



APPENDIX 3-G

Municipal Zoning Districts Tables

Table 3-G1. Permitted and Prohibited Uses within Town of Somerset Zoning Districts

Zone	Permitted Uses	Prohibited Uses
<p>Agricultural (A)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single-family dwelling • Farms and related farming activities, provided that no storage of manure or odor-or dust-producing substance shall be permitted within 100 feet of an adjoining lot line. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages. • Customary residential storage structures. • Other customary residential structures such as private swimming pools, fireplaces, trellises, lamps, posts and the like. • Customary farm buildings for the storage of products or equipment located on the same parcel as the principal use. • Parking • Signs • Accessory buildings used exclusively for the sale of homegrown agricultural products • Stands of a nonpermanent nature (movable and temporary) may be utilized for the sale of homegrown agricultural products and/or other products during the harvest season <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • Public utility uses. • Campgrounds. • Restricted industrial uses. • Motor vehicle service stations. • Excavation operations. • Cluster residential developments • Mobile and manufactured home parks • Air strips (private) • Retirement and convalescent homes. • Public buildings, libraries and public and nonprofit private schools accredited by the NYS Education Department • Churches and other similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups. • Municipal parks, playgrounds and buildings deemed appropriate by the Town Board • Professional offices and home occupation uses. 	<p>None listed in Town of Somerset Zoning Code</p>

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Animal husbandry on lots smaller than six acres in size • Wind-energy conversion systems 	
Single-Family Residential (R-1)	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single-family dwellings <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages • Customary residential storage structures • Animal shelters for domestic pets <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • Cluster residential developments • Animal husbandry when lot size is in excess of six acres in size 	None listed in Town of Somerset Zoning Code
Single- and Two-Family (R-2)	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single-family and two-family dwellings <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages • Customary residential storage structures • Animal shelters for domestic pets <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • Cluster residential development • Membership clubs and lodges or other community organizations • Medical centers or clinics; convalescent homes 	None listed in Town of Somerset Zoning Code
Lake Shore Residential (RLS)	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single-family dwellings <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages • Customary residential storage structures • Animal shelters for domestic pets <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • Cluster residential development • An accessory structure on a separate lot used to service a principal structure located on a lot having lake frontage 	None listed in Town of Somerset Zoning Code
Business (B)	<p>Principal permitted uses:</p> <ul style="list-style-type: none"> • Retail and service uses • Personal service establishments • Other business uses which are similar in nature and scale to those permitted above <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garage • Signage <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • Motor vehicle service stations • Public utility uses, exclusive of maintenance buildings and yard and equipment storage yards 	None listed in Town of Somerset Zoning Code
Industrial (I)	Permitted principal uses:	No building(s) in the Industrial District shall, at any time, be used, erected or

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Laboratory engaged in research, testing and experimental work, including any process normal to laboratory practice and technique. • The assembly and/or treatment of articles or merchandise from previously prepared materials consisting of fiber, glass, fur, leather, paper, plastics, wax, wood and wire, provided that no chemical process is involved in the basic manufacture of such materials. • The manufacture and/or assembly of mechanical devices, electrical appliances, the machining and assembly of parts made of metal, electrical and electromechanical devices and components, not to include heavy stamp forging and the like that would produce earth jarring or other objectionable noise beyond the property boundaries, and further provided that all necessary and approved safeguards are employed to reduce hazard and annoyance to the community. • The processing and storage of candy and confections, frozen foods, cosmetics, pharmaceutical products, toiletries and food products, excluding a slaughterhouse. • Wholesale business and storage for the following types of commodities: clothing, drugs, dry goods, packaged food, furniture, hardware, beverage and other similar commodities as approved by the Planning Board. • Office use necessary and incidental to any permitted use within the district. • Farm. • Industrial wind energy conversion system <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Any other related uses consistent with the uses in this section and accessory uses related and incidental to the uses permitted <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> • May be permitted as it complies with all applicable dimensional and other requirements 	<p>converted for the manufacture, storage, distribution or sale of any product or items which shall increase the fire hazard to adjoining buildings, or land adjacent to the district; or for any use which constitutes a nuisance or causes the emission of odors or gases which could reasonably be expected to be injurious to people or products manufactured or stored within such building(s), or upon such land; or for any purpose or use in violation of the laws of the United States, NYS or any political subdivision thereof. Storage of junk or secondhand material, the use of equipment or manufacturing processes which cause earth tremors or vibrations beyond the boundaries of any building lot upon which they are situate and the manufacture, storage, distribution and sale of explosives are prohibited.</p> <p>The storage of materials necessary in conjunction with approved uses herein, and which meet all legal, NYS and federal codes, shall not be prohibited but shall be clearly incidental to the permitted uses.</p>
<p>General Industry (GI)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Fossil-fuel-fired electrical power-generating stations. • Industrial uses and their accessory uses that are directly related to an existing 	<p>No residential uses shall be allowed in the General Industrial District. Storage of junk or secondhand material, automobiles or scrap is prohibited. No landfills shall be allowed.</p>

