

ARTICLE IA
Residential - Low Density District (RLA)

§ 203-2. Purpose and intent.

In accordance with the recommendations and policies of the Town Master Plan, this district is intended to promote and encourage a suitable environment for family living by protecting and stabilizing the residential character of the Town's established neighborhoods. The residential character of this district offers a variety of lot sizes consistent with suburban standards.

§ 203-2.1. Permitted and conditional uses.

In a Residential Low Density RLA District, no building or premises shall be used, and no building or part of a building shall be erected, in whole or in part, for any uses except the following:

A. Permitted uses shall be as follows:

- (1) Single-family detached dwellings, not to exceed one dwelling on each lot.
- (2) Buildings, structures and uses owned or operated by the Town of Brighton for municipal use.
- (3) Family child-care homes.

B. Accessory uses. The following accessory uses shall be permitted, in the rear yard only, limited to the following: **[Amended 7-23-1997 by L.L. No. 5-1997; 9-9-1998 by L.L. No. 3-1998; 7-26-2000 by L.L. No. 6-2000; 3-9-2005 by L.L. No. 3-2005; 11-14-2007 by L.L. No. 12-2007; 11-25-2008 by L.L. No. 6-2008]**

- (1) A noncommercial swimming pool, subject to the requirements of Chapter 207, Supplementary Regulations, § 207-11.
- (2) A screen, garden or tea house, gazebo, tool storage shed or a cabana for a swimming pool, none of which shall exceed 250 square feet in area.
- (3) In a rear yard or in a side yard, provided that it shall be no less than five feet from the lot line, one private garage building not exceeding 600 square feet in area and limited to use of persons resident on the premises.
- (4) One building for private horticultural purposes not exceeding 336 square feet in area.
- (5) In a rear yard, but not within 10 feet of a lot line, the open storage of camping trailers, boats, boat trailers and utility trailers which do not exceed 24 feet in length and/or six feet in height, provided that the trailer or boat shall be screened from view with a fence or other suitable material to reduce the visual impact of this open storage on adjacent residences. Storage of camping trailers, recreational vehicles, self-contained motorized homes or boats longer than 24 feet and/or higher than six feet shall be within enclosed buildings or off the

site. For purposes of this requirement, open storage shall begin 72 hours within any four-day period after the vehicle, boat or trailer is on site. Vehicles, boats or trailers in the driveway less than 72 hours are not considered to be in open storage.

- (6) In a rear yard only, a stand-by electrical power generator, provided that the following conditions are met: the generator shall be located behind the house, shall not extend past the side of the house, and shall not be closer than 10 feet to any lot line; the generator shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes; maintenance operation of the generator shall take place only during daylight hours; the generator shall only operate on LP or natural gas; documentation of the noise level of the generator per manufacturer's specifications at seven meters (23 feet) from the unit shall be presented with the application for a building permit and shall not exceed 72 decibels.
 - (7) In a rear or a side yard, an air-conditioning unit, provided that the following conditions are met: the noise level of the unit shall not exceed 78 decibels per the manufacturer's specifications; it shall be screened with fencing or other suitable materials so as to reduce the visible impact from adjacent property owners and from the road; and the unit shall be no closer than five feet to any lot line. If these conditions are met, the Building Inspector shall issue a building permit for the air-conditioning unit.
 - (8) In the rear yard, a compost pile, provided that the owner of the property has taken reasonable precautions to reduce offensive odors, the compost pile is in compliance with the property maintenance regulations of the Town Code and is suitably located and/or screened so as not to detract from the appearance of the neighborhood.
- C. Conditional uses shall be permitted as follows, subject to approval by the Planning Board in accordance with Chapter 217, Article II, of these regulations, and subject to the requirements specified below and elsewhere in these regulations, including site plan approval in accordance with Chapter 217, Article III, of these regulations:
- (1) Places of worship, including parish houses, convents, rectories or parsonages, subject to the following special requirements in addition to all other applicable regulations set forth in these regulations:
 - (a) No building or part thereof shall be located nearer than 100 feet to any street line or lot line. A parish house, convent, rectory or parsonage shall conform to the requirements for a one-family dwelling.
 - (b) The sum of all areas covered by all principal and accessory buildings shall not exceed 20% of the area of the lot. Minimum lot area shall be two acres.
 - (c) The entire lot, except for areas covered by buildings and parking or loading areas, shall be suitably landscaped and properly maintained.

