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A/R – Agricultural/Rural Zone ~~A1–Agricultural District~~

§ 212-23 Purpose.

The A/R – Agricultural/Rural Zone is primarily intended to preserve farming and agricultural lands in the Town and also to maintain open space and the quality of life enjoyed by residents of the Town. Agriculture is an important part of the Town’s economy, providing both direct and indirect employment benefits, and it also provides the visual benefits of open space. This zone prioritizes and preserves viable agriculture in the Town by providing an area where agricultural operations and agricultural-based enterprises are the predominant active land uses in the zone. The creation of the Agricultural/Rural Zone illustrates the Town’s commitment to farming and agricultural uses as preferred uses in this zone. The Agricultural/Rural Zone protects existing agricultural areas by limiting suburban and urban development; encourages the continuation of agriculture as a viable economic activity and way of life; reduces land use conflicts; protects ecological and natural resources; and preserves open space. Furthermore, this zoning is designed to preserve the existing agricultural operations that flourish on the town-wide excellent soils and to promote the establishment of new agricultural enterprises to assure the continuation of the rural nature of the town.

~~The purpose of the A1 – Agricultural District is to protect the agricultural production resources of the Town of Ulysses as seen today in viable agricultural operations and the agricultural heritage of the Town as seen today in the variety of land uses and the openness of agricultural fields.~~

§ 212-24 Right to farm.

In the A/R Agricultural /Rural Zone, agriculture shall be the primary land use. Within the ~~zone district~~ any agricultural practice determined to be a sound agricultural practice by the New York State Commissioner of Agriculture and Markets pursuant to Article 25-AA, § 308, including, but not limited to, practices necessary for on-farm production, preparation and marketing of agricultural commodities, such as the operation of farm equipment; proper use of agricultural chemicals and other crop protection methods; direct sale to consumers of agricultural commodities or foods containing agricultural commodities produced on-farm; and construction and use of farm structures shall not constitute a private nuisance.

§ 212-25 Permitted uses.

In the A/R – Agricultural/Rural Zone, the following buildings or uses are permitted:

- A. Farm operation and agricultural buildings including nurseries, greenhouses, orchards and vineyards. ~~Agriculture.~~
- B. Agricultural events, subject to the standards set forth in Chapter 142: Special Events.
- C. Commercial stables, subject to the standards set forth in Article ~~XX~~, §~~212-138~~.
- D. Silviculture.

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- E. Roadside stands, subject to the standards set forth in Article **XX**, §**212-135**.
- F. Single-family residences, two-family residences, and their accessory structures are allowed only on parent parcels and newly created residential lots subject to limitations in § 212-29.1 Limitations on subdivisions of parent tracts.
- G. ~~Two family residences and their accessory structures.~~ [Moved above]
- H. On-Farm labor housing as regulated by the New York State Uniform Code. These residences shall be located on the same land where other structures of the farm operation are located. ~~Each dwelling must be a minimum of 560 square feet. A simplified-streamlined~~ site plan review for siting considerations is required for more than two units. The Town may require a notarized statement from the property owner to certify that the occupants in the on-farm labor housing are employed on the farm.
- I. Temporary buildings as defined in Article **IV**.

§ 212-26 Permitted accessory uses.

The following are permitted accessory uses, which are customarily incidental to the permitted uses listed above in §212-25:

- A. Farm Operation, Accessory Commerce when no new building is constructed. [See also 212-27A]
- B. Bed-and-breakfast establishments, subject to the standards for parking, outdoor lighting and signs set forth in Article **XX**.
- C. Customary home occupations, conducted solely by residents of the dwelling.
- D. Accessory dwelling units, subject to the provisions of Article **XX**, §**212-128**.
- E. Family adult care.
- F. Family child care.
- G. Adult care groups.
- H. Fences and walls, subject to the provisions of Article XX, § 212-162.
- I. Lodges.
- J. Minor solar collection system subject to the provisions of Article XX, § 212-139.1.
- K. Playgrounds
- L. Professional offices where such office is part of the residential building and no more than three persons not residing on the premises are employed in such office.

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M. Signs as regulated under Article **XX**, §**212-122**; also note Article **XX**, § **212-122E**.

§ 212-27 **Uses allowed by site plan approval.**

The following uses are allowed upon approval of a site plan by the Planning Board, subject to the design standards set forth in relevant sections of Article **XX**:

- A. Farm Operation, Accessory Commerce when constructing a new building or adding an addition to an existing building ~~that is greater than 50% of the existing building foot print~~, subject to the provisions of Article **XX**, § **212-139**. [*Moved from 212-28 special permit*]
- B. Agriculture-related commerce.
- C. Facilities for agricultural education and recreation events.
- D. Airstrips, private.
- E. Animal processing structures, limited to a maximum footprint of **TBD**. [*Moved from 212-28 special permit*]
- F. Cemeteries as regulated by New York State, and the buildings and structures incidental to cemetery operations.
- G. Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.
- H. Communication transmission towers and telecommunications facilities, subject to the provisions of Article **XXII**.
- I. Cottage industries.
- J. Farm Breweries, Farm Cideries, Farm Distilleries.
- K. Lawn/landscaping services.
- L. Major solar collection systems subject to the provisions of Article **XX**, § 212-139.2.
- M. Small-scale sawmills subject to the provisions of Article **XX**, §**212-136**.