Zone	Permitted Uses	Prohibited Uses
	<p>fossil-fuel-fired power-generating facility or similar use that utilize a waste or by-product of said power generation to divert or lessen the waste system produced by the power-generating station</p> <p>Special Use Permit Only:</p> <ul style="list-style-type: none"> The manufacture and/or assembly of musical instruments, novelty toys or related products; mechanical and electrical devices, appliances and components; wood products; compounding, processing and storage of candy and confections; frozen foods; cosmetics, pharmaceutical products, toiletries and food products, including a slaughterhouse. Wholesale business and storage for the following types of commodities: clothing, drugs, dry goods, packaged food, furniture, hardware, beverage and other similar commodities as approved by the Planning Board. Office uses necessary and incidental to any permitted use within the district. Laboratory research, testing and experimental work. Any other related uses consistent with the uses in this section and accessory uses related and incidental to the uses permitted. <p>Excavations as regulated under Chapter 96 of the Code of the Town of Somerset.</p>	<p>The storage of materials necessary in conjunction with approved uses herein which meet all legal, NYS and federal codes shall not be prohibited but shall be clearly incidental to the permitted use.</p>
<p>Planned Unit Development (PUD)</p>	<ul style="list-style-type: none"> Principal and special permit uses and structures including farm-related activities and other activities as permitted in the RLS Lake Shore Residential District, R-2 Single- and Two-Family Residential District, B Business District, GI General Industrial District and I Industrial District or similar uses as determined by the Planning Board and related accessory uses. Accessory uses and structures as permitted in the RLS, R-2, B, GI and I Districts. 	<p>Uses that produce earth jarring, vibration or noise beyond the structure within which the use is contained</p> <p>The storage, sale, distribution or use of hazardous materials or their by-products; or the storage of any material which would unreasonably increase the risk of fire hazard to adjoining buildings</p> <p>Any use or process which would cause the emission of noxious odors or gases beyond the building, constituting a nuisance to adjacent structures or potentially injurious to nearby occupants or property</p> <p>Activities which produce smoke, fly ash, dust, dirt, fumes or stack emissions that exceed NYS air quality regulations</p> <p>Fugitive dust. There shall not be discharged locally from any operation</p>

Zone	Permitted Uses	Prohibited Uses
		<p>on any lot: fly ash, dust, dirt, smoke, vapor or gas that results in an unsightly condition or could result in damage to the public health, animals or vegetation or that exceeds the approved regulatory standards of NYS or federal permitting agencies</p> <p>Outdoor storage of junk, refuse, trash, secondhand materials or abandoned automobiles</p> <p>Any industrial wind energy conversion system</p>

Table 3-G2. Permitted and Prohibited Uses within the Village of Barker Zoning Districts

Zone	Permitted Uses	Prohibited Uses
<p>One- and Two-Family Residences (R-1 Districts)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • One- and two-family dwellings. • Churches or similar places of worship; parish house; convents. • Public parks, public playgrounds and recreational areas operated by membership organizations for the benefit of their members and not for gain. • Schools and institutions of higher education, libraries and municipal buildings. • Customary agricultural operations; provided, however, that no storage of manure or odor- or dust-producing substance or use shall be permitted within 100 feet of any property line. • Customary home occupations, provided that there shall be no external evidence of such occupations except a small announcement or professional sign not over two square feet in area. • Other customary accessory uses and buildings, provided that such uses are incidental to the principal use and do not include any activity commonly conducted as a business. Any accessory building shall be located on the same lot with the principal building and shall not be used for residence purposes. 	<p>None listed in Village of Barker Zoning Code</p>
<p>More Than Two-Family Residences (R-2 Districts)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • All uses permitted in R-1 Districts. • Multiple residences for nontransients, subject to the regulations and provisions of the New York State Multiple Residence 	<p>None listed in Village of Barker Zoning Code</p>

Zone	Permitted Uses	Prohibited Uses
	<p>Law. One-and two-family dwellings in existence at the time of the enactment of this chapter may be altered or enlarged for multiple dwelling use, except that existing conforming yards shall not be reduced to a width or depth less than required by this section, and nonconforming yards shall not be further reduced in width or depth, and provided further that there shall be not less than 1,500 square feet of lot area for each family occupying such dwelling.</p>	
<p>Business Districts (B-1 Districts)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • All uses permitted in any residential district subject to all the provisions specified for such residential districts. • Any use which is or has been used for commercial purposes may not be used for residential purposes on the first floor thereof. [Amended 4-11-2011 by L.L. No. 1-2011] • Personal service shops, including hand laundries. • Banks, offices, studios. • Shops for custom work; shops for making articles or products to be sold at retail on the premises. • Restaurants, cafes, tearooms, and similar establishments. • Theaters, assembly halls, billiard or pool parlors, bowling alley, and any public recreation use. • Lodging house, motels, hotels and tourist homes. • Motor vehicle sales and service. • Garage or filling station. • Undertaking establishment. • Bus passenger station, telegraph office, express office, electric substation, printing plant. • Wholesale business; storage in bulk of, or warehouse for, such material as building material, contractor's equipment, clothing, cotton, drugs, dry goods, feed, food, furniture, hardware, ice, machinery metals, oil and petroleum in quantities less than tank car lots, paint and paint supplies, pipe, rubber, shop supplies, tobacco or wood. • Accessory buildings and accessory uses. 	<p>None listed in Village of Barker Zoning Code</p>
<p>General Industrial Districts (F-1 Districts)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Wholesale trades and businesses and the processing of food products; factories, mills and similar uses for the processing, 	<p>All other uses are prohibited. [Amended 5-19-2004 by L.L. No. 3-2004]</p>