- (d) Places of worship shall be held liable for any conditional use, including day-care centers, and related operations and activities which take place within their facilities.
- (2) Private, nonprofit, prekindergarten, kindergarten, elementary or secondary schools or colleges accredited by the New York State Department of Education, subject to the following special requirements in addition to all other applicable regulations set forth in these regulations:
 - (a) No building or part thereof shall be located within 100 feet of any street line or lot line.
 - (b) The sum of all areas covered by principal and accessory buildings shall not exceed 20% of the area of the lot. The minimum lot area shall be five acres, plus one acre for each 100 pupils for which the building is designed.
 - (c) The maximum height of any structure shall be 40 feet above finished grade at the front building wall or the front setback line.
 - (d) The entire lot, except for areas covered by buildings, parking or loading areas, shall be suitably landscaped and properly maintained.
 - (e) All institutions mentioned in this section shall be held liable for any conditional use, including day-care centers and related operations or activities which are held within their facilities.
- (3) Private golf courses operated by a nonprofit, membership corporations exclusively for members and guests, subject to the following special requirements in addition to all other applicable regulations set forth in these regulations:
 - (a) No building or part thereof shall be located within 150 feet from any street line or lot line.
 - (b) Any such use shall occupy a lot with an area of not less than five acres.
 - (c) The sum of all areas covered by principal and accessory buildings shall not exceed 20% of the area of the lot.
 - (d) The maximum height of any structure shall be 40 feet above finished grade at the front building wall or front setback line.
 - (e) The entire lot, except for areas covered by buildings and parking and loading areas, shall be suitably landscaped and properly maintained.
- (4) Fire stations and ambulance services and public utility rights-of-way, as well as structures and other installations necessary to serve areas within the Town, subject to such conditions as the Planning Board may impose in order to promote the health, safety, appearance and general welfare of the community and the character of the neighborhood in which the proposed structure is to be

constructed.

- (5) Day-care centers.
- (6) Comfort care homes, subject to the following special requirements in addition to all other applicable requirements set forth in these regulations: **[Added 4-9-2014 by L.L. No. 1-2014]**
 - (a) Minimum lot area shall be 1 1/2 acres.
 - (b) Minimum lot width shall be 200 feet.
 - (c) Pavement shall be set back a minimum of 30 feet from any lot line.
 - (d) Parking shall not be permitted in a front yard. Parking areas shall be screened as required by the Planning Board.
 - (e) A minimum of 12 parking spaces shall be provided. Additional parking may be required at the discretion of the Planning Board.
 - (f) All proposed exterior lighting shall require approval by the Planning Board.
- D. Home occupations are permitted within this district, provided that there shall be no substantial increase in noise, traffic generation or electrical interference with television, radio or telephones of adjacent residences, and other than signs as permitted in these regulations, no external changes to the principal building which would indicate a change from the residential character of this district. Any substantial change listed above shall result in termination by order of the Building Inspector.

§ 203-3. Off-street parking and loading.

All uses shall be subject to all applicable off-street parking and loading requirements set forth in Chapter 205, Articles I and II, of these regulations. In addition, the following off-street parking standards shall apply:

- A. No overnight parking of commercial vehicles, except within an enclosed garage, shall be permitted within a residential district.
- B. For private golf courses, no parking or loading area shall be located within 150 feet of any street or lot line.

§ 203-4. Signs.

See the sign regulations in Chapter 207, Article VI, of these regulations.

§ 203-4.1. Communication facilities. [Added 7-23-1997 by L.L. No. 5-1997]

See the communication facilities regulations in Chapter 207, Articles VIII and I, § 207-3D, of these regulations.

§ 203-5. Access control.

See the access control regulations in Chapter 207, Article IV, of these regulations.

§ 203-6. Landscaping.

See the landscaping regulations in Chapter 207, Article V, of these regulations.

§ 203-7. Fences.

See the supplementary regulations in Chapter 207, Article I, § 207-3, of these regulations.