

Article IV — A1–Agricultural District

4.1 Purpose

The purpose of the A1–Agricultural District is to protect the agricultural land resources of the Town of Ulysses and to promote, as much as possible, the continued economic and operational viability of agricultural enterprises in the Town of Ulysses.

4.2 Right to Farm

In the A1–Agricultural District, agriculture shall be the primary land use. Within the 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, Section 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.

4.3 Permitted Uses

In the A1–Agricultural District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Agriculture.

Agricultural commerce, subject to site plan approval pursuant to Article XV, Section 15.

Cemeteries as regulated by New York State, and the buildings and structures incidental to cemetery operations.

Commercial stables, subject to the provisions of Article XVI, Section 16.20.

Flag lots, subject to the standards set forth in Article XVI, Section 16.12.

Roadside stands, subject to the standards set forth in Article XVI, Section 16.17.

Single-family residences.

Two-family residences.

Farm worker residences as regulated by New York State Uniform Code.

Temporary buildings as defined in Article III.

4.4 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses.

Bed and breakfast establishments, subject to the standards for parking, outdoor lighting and signs set forth in Article XVI.

Business directional signs, subject to limitations set forth in Article XVI, Section 16.4.3.

Customary home occupations, conducted solely by residents of the dwelling.

Elder cottages, subject to the provisions of Article XVI, Section 16.10.

Family adult care.

Family child care.

Adult care groups.

Home occupations.

Lodges.

Professional offices where a) such office is part of the residence building, and b) no more than three (3) persons not residing on the premises are employed.

Signs as regulated under Article XVI, Section 16.4.

4.5 Uses Allowed by Site Plan Approval

The following uses are allowed upon approval of a site plan by the Planning Board pursuant to Article XV, Section 15.2, subject to the standards set forth in relevant sections of Article XVI:

Airstrips, private.

Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.

Communication transmission towers and telecommunications facilities, subject to the provisions of Article XVII.

Cottage industry.

Hunting clubs.

Kennels.

Small-scale sawmills subject to the provisions of Article XVI, Section 16.18.

4.6 Uses Allowed by Special Permit from the Town Board

The following uses are allowed upon approval of a special permit by the Town Board pursuant to Article XV, Section 15.14, subject to the standards set forth in relevant sections of Article XVI:

Airports.

Campgrounds and group campgrounds subject to the provisions of Article XVI, Section 16.9.

Fire stations and other public buildings necessary for the protection or the servicing of a neighborhood.

Public and private schools, nursery schools, institutions of higher education, including dormitory accommodations.

Regional parks and preserves.

4.7 Lot Area and Yard Requirements

Minimum lot area shall be two (2) acres.

Minimum lot width at front yard setback shall be 400 feet.

Minimum lot depth shall be 200 feet.

Minimum front yard setback shall be 75 feet.

Minimum side yard setbacks shall be 30 feet.

Minimum rear setback shall be 50 feet.

Maximum building height for any non-agricultural building or structure shall be 36 feet.

Maximum lot coverage shall be five (5) percent of the lot area.

In the case of a lodge, the capacity of said facility shall be no more than one (1) overnight guest for each fifteen (15) acres of land encompassed by the parcel on which the lodge is located.

Definitions related to agriculture and land uses within agricultural areas in the Draft Town of Ulysses Zoning Ordinance.

agriculture	The use of land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse boarding operation as defined in the Agriculture and Markets Law Article 25-AA, Section 301.
agricultural commerce	A retail or wholesale enterprise providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations.
all weather surface	Any roadway, driveway, alley or parking lot surface paved with crushed stone, asphalt, concrete or other pervious or impervious material in a manner that will support the weight of anticipated vehicular traffic in all weather conditions and minimize the potential for ruts, potholes or pooling of water.
cottage industry	A manufacturing, construction or service enterprise owned and operated by a resident of the principle dwelling on a lot, but which is not engaged in retail sales or services on the premises, and which does not employ more than ten (10) persons on site not residing on the premises.
extractive industry	The extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes used for the extraction or removal of minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the mine location that makes a mineral suitable for commercial, industrial, or construction use. <i>For the purpose of this Zoning Law borrow pits (excavations for removing material for filling operations) which exceed 2,000 tons in a one (1)-year period are considered extractive industry. (The italicized language prevents any conflict with Ag&Markets Law Art. 25-AA)</i>
fair	A competitive exhibition of agricultural products and animals, usually with accompanying food and merchandise vendors, displays, entertainment and amusements.