Zone	Permitted Uses	Prohibited Uses
	<p>preparation for use, and/or fabrication of wood, metal, concrete and similar materials, warehousing of commodities; junk industry or motor vehicle wrecking operations and similar uses when conducted within a structure and under license when provided by Village ordinance; any industrial use or trade which is not by reason of emission of noise, dirt, odors or vibrations noxious or dangerous to health, safety, or general welfare when authorized by the Board of Appeals as a variance, after public hearing, and subject to such conditions, restrictions, and safeguards as may be deemed necessary by said Board of Appeals for the purpose of protecting the health, safety, morals or the general welfare of the residents of the Village, except that such authorization, by the Board of Appeals, shall not be required for the expansion or extension of present industrial uses within the Industrial District in accord with the Industrial District requirements; agricultural operations; public utilities and services; transportation terminals and storage facilities; motor vehicle fabrications, servicing and storing.</p>	

Table 3-G3. Permitted and Prohibited Uses within Town of Hartland Zoning Districts

Zone	Permitted Uses	Prohibited Uses
<p>Agricultural Use District (A District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single- and two-family dwellings. • Churches and other similar places of worship, parish houses, convents and other such facilities of recognized religious groups. • Municipal parks, playgrounds and recreation areas deemed necessary and appropriate by the Town Board. • Professional offices and home occupation uses, provided that they are carried on in conjunction with a residential use on the property. • Farms and related farming activities. • Public buildings, libraries and public and nonprofit private schools accredited by the State Education Department. • Offices and hospitals for the practice of veterinary medicine. • Churches. 	<p>None listed in Town of Hartland Zoning Code</p>

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Cemeteries. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages. • Customary residential storage structures. • Animal shelters for domestic pets of the household. • Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts and the like. • Customary farm buildings for the storage of products, equipment or farm animals, located on the same parcel as the principal use. • Accessory buildings used exclusively for the sale of homegrown agricultural products may be constructed, upon approval of the Planning Board, following submission of an approved site plan showing: <ul style="list-style-type: none"> ○ (a) That the application is for the use of the stand by the owner or tenant of the property in question. ○ (b) That the stand will be located in a location which shall encourage safety and discourage traffic congestion. No portion of any stand or any attendant use of land shall be closer than 35 feet from the closest highway pavement edge. Parking space for no fewer than three cars shall be maintained in connection with any stand, in a manner easily discernible by an approaching motorist. ○ (c) That trucks, trailers, tractors or other vehicles parked for the purpose of the sale or disposal to the general public of agricultural products shall be permitted only under the same limitations which apply to the use of accessory buildings for the sale of such products. • Signs in accordance with this chapter. • Parking in accordance with this chapter. • Public utility uses. • Camping grounds. • Excavation operations. • Cluster residential development. (13) • Nursing and retirement homes. • Uses by special permit under Article VI. 	

Zone	Permitted Uses	Prohibited Uses
<p>One-Family Residential Use District (R-1 District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single-family dwellings are the only permitted uses. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages. • Customary residential storage structures. • Animal shelters for domestic pets of the household. • Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts and the like. • Home occupation uses, provided that they are carried on in conjunction with a residential use of the property. • Cluster residential development. • Parking in accordance with this chapter. 	<p>Restrictions:</p> <ul style="list-style-type: none"> • No accessory building may be erected or maintained in the One-Family Residential Use District, which occupies more than 25% of a rear or open yard area, exceeds 35 feet in height or is located within 10 feet of a principal building or other accessory building. [Amended 6-9-1994] • (2) Moreover, there shall be no open storage of boats, camping trailers, utility trailers, motorized camping vans or similar vehicles in the front yard area.
<p>One- and Two-Family Residential Use District (R-2 District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single- and two-family dwellings, churches and cemeteries are the only permitted uses. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages. • Customary residential storage structures. • Animal shelters for domestic pets of the household. • Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts and the like. • Home occupation uses, provided that they are carried on in conjunction with a residential use of the property. • Cluster residential development. • Parking in accordance with this chapter. 	<p>Restrictions:</p> <ul style="list-style-type: none"> • No accessory building may be erected or maintained in the One- and Two-Family Residential Use District, which occupies more than 25% of a rear or open yard area, exceeds 35 feet in height or is located within 10 feet of a principal building or other accessory building. [Amended 6-9-1994] • Moreover, there shall be no open storage of boats, camping trailers, utility trailers, motorized camping vans or similar vehicles in the front yard area.
<p>Multiple Family Residential Use District (R-3 District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> • Single- and two-family dwellings, rooming houses, nursing homes, retirement homes, multifamily dwellings, churches and cemeteries. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Private garages. • Customary residential storage structures. • Animal shelters for domestic pets of the household. • Other customary residential structures, such as private swimming pools, fireplaces, trellises, lampposts and the like. • Home occupation uses, provided that they are carried on in conjunction with a residential use of the property. • Cluster residential development. 	<p>Restrictions:</p> <ul style="list-style-type: none"> • No accessory building may be erected or maintained in the one-family and two-family residential use district which occupies more than 25% of a rear or open yard area, exceeds 35 feet in height or is located within 10 feet of a principal building or other accessory building. [Amended 6-9-1994] • Moreover, there shall be no open storage of boats, camping trailers, utility trailers, motorized camping vans or similar vehicles in the front yard area.

