

**TOWN OF SHANDAKEN LOCAL LAW NO. 2 OF 2012**

**A LOCAL LAW TO AMEND CHAPTER 116  
OF THE ZONING LAW OF THE TOWN OF SHANDAKEN**

**BE IT ENACTED** by the Town Board of the Town of Shandaken as follows:

**SECTION 1. INTENT**

It is the intent of this Local Law to amend the existing Zoning Law of the Town of Shandaken relating to Special Permits for Roadside (Farm Produce) Stands as an accessory use in recognition of the benefit to the general welfare of the community by providing for such use under certain conditions and controls as stated within, be lawfully incorporated into the Town Code. All Code section references herein being to the Town of Shandaken Town Code.

**SECTION 2. DEFINITION**

**116-4 B** – Amended as follows:

**ROADSIDE (FARM PRODUCE) STAND** – A structure where plants, fruits, vegetables, meat, dairy, fish and food products derived from the same may be sold and purchased.

**SECTION 3. DISTRICT SCHEDULE OF USE REGULATIONS**

**116-10 C** under the heading “Accessory Use” is amended to include the entry Roadside (Farm Produce) Stands as follows:

<b>Structure/ Land Use</b>	<b>R5</b>	<b>R3</b>	<b>R1.5</b>	<b>HR</b>	<b>HC</b>	<b>HB</b>	<b>CLI</b>	<b>FW</b>
Accessory Uses								
Roadside (Farm Produce) Stand	SP	SP	SP	SP	P	P	P	X

**SECTION 4. PARKING AND LOADING STANDARDS**

**116-24 A (1)** is amended under the heading “Accessory Uses” to include Roadside (Farm Produce) Stands as follows:

**Accessory Uses**

Roadside (Farm Produce) Stand

**Spaces Required**

1 parking space per 150 square feet of sales area, or 1 per 200 feet of gross floor area, whichever is greater.



## **SECTION 5. ADDITIONAL SPECIFIC STANDARDS FOR CERTAIN USES**

**116-40 T.** is amended as follows:

### **116-40 T. Roadside (Farm Produce) Stands, as an accessory use, provided that:**

- (1) Such stand shall not exceed, in total area, remaining available area, nor more than 49%, of % of area shown on the District Schedule of Area and Bulk Regulations, whichever is less, for the zoning district and parcel in which the stand is proposed. Said stand shall remain a single story structure or operate only on the ground floor of a multi- storied structure including all display areas and parking.
- (2) Such stand shall be located not less than twenty (20) feet from any street line.
- (3) Such stand shall be solely used for display and sale of plants, fruits, vegetables, meat, dairy, fish and food products derived from the same.
- (4) Signage shall be limited to twelve (12) square feet and be located not less than five (5) feet from any street line if located within R5, R3, R1.5 or HR districts. All other districts shall use standard sign regulations.
- (5) Minimum side and rear yard setback requirements shown on the District Schedule of Area and Bulk Regulations for the zoning district for which the stand is proposed shall be doubled if such yard abuts property in a residential district (R5, R3, R1.5 or HR).
- (6) Minimum side and rear yard setback requirements for off-street parking areas stated in §116-24B shall be doubled if such yard abuts property in a residential district, except if front of lot has a minimum of 100 feet along a state or county owned road.