farm	The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse boarding operation as defined in the Agriculture and Markets Law Article 25-AA, Section 301.
feedlot	A structure, pen or corral wherein cattle, horses, sheep, goats, and swine are maintained in close quarters for the purpose of fattening such livestock for shipment to market.
handicraft item	An object that requires use of the hands, hand tools and human craft skills for its production, and which is usually not adaptable to mass production by mechanical means.
home occupation	An occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential property including but not limited to dressmaking, hairdressing, cooking, baking, and meal preparation for consumption off-premises, wholesale or retail sales not involving the display of goods, wood- and metalworking, word- and data processing, and which does not affect the use of the property for residential purposes or alter the exterior residential character of the property.
hunting club	A building, facility or organization catering exclusively to members and their guests, including facilities for trap shooting, target shooting, and archery, for both practice and competition, and other outdoor recreational pursuits by members and their guests, except motorized racing, provided, however, that there are not conducted any vending stands, merchandising or other commercial activities except as may be incidental to the operation and maintenance of the facility, and generally for the benefit of members and to further the purposes of the club.
junkyard	An open area of wastes, used and secondhand materials including but not limited to building materials, scrap metal, plastic, paper, rags, glass, broken appliances and electronic equipment, rubber tires, bottles, refuse, inoperative vehicles and other machinery, and other debris <i>that is not generated by or used in any ongoing agricultural operations on the premises</i> . For the purpose of this Zoning Law an automobile wrecking yard is also considered a junkyard. (The italicized language prevents any conflict with Ag&Markets Law Art. 25-AA)
lodge	A building or buildings in which overnight accommodations and meals may be offered to paying transient guests, where such use is

secondary to an active farm operation. (Size limited to 1 guest for each 15 acres of land. See the A-1 district regulations.)

professional office	The place of business or practice of an accountant, architect, landscape architect or other design professional, doctor or other duly licensed medical practitioner or therapist, dentist or orthodontist, engineer, insurance agent, lawyer, real estate agent or broker, securities broker or similar profession, or the place of business or practice of a group of such professionals operating as a partnership, corporation or other legal business arrangement.
residence, farm worker	A temporary or permanent structure that is clearly accessory to an agricultural operation and occupied by farm workers employed on the premises and their families.
roadside stand	A temporary or permanent accessory structure, wagon or trailer, not exceeding 240 square feet in size, for the purpose of retail sale of produce, baked goods, and handcraft items to the public. (The 240 s.f. limit caught the eye of the Ag&Mrkts staff when they reviewed the Z.O. last year. Once they understood however that roadside stands were to accommodate small-scale farm produce and baked goods sales in residential zoning districts, and that in the AG district anything larger would be permitted under the definition of “agricultural commerce” they were happy.)
sawmill, commercial	A facility, generally operating on one (1) or more full-time work shifts, five (5) or more days per week, constructed for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and including planing and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations.
(versus the following as permitted in the A-1 zoning district.)	
sawmill, small-scale	A facility for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and which may include planing and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations, but which is generally operated for the custom cutting of timber for local craftsmen.
stable, commercial.	A facility where one (1) or more horses are kept for riding, driving, training, breeding, sale, or are boarded for a fee, including indoor and outdoor riding arenas and paddocks, and where more than 50

percent of feed, bedding and other supplies are produced at off-premises locations, and manure and other wastes are disposed of off-premises. (This and the standards applied to such operations in the new Z.O. also caught the eye of the Ag&Mrkts. The intent of having this type of stable as a use is to accommodate such uses within the residential zoning districts, but still being able to have standards to control potential adverse impacts. To comply with Ag&Mrkts Law we revised the definition of agriculture to include the language “...including a commercial horse boarding operation as defined in the Agriculture and Markets Law Article 25-AA, Section 301.”)