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> Parking in accordance with this chapter. 	
<p>Mobile Home Use District (MH District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> Mobile homes and mobile home courts. 	<p>None listed in Town of Hartland Zoning Code</p>
<p>General Business Use District (B District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> Retail business establishments which are clearly of a community service character and dispense a service or merchandise. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> Private garage space for the storage of commercial vehicles used in conjunction with a permitted business use. Dwelling units, accessory to the principal business use, provided that they are located in the principal building and comply with the area and yard requirements of the R-3 District, except side yard requirements which shall be waived when the dwelling unit is above the first floor and the first floor is used commercially. Signs in accordance with this chapter. Parking in accordance with this chapter. Public utility uses, except maintenance and storage yards. 	<p>Restrictions:</p> <ul style="list-style-type: none"> No goods shall be displayed for sale purposes nor shall coin-operated vending machines of any type be placed in any location which would infringe upon the required yard area specified in this chapter. No business use shall occupy any part of the lot within 50 feet of any R District. Truck loading and unloading facilities shall be provided on the property to permit the transfer of goods in other than the front yards or public street. A planted buffer strip shall be required where such loading area abuts any residential district and shall consist of a staggered row of compact evergreen shrubs not less than three feet in height in an area not less than 10 feet in width. Where off-street parking areas or accessways abut residential zones, a planted buffer strip at least 10 feet wide shall be provided between the parking area or accessways in the adjoining property, maintained with two staggered rows of evergreen shrubs. Where the frontage on one side of the street is zoned partly residential and partly 9. Editor's Note: Original Sections 559.1, 559.2, 559.3 and 559.4, which immediately followed this section and provided for licensing and permits for mobile home courts, were repealed 2-24-1983. business, the front yard depth in the B District in such block frontage shall be equal to the required front yard depth of the residential district for a distance of 50 feet into the B District.

Zone	Permitted Uses	Prohibited Uses
		<ul style="list-style-type: none"> Where a lot in a B District abuts a lot in any residential district, there shall be provided along such abutting lines a yard equal in width or depth to that required for the adjacent yard in said residential district.
<p>Light Industrial Use District (I District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> Any use of a light industrial nature is permitted, which involves only the manufacture, processing, assembly, packaging or storage of previously refined materials, provided that at no time will such use result in or cause: <ul style="list-style-type: none"> (a) Dissemination of dust, smoke, smog, observable gas, fumes or odors or other atmospheric pollution, objectionable noise, glare or vibration. (b) A hazard of fire or explosion or chemical or nuclear pollution or other physical hazard to any adjacent building or to any plant growth on any land adjacent to the site or to any person working on the site or working or living adjacent thereto. Office buildings for executive, engineering and administrative purposes; scientific or research laboratories devoted to research, design and/or experimentation in processing and fabricating incidental thereto; the warehousing and/or storage of goods and products, such as building materials, farm supplies and the like, which may be stored or sold from the premises to the general public. <p>Permitted accessory uses:</p> <ul style="list-style-type: none"> Private garages and storage buildings which are necessary to store any vehicle, equipment or materials on the premises. Signs in accordance with this chapter. Parking in accordance with this chapter. 	<p>Restrictions:</p> <ul style="list-style-type: none"> All industrial processes shall take place within an enclosed building. Incidental storage of materials out of doors shall be permitted. Industrial uses shall be located so as to be a minimum of 50 feet from any property line abutting a nonindustrial district. This fifty-foot buffer strip shall be perpetually maintained with plantings to provide a visual screen between the industrial use and the adjoining nonindustrial use.
<p>Recreational Use District (Rec District)</p>	<p>Permitted principal uses:</p> <ul style="list-style-type: none"> Theaters, playhouses, amusement parks, arcades, camping grounds, playgrounds and athletic fields. 	<p>Restrictions:</p> <ul style="list-style-type: none"> No structure, permanent or temporary, shall be erected, established or maintained in

