Table of Contents

Chapter 1 General Provisions 1-1
1.1 Title 1-1
1.2 Authority 1-1
1.3 Purpose 1-1
1.4 Applicability and Jurisdiction 1-2
1.5 Official Zoning Map 1-3
1.5.1 Official Zoning Map 1-3
1.5.2 Incorporated by Reference 1-3
1.5.3 Changes to Map 1-3
1.5.4 Mapping Disputes 1-3
1.6 Interpretation and Conflict 1-3
1.6.1 Meaning and Intent 1-3
1.6.2 Text Controls 1-3
1.6.3 Authority for Interpretation 1-3
1.6.4. Statutory References 1-3
1.6.5 References to Other Regulations, Publications, and Documents 1-3
1.6.6 Computation of Time 1-3
1.6.7 Delegation of Authority 1-4
1.7 Relationship to Other Regulations and Private Agreements 1-4
1.7.1 Conflicts with Other Regulations 1-4
1.7.2 Relationship with Private-Party Easements, Covenants, or Agreements 1-4
1.7.3 Repeal of Inconsistent or Conflicting Provisions 1-4
1.8 Liability for Damages 1-4
1.9 Severability 1-4
1.10 Effective Date/Transitional Provisions 1-4
1.10.1 Effective Date 1-4
1.10.2 Final Approval 1-4

Chapter 2 Administration 2-1
2.1 Review and Decision-Making Bodies 2-1
2.1.1 County Board of Supervisors 2-1
2.1.2 Planning and Development Committee 2-1
2.1.3 Board of Adjustment 2-2
2.1.4 Land Use Administrator 2-3
2.1.5 Hearing Officer 2-4
2.2 Common Review and Approval Procedures 2-5
2.2.1 Authority to File Applications 2-5
2.2.2 Application Completeness 2-5
2.2.3 Form of Application 2-5
2.2.4 Land Use Administrator and Agency Review/Referrals 2-5
2.2.5 Preapplication Meetings 2-5
2.2.6 Notices 2-6
2.2.7 Continuation of Public Hearings 2-6
2.2.8 Burden of Proof or Persuasion 2-6
2.2.9 Conditions of Approval 2-6
2.2.10 Protest Petitions 2-6
2.2.11 Findings of Fact 2-7
2.2.12 Simultaneous Processing 2-7
2.2.1 Processing Cycles 2-7
2.2.14 Coordination with Towns, Cities, and Villages 2-7
2.2.15 Approval by Affected Town Boards 2-7
2.2.16 Application Filing Fees 2-8
2.3 Specific Review and Approval Procedures 2-10
2.3.1 Summary Table of Development Review Procedures 2-10

2.3.2 Administrative Adjustments 2-10
2.3.3 Amendments to the Land Use Code 2-12
2.3.4 Rezonings 2-14
2.3.5 Land Use Permits 2-17
2.3.6 Conditional Use Permits 2-18
2.3.7 Planned Unit Developments 2-21
2.3.8 Certificates of Zoning Compliance 2-24
2.3.9 Minor Land Divisions 2-25
2.3.10 Major Subdivisions 2-29
2.3.11 Deleted on 12-18-2007 .....
2.3.12 Variances 2-34
2.3.13 Appeals 2-35
2.3.14 Economic Hardship/Takings Relief Provisions 2-36

CHAPTER 3 Zoning District Regulations 3-1
3.1 Residential Districts 3-1
3.1.1 General Purpose/Intent 3-1
3.1.2 List of Districts and Specific Purpose Statements 3-1
3.2 Commercial Districts 3-1
3.2.1 General Purpose/Intent 3-1
3.2.2 List of Districts and Specific Purpose Statements 3-2
3.3 Industrial Districts 3-2
3.3.1 General Purpose/Intent 3-2
3.3.2 List of Districts and Specific Purpose Statements 3-2
3.4 Agricultural Districts 3-3
3.4.1 General Purpose/Intent 3-3
3.4.2 List of Districts and Specific Purpose Statements 3-3
3.5 Wetland District Deleted (June 16, 2009)
3.6 Use Table 3-3
3.6.1 Allowed Uses 3-4
3.6.2 Conditional Uses 3-4
3.6.3 Committee Option 3-4
3.6.4 Numerical References 3-4
3.6.5 Use Categories/Use Types 3-4
3.7 A-1 Prime Agricultural Zoning District 3-4
3.7.1 Allowed Uses 3-4
3.7.2 Conditional Uses 3-5
3.7.3 Rezoning Land out of the A-1 Prime Agricultural Zoning District 3-5
3.7.4 Conditional Use Permits 3-7