Design standards applied to agricultural land uses in the Draft Town of Ulysses Zoning Ordinance.

16.17 Standards for Roadside Stands

No roadside stand shall occupy more than 240 square feet of area.

No roadside stand shall be located within the right of way of any public road or highway.

No roadside stand shall be placed in a manner that limits the sight distance available to the motoring public or that in any other way obstructs their vision while driving.

An all-weather surface must be provided to allow patrons adequate space to park their vehicles in such a manner that they are outside the outer edge of the road or highway shoulder.

All waste generated in the operation of the roadside stand shall be removed daily.

16.18 Standards for Sawmills

Except in the Light Industrial District, the hours of operation of any large-scale or small-scale sawmill shall be limited to between 8:00 AM and 7:00 PM.

Except in the Light Industrial District, no sawing of logs shall take place on Sunday.

All access roadways and vehicle and equipment parking areas shall be paved, surfaced or covered with gravel so as to be well-drained and provide an all-weather surface.

No storage of logs, lumber, sawdust, bark, scrap wood or equipment of any kind shall be permitted within any yard setback area.

No buildings, structures, log or lumber sorting or storage yards, parking areas or equipment storage areas shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law.

A visual screen comprised of evergreen trees, at least 40 feet in width shall be planted along any site boundary line that abuts one (1) or more residential lots. All evergreen trees shall be at least eight (8) feet in height at time of planting and be spaced so as to form an opaque vegetative screen. The owner shall be responsible for maintaining this vegetation buffer.

16.20 Standards for Stables, Commercial

There shall be at least one (1) acre of land for every five (5) horses or ponies kept on the premises when stabled.

No building except residences shall be within 50 feet of a side or rear property line, and no building or parking areas shall be located within the front yard of the property.

All buildings and enclosures shall be cleaned frequently of waste materials and all manure shall be disposed of in a manner that eliminates pollution problems such as odors, dust, leaching and runoff into watercourses.

Footnote: Accommodating Fairs (*How many Z.O.s even define “fair?”*)

Article V — A2–Special Agricultural District

5.1 Purpose

The purpose of the A2–Special Agricultural District is to encourage the continuing tradition of annual agricultural fairs which are an integral part of the Town’s heritage, as well as other cultural and civic events, displays, exhibitions and entertainment events that occur within the typical fairgrounds complex.

5.2 Permitted Uses

In the A2–Special Agricultural District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Agriculture.

Animal training.

Athletic competition.

Auctions, flea markets, craft fairs and merchandise sale of a temporary nature.

Circuses.

Communication transmission towers and telecommunications facilities, subject to the provisions of Article XVII.

Concerts, dramas, plays, religious events and revivals, variety shows and other forms of live entertainment.

Day camps and supervised youth programs, community sponsored programs, reunions and other public and private assemblies.

Fairs, agricultural, horticultural, animal husbandry displays, exhibitions and competitions.

Any legal form of racing.

Industrial, merchandise, arts and crafts displays, exhibitions and competitions.

Racing and other competitive events that utilize motorized or otherwise self-propelled vehicles.

Temporary occupancy by motor homes, campers and tent dwellings provided that such dwellings are for the use of vendors, competitors, participants and employees of an event on the grounds.

5.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses.

Signs as regulated under Article XVI.

Temporary buildings as defined in Article III.

5.4 Lot Area and Yard Requirements

Minimum lot area shall be 25 acres

Minimum lot width at the maximum front yard setback line shall be 1,000 feet.

Minimum lot depth shall be 200 feet.

Minimum front yard setback to any permanent structure shall be 30 feet.

Minimum side yard setbacks shall be fifteen (15) feet, or 25 feet if parallel to a public road.

Minimum rear setback shall be 35 feet.

Maximum building height for any non-agricultural building or structure, including tents, shall be 36 feet.

Maximum lot coverage by permanent structures shall be seven and 1/2 (7.5) percent of the lot area.

5.5 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within 50 feet from the stream edge or any wetland as defined by state or federal law.