Zone	Permitted Uses	Prohibited Uses
	<p>Permitted accessory uses:</p> <ul style="list-style-type: none"> • Administration buildings. • Recreation halls. • Customary recreation structures such as swimming pools, rest rooms, showers, on-site refreshment stands, laundries and stores, which are designed to serve only those people using the recreation facilities. 	<p>the Recreational Use District until the same has been approved by the Planning Board, the New York State Department of Health and/or the Niagara County Health Department.</p>
<p>Agriculture-Business Use District (AB District)</p>	<p>Permitted secondary uses where the principal use is a working farm:</p> <ul style="list-style-type: none"> • Retail stores that sell agricultural-related merchandise. • Restaurants that incorporate and serve locally grown products. • Banquet halls. • Distilleries, breweries, and wineries that incorporate locally grown products. • Rustic lodges. • Petting zoos. • Activity centers. • Museums. 	<p>None listed in Town of Hartland Zoning Code</p>
<p>Floodplain Subuse District (FP Subdistrict)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Farming and the sale of agricultural products grown, raised or produced on the premises. • Open recreation uses such as parks, playgrounds, riding instruction and academies, golf courses, swimming clubs, driving ranges and tennis clubs, but not including such intensive commercial recreation uses as a racetrack or amusement park. • Wildlife, game and forest preserves. • Off-street parking areas, provided that no overnight parking is permitted. • Lawns, gardens and play areas. • Historic, scientific and scenic area preservation. • Uses by special permit under Article VI. 	<p>None listed in Town of Hartland Zoning Code</p>
<p>Wetland Subuse District (WL Subdistrict)</p>	<p>Recognizing the necessity to preserve, protect and conserve freshwater wetlands and the benefits derived therefrom; to prevent the despoliation and destruction of freshwater wetlands; to regulate use and development of such wetlands; and to secure the natural benefits of freshwater wetlands consistent with the general welfare and beneficial economic, social and agricultural development of the Town of Hartland, additional use restrictions are placed on such area pursuant to Article 24 of the Environmental Conservation Law.</p>	<p>Notwithstanding anything contained in this chapter, farming is the only use to which a wetland may be put without a special use permit.</p> <p>A special use permit shall be required before anyone may drain, dredge, excavate or remove soil, mud, sand, shells, gravel or other aggregate from any freshwater wetland, either directly or indirectly; conduct any form of dumping, filling or depositing of any soil, stones, sand, gravel, mud, rubbish or fill of any kind, either</p>

Zone	Permitted Uses	Prohibited Uses
		directly or indirectly; erect any structure, road, driving of pilings or placing of any other obstructions, whether or not changing the even flow of the water; contribute any form of pollution, including but not limited to installing a septic tank, running a sewer outfall, discharging sewage treatment or effluent or other liquid waste into, or so as to drain into, a freshwater wetland; or conduct any other activity which substantially impairs any of the several functions served by freshwater wetlands or the benefits derived therefrom which are set forth in Article 24 of the Environmental Conservation Law.

Table 3-G4. Permitted and Prohibited Uses within Town of Newfane Zoning Districts

Zone	Permitted Uses	Prohibited Uses
Agricultural/Residence District (AR)	Permitted uses: <ul style="list-style-type: none"> • One family dwelling • Agriculture excluding animal husbandry • Animal husbandry, stables, riding academy or kennel • Greenhouse, plant nursery • Veterinarian, animal hospital or clinic * • Dairy • Accommodations, rooming and boarding in a one or two family detached, owner-occupied dwelling as an integral part of the dwelling (no separate entrance, kitchen, isolation; adequate off-street parking). No more than 2 persons. • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Home occupation • Agricultural seasonal housing * • Garage, carport, off-street parking (Article X) • Produce sales (subject to Article 9-13) • Signs pursuant to Article XI 	Prohibited uses: <ul style="list-style-type: none"> • Two family dwelling • Multi-family dwelling • Planned Residential Development (PRD) - singles, doubles, townhouses and multiples • Mobile home park (public sewer required) • Recreational vehicle park, campgrounds and cabins (seasonal only) • Assisted living residence • Townhouse development • Funeral home, mortuary • Office and exam facilities for medical professional • Marine business • Professional, small business or branch office providing administrative services limited to interior operations that require light customer and vehicle access (banking, financial, legal, insurance, real estate, utility or similar uses) • Resident professional office

