

Article III. Use Regulations

A. [District Schedule of Use Regulations](#)

A. District Schedule of Use Regulations.

The general use Regulations in each zoning district are set forth in the tabular “District Schedule of Use Regulations” at the end of this Article. The uses permitted in the Town are subject to, as appropriate, other provisions of this Zoning Law, including, but not limited to the Supplementary Regulations set forth in Article V, the Special Use Permit Standards set forth in Article VI, the Site Plan Review and Approval Requirements set forth in Article VII, and for uses in the designated compact and infill development districts, the form based standards and guidelines set forth in Article VIII.

Any use not listed specifically within the District Schedule of Use Regulations shall be considered a prohibited use in all Districts under this Zoning Law. Where Permitted or Special Permit uses are identified by generic words or descriptions, the Planning Board shall determine whether a specific use shall be construed to be part of such generic class. In making such determination, the Planning Board shall consider to what extent the proposed use is similar to the class of use indicated in the District Schedule of Use Regulations. If a use is specifically listed elsewhere in the District Schedule of Use Regulations, it is excluded from a generic classification.

Symbols used on the District Schedule of Use Regulations shall be interpreted as follows:

- P** Permitted principal use in specified district. Permitted principal uses usually require a building permit, certificate of use and/or certificate of occupancy from the Code Enforcement Officer (see Article X). Such uses may also require Site Plan review and approval by the Planning Board under specific circumstances (see Article VII, Sections C(1) through C(11) and below), and may be subject to the Special Requirements identified in the final column of the District Schedule of Use Regulations.
- *** All uses noted on the District Schedule of Use Regulations with an “asterisk” require Site Plan review and approval by the Planning Board in accordance with Article VII of this Zoning Law.
- S** Special Use Permit is an authorization for a use which is permitted, subject to adherence to the general standards enumerated in Article VI, Section C and, as applicable, any additional specific standards for the use enumerated in Article VI, Section D, such use is in harmony with the Zoning Law, will not adversely affect the neighborhood if such standards are met, and has been approved in a manner required by this Chapter for the specified district.
- Prohibited use in the specified district.

All Town of Rhinebeck uses shall conform with the District Schedule of Use Regulations. All Village of Rhinebeck uses within the unincorporated areas of the Town shall conform to the District Schedule of Use Regulations to the greatest extent practicable. Similarly, all other public agency uses shall consider the Town of Rhinebeck *Comprehensive Plan* and the Town of

Use Regulations

Rhinebeck *Local Waterfront Revitalization Program*, and should consider the District Schedule of Use Regulations in planning their capital projects within the Town of Rhinebeck. In consideration of whether other public agency uses should comply with or are exempt from the Town's Zoning regulations, the Town agency reviewing the project shall endeavor to work with the public agency to weigh the following factors:

1. The nature and scope of the government agency seeking immunity;
2. The encroaching government's legislative grant of authority;
3. The kind of function or land use involved;
4. The effect local land use regulation would have upon the enterprise concerned;
5. Alternative locations for the facility in less restrictive zoning districts;
6. The impact upon legitimate local interests;
7. Alternative methods of providing the proposed improvement;
8. The extent of the public interest to be served by the improvements; and
9. Intergovernmental participation in the project development process including an opportunity for the Town of Rhinebeck's interests to be heard.
10. The goals of all planning tools by local decision-makers in the development review process.