CHAPTER 4 Overlay Zoning District Regulations 4-1
4.1 General 4-1
4.2 Overlay District Provisions Regulating Adult Oriented Establishments 4-3
4.3 Floodplain Overlay District (Deleted on January 19, 2010) 4-19
4.4 Environmental Protection Overlay District 4-21
4.5 Airport Overlay District (Deleted on October 18, 2011) 4-23
4.6 Highway Setback Overlay District 4-25
4.7 Planned Unit Development Overlay District 4-27
4.8 Land Spreading of Petroleum Contaminated Soil Overlay District 4-29
4.9 Wireless Communication Facilities Overlay District 4-33
4.10 Sanitary Facilities Overlay District (Deleted on April 19, 2011) 4-37
4.11 Wind Energy System Overlay District 4-39
4.12 Non-Metallic Mining Reclamation Overlay District 4-45

4.2 Overlay District Provisions Regulating Adult Oriented Establishments 4-3
4.2.1 Findings and Purpose 4-3
4.2.2 Definitions 4-5

4.2.3 License 4-9
4.2.3 Standards 4-11
4.2.3 Renewal of License 4-12
4.2.4 Location 4-12
4.2.5 Hours of Operation 4-13
4.2.6 Physical Layout 4-13
4.2.7 Alcohol Restrictions 4-13
4.2.8 Responsibilities of the Operator 4-14
4.2.9 Administrative Procedure and Review 4-15
4.2.11 Penalties and Prosecution 4-15
4.2.13 Enforcement 4-15
4.2.15 Revocation, Suspension, and Non-renewal of License 4-16

4.3 Floodplain Overlay District (Deleted on January 19, 2010) 4-19

4.4 Environmental Protection Overlay District 4-21
4.4.1 General 4-21
4.4.2 Development Standards 4-21
4.4.3 Intensity and Dimensional Requirements 4-22
4.4.4 Allowed Uses 4-22
4.4.5 Conditional Uses 4-22
4.5 Airport Overlay District Deleted on October 18, 2011 4-23
4.6 Highway Setback Overlay District 4-25
4.6.1 General 4-25
4.6.2 Structures Prohibited Within Setback Lines 4-25
4.6.3 Existing Nonconforming Structures 4-25
4.6.4 Required Setback Distances and Modifications 4-25
4.7 Planned Unit Development Overlay District 4-27
4.7.1 General 4-27
4.7.2 Development Standards 4-27
4.8 Land Spreading Of Petroleum Contaminated Soil Overlay District 4-29
4.8.1 General 4-29
4.8.2 Administration 4-29
4.8.3 Development Standards 4-30
4.9 Wireless Communication Facilities Overlay District 4-33
4.9.1 General 4-33
4.9.2 Administration 4-33
4.9.3 Development Standards 4-35
4.10 Sanitary Facilities Overlay District (Deleted on April 19, 2011) 4-37
4.11 Wind Energy System Overlay District 4-39
4.11.1 General 4-39
4.11.2 Administration 4-40
4.11.3 Development Standards 4-41
4.12 Non-Metallic Mining Reclamation Overlay District 4-45
4.12.1 General 4-45
4.12.2 Administration 4-45
4.12.3 Permit Suspension or Revocation 4-48
4.12.4 Reclamation Plan 4-48
4.12.5 Financial Assurance 4-48
4.12.6 Annual Operator Reporting 4-49
4.12.7 Plan Review Fees 4-49
4.12.8 Annual Fees 4-49
4.12.9 Regulatory Reporting and Documentation 4-50
4.12.10 Completed Reclamation - Reporting, Certification and Effect 4-50
4.12.11 Permit Termination 4-51
4.12.12 Enforcement 4-51

CHAPTER 5 Measurements and Exceptions 5-1
5.1 Intensity and Dimensional Standards 5-1
5.1.1 Table of Intensity and Dimensional Standards 5-1
5.1.2 Additional Regulations 5-2
5.2 Density Standards, Measurements and Exceptions 5-3
5.2.1 Building Coverage and Density Measurement 5-3
5.2.2 Lot Measurement and Requirements 5-5
5.2.3 Setback Measurement and Exceptions 5-5
5.2.4 Height Measurement and Exceptions 5-8