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Ponds and excavations: at least 50 feet from any property line, minimum 5 acre lot required * 	
Rural Residential (RR)	<p>Permitted uses:</p> <ul style="list-style-type: none"> • One family dwelling • Cluster development • Agriculture excluding animal husbandry • Accommodations, rooming and boarding in a one or two family detached, owner-occupied dwelling as an integral part of the dwelling (no separate entrance, kitchen, isolation; adequate off-street parking). No more than 2 persons. • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Home occupation • Garage, carport, off-street parking (Article X) • Signs pursuant to Article XI • Ponds and excavations: at least 50 feet from any property line, minimum 5 acre lot required * 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Two family dwelling • Multi-family dwelling • Mobile home park (public sewer required) • Townhouse development • Marine business • Mining, quarries, clay, sand and gravel excavation • Sawmill, lumber or wood processing facility • Agricultural coop or agri-business • Airstrip or aviation use
Single Family Residential District (R-1)	<p>Permitted uses:</p> <ul style="list-style-type: none"> • One family dwelling • Two family dwelling • Cluster development • Accommodations, rooming and boarding in a one or two family detached, owner-occupied dwelling as an integral part of the dwelling (no separate entrance, kitchen, isolation; adequate off-street parking). No more than 2 persons. • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Garage, carport, off-street parking (Article X) • Signs pursuant to Article XI 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Conversion - One family to Two family (min. 500 sq. ft.) • Multi-family dwelling • Planned Residential Development (PRD) - singles, doubles, townhouses and multiples • Mobile home park (public sewer required) • Recreational vehicle park, campgrounds and cabins (seasonal only) • Townhouse development • Agriculture excluding animal husbandry • Animal husbandry, stables, riding academy or kennel • Greenhouse, plant nursery • Veterinarian, animal hospital or clinic * • Marine business • Storage building or multi-unit facility for small business, vehicle, residential or

Zone	Permitted Uses	Prohibited Uses
		<p>personal use (excluding warehousing, industrial or agricultural storage)</p> <ul style="list-style-type: none"> • Professional, small business or branch office providing administrative services limited to interior operations that require light customer and vehicle access (banking, financial, legal, insurance, real estate, utility or similar uses) • Mining, quarries, clay, sand and gravel excavation • Sawmill, lumber or wood processing facility • Dairy • Fruit storage, packing or processing facility • Agricultural coop or agri-business • Home occupation • Resident professional office • Home based business • Agricultural seasonal housing * • Traveler's lodging in a one or two family detached, owner-occupied dwelling • Auxiliary housing • Produce sales (subject to Article 9-13) • Airstrip or aviation use • Communications antenna, dish or tower detached from the primary residence or structure or using a separate foundation and support apparatus; amateur antenna up to 100 feet in height exempted
<p>Multi-Family Residential District (R-2)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • One family dwelling • Two family dwelling • Conversion - One family to Two family (min. 500 sq. ft.) • Multi-family dwelling • Planned Residential Development (PRD) - singles, doubles, townhouses and multiples • Assisted living residence • Cluster development 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Mobile home park (public sewer required) • Recreational vehicle park, campgrounds and cabins (seasonal only) • Animal husbandry, stables, riding academy or kennel • Greenhouse, plant nursery • Veterinarian, animal hospital or clinic *

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Townhouse development • Office and exam facilities for medical professional • Accommodations, rooming and boarding in a one or two family detached, owner-occupied dwelling as an integral part of the dwelling (no separate entrance, kitchen, isolation; adequate off-street parking). No more than 2 persons. • Resident professional office • Traveler's lodging in a one or two family detached, owner-occupied dwelling • Signs pursuant to Article XI 	<ul style="list-style-type: none"> • Storage building or multi-unit facility for small business, vehicle, residential or personal use (excluding warehousing, industrial or agricultural storage) • Professional, small business or branch office providing administrative services limited to interior operations that require light customer and vehicle access (banking, financial, legal, insurance, real estate, utility or similar uses) • Mining, quarries, clay, sand and gravel excavation • Sawmill, lumber or wood processing facility • Dairy • Fruit storage, packing or processing facility • Agricultural coop or agri-business • Home occupation • Home based business • Agricultural seasonal housing * • Auxiliary housing • Produce sales (subject to Article 9-13) • Airstrip or aviation use
<p>Community Facility District (CF)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Church or place of worship • Nursery School or Day Care Center • Park, playground or recreation area (public) * • Public and Private Schools * • Cemetery or mausoleum • Nursing home, hospice and health care facilities • Public utility, treatment facilities, lines and rights-of-way and support facilities including water, sanitary sewer, gas, communications and electrical services • Bus shelter or transportation access structure • Structures and uses ancillary to any principal use 	<p>None listed in Town of Newfane Zoning Code</p>

Zone	Permitted Uses	Prohibited Uses
<p>Mobile Home Park District (MHP)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Mobile home park (public sewer required) • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Garage, carport, off-street parking (Article X) • Signs pursuant to Article XI 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • One family dwelling • Two family dwelling • Conversion - One family to Two family (min. 500 sq. ft.) • Multi-family dwelling • Planned Residential Development (PRD) - singles, doubles, townhouses and multiples • Assisted living residence • Cluster development • Townhouse development • Agriculture excluding animal husbandry • Animal husbandry, stables, riding academy or kennel • Funeral home, mortuary • Greenhouse, plant nursery • Office and exam facilities for medical professional • Marine business • Professional, small business or branch office providing administrative services limited to interior operations that require light customer and vehicle access (banking, financial, legal, insurance, real estate, utility or similar uses) • Mining, quarries, clay, sand and gravel excavation • Sawmill, lumber or wood processing facility • Dairy • Fruit storage, packing or processing facility • Accommodations, rooming and boarding in a one or two family detached, owner-occupied dwelling as an integral part of the dwelling (no separate entrance, kitchen, isolation; adequate off-street parking). No more than 2 persons, or 3 or 4 persons. • Home occupation • Resident professional office • Home based business

