

ZONING

**Town of Rochester
Schedule of Zoning Uses
[Amended 6-7-1984 by L.L. No. 4-1984;
10-18-1990 by L.L. No. 3-1990; 6-3-1993
by L.L. No. 1-1993⁶¹]**

No building or premises shall be erected, altered or used except for one or more of the uses designated for any district as follows:

- Symbols:** (Y) Designates a use permitted by right.
 (X) Designates a conditional use contingent on securing a special use permit in each case from the Planning Board in accordance with the provisions of Article VII et seq.
 (SP) Designates a use permitted by right which requires site plan approval by the Planning Board in accordance with Article IX, et seq.
 (N) Designates an unpermitted use.

Residential Uses	District						
	A	R-1	R-2	B	I	F	HD
One-family dwelling	Y	Y	Y	Y	N	X	Y
Two-family dwelling	X	X	X	X	N	X	X
Multifamily dwelling	X	X	X	X	N	N	X
Boardinghouse	X	X	X	X	N	N	X
Mobile home	Y	Y	Y	Y	N	X	N
Mobile home park	X	X	X	X	N	N	N
Fraternity, sorority house	X	X	N	N	N	N	X
General Uses							
Agriculture (not including the keeping of fowl or farm animals) in compliance with § 140-20J	Y	Y	Y	Y	Y	Y	Y
Agriculture (including the keeping of fowl or farm animals) in compliance with § 140-20J	X	X	X	X	N	Y	X
Retail sale of agricultural produce grown on the same lot from a road stand	Y	Y	X	X	X	X	X

⁶¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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General Uses	District						
	A	R-1	R-2	B	I	F	HD
Resort hotel, camp, resort ranch or resort lodge	X	X	N	N	N	N	N
Bungalow colony	X	X	X	N	N	N	N
Church or other places of worship; including parish house, rectory, parsonage, convent and other religious buildings	X	X	X	X	N	N	X
Private, academic or parochial school	X	X	X	X	N	N	X
Day nursery	SP	SP	X	X	N	N	X
Hospital	X	X	X	X	X	N	X
Nursing or convalescent home or sanitarium	X	X	X	X	X	N	X
Cultural facilities (library, art gallery, museum, etc.)	SP	SP	SP	SP	N	N	SP
Nonprofit club or recreation use	SP	SP	X	SP	SP	N	SP
Federal, state, county and municipal governmental offices	SP	SP	SP	SP	SP	N	SP
Public parks and playgrounds	SP	SP	SP	SP	SP	SP	SP
Public schools, colleges, fire houses, Town Hall, Highway Department and library	SP	SP	SP	SP	SP	N	SP
Private institution or membership club	X	X	X	X	N	N	X
Institutional or philanthropic use	X	X	X	X	N	N	X
Cemetery in compliance with § 140-26	SP	SP	SP	N	SP	N	SP
Crematory in compliance with § 140-26	X	N	N	N	X	N	N
Golf course or country club	SP	SP	SP	N	N	SP	N

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General Uses	District						
	A	R-1	R-2	B	I	F	HD
Public utility lines, mains, laterals, except high tension lines, railroad stations	SP	SP	SP	SP	SP	SP	SP
Structures and buildings used by public utilities in furnishing services including electric or gas utility substation, transformer station, water or sewage pumping stations and other similar structures and high tension lines	X	X	X	X	X	X	X
Commercial recreation uses, specifically oriented towards the use of mountain land, such as downhill ski areas, downhill ski-tow, warming and downhill ski maintenance huts, swimming and camping areas	X	X	N	N	N	X	N
Cross-country ski areas, and warming and cross-country ski maintenance huts	X	X	X	N	N	X	SP
Temporary portable sawmill operation which is located on any particular site for 90 days or less	Y	Y	Y	Y	Y	Y	N
Slaughtering of animals for consumption on the premises	Y	Y	Y	Y	Y	Y	N
Camping resort or travel trailer camp	X	X	X	N	N	N	N
Drug rehabilitation center and halfway house	N	N	N	X	N	N	N

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Accessory	District						
	A	R-1	R-2	B	I	F	HD
Home occupation in compliance with § 140-20A, where the use does not involve any nonresident employees; where the use only utilizes normal household and/or general office equipment, materials, energy and resources; and where only 1 home occupation is conducted on the parcel	Y	Y	Y	Y	Y	X	Y
Home occupation, in compliance with § 140-20A, where the use involves nonresident employees; where the use does not solely utilize normal household and/or general office equipment, materials, energy and resources; or where more than 1 home occupation is conducted on the parcel	SP	SP	SP	Y	Y	X	SP
Home occupation in compliance with § 140-20A, where the use is automotive in nature	X	X	X	X	X	X	X
Accessory use customarily incident to any of the uses mentioned herein, and on the same lot	Y	Y	Y	Y	Y	Y	Y
Accessory use customarily incident to any of the uses mentioned herein and not on the same lot	X	X	X	X	X	X	X
Stables for horses for noncommercial purposes	Y	Y	Y	SP	SP	SP	X
Accessory apartment as set forth in § 140-29	X	X	X	X	N	X	X

