.6 Theaters - indoor Utility structures Warehousing <i>Other accessory uses customarily incidental to the principal use.</i>	
	One-family dwelling	P	.75	125	150	25	25	50	1,200 square feet	35	See Notes	§ 310-8.1G		
	Two-family dwelling	P	1.5	125	150	25	25	50	1,200 square feet	35	See Notes	§ 310-8.1G		
	Permitted Subject to Site Plan Review													
	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		
	Special Permit Uses (Residential)													
	Townhouse time-shared	SP	10	300	150	100	100	200	NA	NA	Article XVII			
	Townhouse structures*	SP	NA	NA	16-20	25	30	60	NA	35				
	Minimum habitable floor area - 3 BR								1,100 square feet		See § 310-17.3B(4)			
	Minimum habitable floor area - 2 BR								950 square feet					
	Minimum habitable floor area - 1 BR								800 square feet					
	Maximum units per townhouse structure								7					
	Minimum distance between TH structures								60 feet					
	Special Permit Uses (Nonresidential)													
	Hotels and resort hotels	SP	10	500	200	150	150	300	250 square feet/room	45		§ 310-8.1G		
	Accessory Structures													
	Off-street parking													In accordance with § 310-4.7 and Article V In accordance with Article VIII

NOTES:

The location of residential units within a Planned Resort Destination 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.

** Bulk requirements change with the application of the Duplex Law, § 310-5.30.

Bungalow colony, two-family dwelling, duplex and multifamily developments shall require a minimum separation distance of 31 feet of green space between buildings. The only items permitted within the separation distance are walkways, and landings or decks of less than five feet in width. No porch or similar structure shall protrude or be installed into this required separation. If fire flow calculations can be met, then the required separation distance between buildings can be reduced to a minimum of 25 feet.