Zone	Permitted Uses	Prohibited Uses
		<ul style="list-style-type: none"> • Traveler's lodging in a one or two family detached, owner-occupied dwelling • Auxiliary housing • Produce sales (subject to Article 9-13) • Airstrip or aviation use • Communications antenna, dish or tower detached from the primary residence or structure or using a separate foundation and support apparatus; amateur antenna up to 100 feet in height exempted
<p>Village Business District (VB)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Dwelling unit over first floor, non-residential use • Auditorium or meeting hall • Funeral home or mortuary • Business or administration uses providing management, financial, administrative or corporate services • Professional, small business or branch office providing direct, on-site customer access and services (banking, financial, legal, insurance, real estate, utility or similar uses) • Personal service shop • Radio and television broadcast studio • Restaurant or tavern • Repair shop for household, business or personal appliances • Recreation, athletic, fitness or tanning facility • Retail shop or store • Shop or studio for custom work or for making articles to be sold at retail on premises • Retail center, mini-mall or multi-unit retail facility using village street or public parking • Theater or movie facility • Caretaker or owner-occupied dwelling unit • Usual and customary accessory structure or use (clearly subordinate to the principal structure) 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Greenhouse or plant nursery • Marina, boat ramp, docks, boatyard and boat storage including sales, rental, leasing, hire, accessory facilities and structures • Storage Facility, building or outdoor area • Repair garage for vehicles, engines and motors • Shopping mall or highway retail plaza requiring dedicated parking facilities • Veterinarian, hospital or clinic • Wholesale business • Research center or laboratory • Non-nuisance industry • Truck terminal or transfer station • Laundry or dry cleaning plant • Food or agricultural processing facility including dairy, storage, packing and agri-business • Manufacturing and assembly facility • Chemical processing or manufacturing • Commercial power and utility plants • Storage of fuels, chemical or other liquids in tanks • Outdoor storage are associated with a permitted industrial or commercial use

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Private garage or off-street parking pursuant to Article X • Signs pursuant to Article XI 	<ul style="list-style-type: none"> • Warehouse • Commercial or industrial research center, institute or laboratory • Commercial or industrial park • Sawmill, lumber or wood processing • Communications antenna, dish or tower detached from the primary residence or structure or using a separate foundation and support apparatus not part of the primary residence or structure
<p>Highway Commercial District (HC)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Car wash • Bowling alley • Retail gasoline sales • Funeral home or mortuary • Greenhouse or plant nursery • Hotel, motel or travel lodge • Motor vehicle sales, rental, hire or lease including recreational vehicles, mobile homes or boats • Business or administration uses providing management, financial, administrative or corporate services • Professional, small business or branch office providing direct, on-site customer access and services (banking, financial, legal, insurance, real estate, utility or similar uses) • Parking garage or commercial parking lot as a primary use • Storage Facility, building or outdoor area • Personal service shop • Radio and television broadcast studio • Restaurant or tavern • Restaurant, drive-in • Repair garage for vehicles, engines and motors • Repair shop for household, business or personal appliances • Recreation, athletic, fitness or tanning facility • Retail shop or store 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Dwelling unit over first floor, non-residential use • Laundry or dry cleaning plant • Food or agricultural processing facility including dairy, storage, packing and agri-business • Manufacturing and assembly facility • Chemical processing or manufacturing • Commercial power and utility plants • Commercial or industrial research center, institute or laboratory • Commercial or industrial park • Sawmill, lumber or wood processing • Caretaker or owner-occupied dwelling unit

Zone	Permitted Uses	Prohibited Uses
	<ul style="list-style-type: none"> • Shop or studio for custom work or for making articles to be sold at retail on premises • Theater or movie facility • Vocational school or commercial training center • Wholesale business • Printing, publishing or graphics plant • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Private garage or off-street parking pursuant to Article X • Signs pursuant to Article XI 	
<p>Marine Business District (MB)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Dwelling unit over first floor, non-residential use • Bowling alley • Dance hall, roller or ice skating facility • Retail gasoline sales • Marina, boat ramp, docks, boatyard and boat storage including sales, rental, leasing, hire, accessory facilities and structures • Motor vehicle sales, rental, hire or lease including recreational vehicles, mobile homes or boats • Professional, small business or branch office providing direct, on-site customer access and services (banking, financial, legal, insurance, real estate, utility or similar uses) • Personal service shop • Restaurant or tavern • Repair garage for vehicles, engines and motors • Repair shop for household, business or personal appliances • Recreation, athletic, fitness or tanning facility • Retail shop or store • Shop or studio for custom work or for making articles to be sold at retail on premises • Caretaker or owner-occupied dwelling unit • Usual and customary accessory structure or use (clearly 	<p>Prohibited uses:</p> <ul style="list-style-type: none"> • Auditorium or meeting hall • Car wash • Funeral home or mortuary • Greenhouse or plant nursery • Business or administration uses providing management, financial, administrative or corporate services • Radio and television broadcast studio • Shopping mall or highway retail plaza requiring dedicated parking facilities • Veterinarian, hospital or clinic • Vocational school or commercial training center • Research center or laboratory • Non-nuisance industry • Printing, publishing or graphics plant • Truck terminal or transfer station • Laundry or dry cleaning plant • Food or agricultural processing facility including dairy, storage, packing and agri-business • Manufacturing and assembly facility • Chemical processing or manufacturing • Commercial power and utility plants