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Business Uses	District						
	A	R-1	R-2	B	I	F	HD
Gift, antique or craft sales establishment and/or gift, antique or craft workshop	X	X	X	SP	N	N	SP
Professional office, business office, bank	N	N	N	SP	SP	N	SP
Retail stores and shops except food and grocery	N	N	N	SP	N	N	SP
Service establishments	N	N	N	SP	N	N	SP
Funeral home	N	N	N	SP	N	N	X
Restaurant	X	N	N	SP	Y	N	SP
Hotel	X	N	N	SP	N	N	SP
Bar or night club	X	N	N	X	N	N	X
Bowling alley	N	N	N	SP	N	N	X
Skating ring	X	N	N	SP	N	N	X
Dance hall, billiard hall, pool hall as the principal use	N	N	N	X	N	N	X
Theater or concert hall	X	N	N	SP	N	N	X
Veterinarian office, animal hospitals or kennels	X	N	N	SP	X	N	X
Newspaper offices and printing shops	N	N	N	SP	N	N	SP
Gasoline filling stations in compliance with § 140-23	X	N	N	X	N	N	X
Commercial parking lot in compliance with § 140-20H	N	N	N	SP	SP	X	SP
Automobile repair	N	N	N	SP	N	N	X
Carwashing station	N	N	N	X	N	N	X
Equipment, trailer rental or sales yard	N	N	N	X	X	N	X
Wholesale business or service	N	N	N	X	SP	N	X
Laundry or dry cleaning plant	N	N	N	X	X	N	X
Motel	N	N	N	X	SP	N	SP

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Business	District						
	A	R-1	R-2	B	I	F	HD
Radio, television and other electric transmission stations and towers	X	X	N	X	X	X	N
Telephone exchange	N	N	N	SP	SP	N	SP
Airports and flying field	X	X	N	N	N	X	N
Nursery, green houses	X	X	X	SP	N	SP	SP
Bus station	N	N	N	SP	N	N	X
Amusements operated for profit, except go-kart tracks and vehicle racetracks	X	N	N	X	N	N	X
Go-kart tracks and vehicle racetracks	X	N	N	X	N	N	N
Automobile junkyards, in compliance with § 140-36O	X	N	N	X	N	N	N
School bus garages	N	X	N	X	N	N	X
Food and grocery store	X	X	X	X	X	N	X
Research laboratories	N	N	N	X	SP	N	X
Manufacture, fabrication, assembly, warehousing and other handling of materials in compliance with § 140-20C not exceeding 2,500 square feet in floor area	N	N	N	X	SP	N	X
Manufacture, fabrication, extraction, assembly, warehousing and other handling of material in compliance with § 140-20C, excluding prohibited uses listed in § 140-11	N	N	N	X	SP	N	N
Extractive operations and soil mining	X	X	N	N	X	X	N
Power plants	X	X	N	N	X	X	N
Fuel storage and distribution	N	N	N	X	X	N	X
Bed-and-breakfast establishment	SP	SP	SP	SP	N	N	SP
Livery stable	Y	X	X	SP	SP	SP	X

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Business Uses	District						
	A	R-1	R-2	B	I	F	HD
Sawmill operation which is located on any particular site for more than 90 days	X	X	N	N	N	N	N
Brewing or distilling of liquors for immediate consumption and/or retail sale on premises	X	N	N	X	SP	N	X
Fish smoking or curing for immediate consumption and/or retail sale on premises	X	N	N	X	SP	N	X
Slaughtering of animals as a service to local raisers of livestock, and slaughtering for retail sale on the premises	X	X	N	N	X	N	N
Any other use not listed herein and use not specifically prohibited	N	N	N	X	X	N	N

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Density Control Schedule
Town of Rochester

Zone Code	Minimum Lot Dimensions ²						Minimum Yard ² Dimensions			Maximum Lot Coverage, Including all Accessory Buildings	Maximum Building Height ²	
	Residential			Nonresidential			Front Yard (feet) ⁴	Each Side Yard (feet)	Rear Yard (feet)		Stories	Feet
	Minimum Lot Area per Dwelling Unit (square feet)	Minimum Lot Width (feet)	Minimum Lot Width (feet)	Minimum Lot Area (square feet)	Minimum Lot Width (feet)							
HD	20,000	100	100	20,000	100	100	35	20	40	30%	2½	35
A ¹	1 acre	160	160	43,560	160	160	60	40	40	30%	2½ ³	35 ³
R-1 ¹	1 acre	160	160	43,560	160	160	60	40	40	30%	2½ ³	35 ³
R-2	1 acre	160	160	43,560	160	160	60	40	40	30%	2½	35
B (business use)	1 acre (for residence)	160	160	..	..	..	60	40	40	30%	2½	35
I	..	..	..	1	100	100	60	12½	25	50%	2½	35
F	..	..	..	43,560	160	160	60	40	50	35%	3	40
											2½ ³	35 ³

NOTE:
¹ An Industrial District (I) may be established in A, R-1 and B districts, provided all of the provisions of § 140-22 are complied with.
² See § 140-28, Residential Cluster Development Regulations.
³ See Article VII, Special Use Permit and § 140-28, Residential Cluster Development Regulations.
⁴ See § 140-4 for "boundary" definition.