CHAPTER 6 Use Regulations 6-1
6.1 Use Classifications 6-1
6.1.1 General 6-1
6.1.2 Residential Uses 6-2
6.1.3 Institutional, Public, and Semi-Public Uses 6-4
6.1.4 Commercial Uses 6-7
6.1.5 Industrial Uses 6-17
6.1.6 Agricultural Uses 6-20
6.2 Use Standards 6-23
6.2.1 Adult Oriented Establishments 6-23
6.2.2 Deleted 6-23
6.2.3 Campgrounds and Recreational Vehicle Parks 6-23
6.2.4 Conditional Commercial Development in the A-2 District 6-23
6.2.5 Day Care Centers 6-23
6.2.6 Group Living 6-23
6.2.7 Manufactured Home Community 6-24
6.2.8 Deleted 6-25
6.2.9 Residential Development 6-25
6.3 Accessory Uses and Structures 6-27
6.3.1 Allowed Uses 6-27
6.3.2 Time of Establishment 6-27
6.3.3 Dimensional and Operational Standards 6-27
6.3.4 Home Occupations 6-27
6.3.5 Pet and Animal Regulations 6-28
6.4 Deleted on June 16, 2009

CHAPTER 7 Subdivision Design and Improvements 7-1
7.1 General 7-1
7.1.1 Applicability 7-1
7.1.2 Purpose and Intent 7-1
7.1.3 Exemptions 7-2
7.1.4 Standard Drawings and Standard Specifications 7-2
7.1.5 Compliance 7-2
7.1.6 Suitability of the Land for Subdividing 7-2
7.1.7 Development Agreements 7-2
7.1.8 Cooperative Exercise. 7-3
7.1.9 Land Dedication and Fees-in-Lieu 7-3
7.1.10 Improvements 7-5
7.1.11 Construction 7-5
7.2 Blocks 7-6
7.2.1 General 7-6
7.2.2 Length 7-6
7.2.3 Pedestrian Ways 7-6
7.2.4 Width 7-6
7.2.5 Utility Easements 7-6
7.3 Lots 7-7
7.3.1 General 7-7

7.3.2 Lot Area and Dimensions 7-7
7.3.3 Side Lot Lines 7-7
7.3.4 Double Frontage and Reverse Frontage Lots 7-7
7.3.5 Access 7-7
7.3.6 Depth 7-7
7.3.7 Width 7-7
7.3.8 Corner Lots 7-7
7.3.9 Lands Lying Between the Meander Line 7-7
7.3.10 Lot Mergers 7-7
7.4 Grading and Surfacing 7-8
7.4.1 Grading 7-8
7.4.2 Surfacing 7-8
7.5 Monuments 7-8
7.5.1 Compliance with State Statutes Required 7-8
7.5.2 Waiver 7-8
7.6 Streets 7-8
7.6.1 Street Arrangement 7-8
7.6.2 Limited Access Highway and Railroad Right-of-Way Treatment 7-10
7.6.3 Street Design Standards 7-10
7.6.4 Street Intersections 7-13
7.6.5 Sidewalks, Pedestrian Connections, and Trails 7-14
7.7 Utilities and Easements 7-14
7.7.1 Water Service 7-14
7.7.2 Sanitary Sewage Disposal Systems 7-15
7.7.3 Electric and Street Lighting Systems 7-16
7.7.4 Underground Utilities 7-17
7.7.5 Easements 7-18
7.8 Curbs and Gutters 7-18
7.9 Stormwater Management / Soil Erosion Control 7-18
7.9.1 Purpose and Intent; County Jurisdiction 7-18
7.9.2 Applicability, Exemptions, And Waivers 7-18
7.9.3 Erosion Control and Stormwater Management Plans 7-20
7.9.4 Plan Review Procedures 7-20
7.9.5 Erosion Control Plan Requirements 7-21
7.9.6 Stormwater Management Plan Requirements 7-25
7.9.7 Technical Standards and Specifications 7-29