Zone	Permitted Uses	Prohibited Uses
	subordinate to the principal structure) <ul style="list-style-type: none"> • Private garage or off-street parking pursuant to Article X • Signs pursuant to Article XI 	<ul style="list-style-type: none"> • Commercial or industrial research center, institute or laboratory • Commercial or industrial park • Sawmill, lumber or wood processing
Light Industry/Industrial Park District (IP)	Permitted uses: <ul style="list-style-type: none"> • Business or administration uses providing management, financial, administrative or corporate services • Professional, small business or branch office providing direct, on-site customer access and services (banking, financial, legal, insurance, real estate, utility or similar uses) • Parking garage or commercial parking lot as a primary use • Recreation, athletic, fitness or tanning facility • Wholesale business • Research center or laboratory • Non-nuisance industry • Printing, publishing or graphics plant • Truck terminal or transfer station • Manufacturing and assembly facility • Warehouse • Commercial or industrial research center, institute or laboratory • Commercial or industrial park • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Private garage or off-street parking pursuant to Article X • Signs pursuant to Article XI 	Prohibited uses: <ul style="list-style-type: none"> • Dwelling unit over first floor, non-residential use • Auditorium or meeting hall • Car wash • Bowling alley • Dance hall, roller or ice skating facility • Retail gasoline sales • Funeral home or mortuary • Greenhouse or plant nursery • Hotel, motel or travel lodge • Marina; boat ramp, docks, boatyard and boat storage including sales, rental, leasing, hire, accessory facilities and structures • Motor vehicle sales, rental, hire or lease including recreational vehicles, mobile homes or boats • Personal service shop • Restaurant or tavern • Restaurant, drive-in • Repair garage for vehicles, engines and motors • Repair shop for household, business or personal appliances • Retail shop or store • Shop or studio for custom work or for making articles to be sold at retail on premises • Shopping mall or highway retail plaza requiring dedicated parking facilities • Retail center, mini-mall or multi-unit retail facility using village street or public parking • Theater or movie facility • Veterinarian, hospital or clinic • Sawmill, lumber or wood processing

Zone	Permitted Uses	Prohibited Uses
<p>General Industry District (GI)</p>	<p>Permitted uses:</p> <ul style="list-style-type: none"> • Business or administration uses providing management, financial, administrative or corporate services • Parking garage or commercial parking lot as a primary use • Storage Facility, building or outdoor area • Radio and television broadcast studio • Repair garage for vehicles, engines and motors • Wholesale business • Research center or laboratory • Non-nuisance industry • Printing, publishing or graphics plant • Truck terminal or transfer station • Laundry or dry cleaning plant • Food or agricultural processing facility including dairy, storage, packing and agri-business • Manufacturing and assembly facility • Chemical processing or manufacturing • Commercial power and utility plants • Storage of fuels, chemical or other liquids in tanks • Outdoor storage are associated with a permitted industrial or commercial use • Warehouse • Sawmill, lumber or wood processing • Usual and customary accessory structure or use (clearly subordinate to the principal structure) • Private garage or off-street parking pursuant to Article X • Signs pursuant to Article XI 	<ul style="list-style-type: none"> • Caretaker or owner-occupied dwelling unit <p>Prohibited uses:</p> <ul style="list-style-type: none"> • Dwelling unit over first floor, non-residential use • Auditorium or meeting hall • Car wash • Bowling alley • Dance hall, roller or ice skating facility • Retail gasoline sales • Funeral home or mortuary • Greenhouse or plant nursery • Hotel, motel or travel lodge • Marina; boat ramp, docks, boatyard and boat storage including sales, rental, leasing, hire, accessory facilities and structures • Professional, small business or branch office providing direct, on-site customer access and services (banking, financial, legal, insurance, real estate, utility or similar uses) • Personal service shop • Restaurant or tavern • Restaurant, drive-in • Repair shop for household, business or personal appliances • Recreation, athletic, fitness or tanning facility • Retail shop or store • Shop or studio for custom work or for making articles to be sold at retail on premises • Shopping mall or highway retail plaza requiring dedicated parking facilities • Retail center, mini-mall or multi-unit retail facility using village street or public parking • Theater or movie facility • Veterinarian, hospital or clinic • Vocational school or commercial training center

Zone	Permitted Uses	Prohibited Uses
		<ul style="list-style-type: none"> • Commercial or industrial research center, institute or laboratory • Commercial or industrial park • Caretaker or owner-occupied dwelling unit

* Site Plan Review and Permit Required