§ 212-28 **Uses allowed by special permit.**

The following uses are allowed upon approval of a special permit pursuant to Article **III**, § **212-18**, subject to the standards set forth in relevant sections of Article **XX**:

- A. Airports.
- B. Animal confinement regulated by confined or concentrated animal feeding operation (CAFO) regulations [need a reference here], subject to the provisions of Article **XX**, § 212-**TBD**.

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- C. Animal Waste Storage Facility, subject to the standards set forth in Article XX, Section TBD.
- D. Group campgrounds subject to the provisions of Article **XX**, §**212-127**.
- E. Campgrounds, overnight subject to the provisions of Article **XX**, §**212-127**.
- F. Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.
- G. Hunting clubs.
- H. Kennels.
- I. Public and private schools, nursery schools and institutions of higher education, including dormitory accommodations.
- J. Regional parks, wildlife sanctuaries, woodland preserves, arboretums.
- K. Golf courses.

§ 212-29 **Lot area and yard requirements.**

- A. There shall be no more than one principal building on any lot in the A/R – Agricultural/Rural Zone.
- B. Minimum lot area shall be two acres.
- C. Minimum lot width at front lot line shall be 400 feet.
- D. Minimum lot depth shall be 200 feet.
- E. Minimum front yard setback shall be 50 ~~75~~ feet.
- F. Minimum side yard setbacks shall be 30 feet.
- G. Minimum rear setback shall be 75 feet.
- H. Maximum building height for any nonagricultural building or structure shall be 32 feet.
- I. Maximum lot coverage shall be 5% of the lot area.
- J. Maximum footprint of a non-agricultural building shall be 5,000 square feet.
- K. Maximum footprint of an agricultural building shall be 20,000 square feet.

[REMAINING TEXT IS NEW.]

§ 212-29.1 **Limitations on subdivisions of parent tracts.**

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In order to protect agricultural uses, to preserve the agricultural value of land, to provide for the retention of tracts of sufficient size to be used reasonably for agricultural purposes, and to preserve the open space of the Town, creation of non-agricultural lots via subdivision shall be limited in the Agricultural/Rural Zone. Accordingly, and notwithstanding the minimum lot sizes set forth above, the following additional requirements shall apply to land within the Agricultural/Rural Zone:

A. For the purpose of this section, any tract or parcel of land in common contiguous ownership shall be identified as the parent parcel at the time of adoption of this Zoning Law and ownership shall be determined by deed recorded in the Tompkins County Clerk's Office as of the date of adoption of this Zoning Law. All lot area requirement calculations established in the Zoning Law of the Town of Ulysses shall be based on the parent parcel. Hereafter, only 20% of the total acreage of a parent parcel may be subdivided. Thus, the sum of all residential lot subdivisions from a parent parcel shall be limited to no more than 20% of the area of the parent parcel. At the time of subdivision, the 20% of the parent parcel area that is allowed for residential lot subdivisions may be allocated among newly created parcels and/or retained by the parent parcel in any combination except that no parcel may be allocated acreage for residential lot subdivisions that is greater than zero acres but less than two acres. Newly created parcels that are not allocated residential lot rights at the time of subdivision are not eligible for building permits for residential buildings.

B. Any tract or parcel of land 10 acres or smaller in common contiguous ownership as of the date of the adoption of this Zoning Law, subject to other normally applicable subdivision laws and regulations, hereafter may be subdivided to create up to a maximum of two lots.

C. Subdivision plats shall include language on the face sheet that states how much land, if any, is available for residential lot subdivisions. When the limit on residential lot subdivisions has been reached, the legend shall state that the parcel shall not be subdivided further based on the restrictions set forth in Article ___ of the Zoning Law of the Town of Ulysses.

D. Clustering of lots is required for Major Subdivision in accordance with § 212-142 O. Cluster subdivisions.

Addition to § 212-29 Site Plan Review:

§ 212-29. Site Plan Review

2. g. Location of all existing streams, drainageways, water bodies, wetlands and underground agricultural drain tile and piping.

AND

M. Streamlined Site Plan checklist for farm operations in a Tompkins County-adopted, State-certified Agricultural District:

(1) Sketch of the parcel on a location map (e.g., tax map) showing boundaries and dimensions of the parcel of land involved and identifying contiguous properties and any known easements or rights-of-way and roadways. Show the existing features of the site

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including land and water areas, water or sewer systems and the approximate location of all existing structures on or immediately adjacent to the site.

(2) Show the proposed location and arrangement of buildings and uses on the site, including means of ingress and egress, parking and circulation of traffic. Show the proposed location and arrangement of specific land uses, such as pasture, crop fields, woodland, livestock containment areas, and manure storage/manure composting sites and Animal Waste Storage Facilities.

(3) Sketch of any proposed building, structure or sign, including exterior dimensions and elevations of front, side and rear views. Include copies of any available blueprints, plans or drawings.

(4) Provide a description of the farm operation (existing and/or proposed) and a narrative of the intended use and/or location of proposed buildings, structures or signs, including any anticipated changes in the existing topography and natural features of the parcel to accommodate the changes. Include the name and address of the applicant and any professional advisors. If the applicant is not the owner of the property, provide authorization of the owner.

(5) If any new structures are going to be located adjacent to a stream or wetland provide a copy of the floodplain map and wetland map that corresponds with the boundaries of the property.

(6) Application form and fee.