CHAPTER 8 Development Standards 8-1
8.1 General 8-1
8.1.1 Applicability 8-1
8.1.2 Purpose and Intent 8-1
8.1.3 Compliance 8-1
8.1.4 Waivers 8-1
8.2 Off-Street Parking and Loading Requirements 8-2
8.2.1 Applicability 8-2
8.2.2 Off-Street Parking Requirements 8-2
8.2.3 Off-Street Loading Requirements 8-4
8.2.4 Rules for Computing Requirements 8-4
8.2.5 Location 8-4
8.2.6 Off-Street Parking Alternatives 8-4
8.2.7 Use of Off-Street Parking Areas 8-6
8.2.8 Accessible Parking for Physically Handicapped Persons 8-6
8.2.9 Parking Design Standards 8-7
8.3 Deleted on June 16, 2009
8.4 Deleted on June 16, 2009
8.5 Operational Compatibility Standards 8-7
8.5.1 Glare 8-7

8.5.2 Heat and Humidity 8-8
8.5.3 Noise 8-8
8.5.4 Vibration 8-9
8.5.5 Operational/Physical Compatibility 8-9
8.5.6 Evidence of Compliance 8-10
8.6 Landscaping and Buffering 8-10
8.6.1 Purpose 8-10
8.6.2 Applicability 8-10
8.6.3 Exemption 8-10
8.6.4 Landscaping Requirements 8-10
8.6.5 General Landscaping Design Standards 8-11
8.6.6 Interior Parking Lot Landscaping Requirements 8-12
8.6.7 Bufferyards 8-13
8.6.8 Screening Requirements 8-14
8.7 Large Retail Projects 8-15
8.7.1 Applicability 8-15
8.7.2 Development Standards 8-16
8.8 Exterior Lighting 8-17
8.8.1 Purpose 8-17
8.8.2 Applicability 8-17
8.8.3 General Review Standard 8-17
8.8.4 Design Standards 8-17
8.8.5 Height Standards for Lighting 8-18
8.8.6 Public Street Lighting 8-18
8.9 Signs 8-18
8.9.1 General 8-18
8.9.2 Allowed Signs 8-19
8.9.3 Development Standards 8-22
8.9.4 Master Sign Plan 8-23
8.10 Historic Preservation 8-23

CHAPTER 9 Right to Farm 9-1

CHAPTER 10 Nonconformities 10-1
10.1 General 10-1
10.1.1 Applicability 10-1
10.1.2 Purpose and Intent 10-1
10.1.3 Determination of Nonconforming Status 10-1
10.1.4 Repairs and Maintenance 10-1
10.1.5 Change of Tenancy or Ownership 10-1
10.2 Nonconforming Uses 10-1
10.2.1 Existing Nonconforming Uses 10-1
10.2.2 Inventory of Nonconforming Uses 10-1
10.2.3 Change of Use 10-1
10.2.4 Expansion 10-2
10.2.5 Abolishment or Replacement 10-2
10.2.6 Damages or Destruction of Structure Containing a Nonconforming Use 10-2
10.2.7 Total Lifetime Repairs 10-2
10.3 Nonconforming Structures 10-2
10.3.1 Existing Nonconforming Structures 10-2
10.3.2 Additions and Enlargements 10-2
10.3.3 Movement 10-3
10.3.4 Reconstruction of Damaged Nonconforming Structures 10-3
10.3.5 Compliance with Sanitary Requirements 10-3
10.3.6 Nonconforming Boathouses 10-3
10.3.7 Nonconforming Structures in the Floodplain Overlay District 10-3
10.4 Nonconforming Structures and Uses within the Floodplain Overlay District 10-4

10.5 Nonconforming Lots 10-4
10.5.1 Vacant Substandard Lots 10-4
10.5.2 Substandard Lots with Two or More Existing Dwellings 10-4
10.5.3 Lots that do not Abut a Public Road 10-4

CHAPTER 11 Enforcement and Penalties 11-1
11.1 Responsibility for Inspection and Enforcement 11-1
11.2 Violations 11-1
11.2.1 Types of Violations 11-1
11.2.2 Continuing Violations 11-2
11.3 Remedies and Enforcement Powers 11-2
11.3.1 Persons Authorized to Seek Relief 11-2
11.3.2 Types of Remedies and Enforcement Powers 11-2
11.3.3 Remedies Cumulative 11-3
11.4 Enforcement Procedures 11-3
11.4.1 Non Emergency Matters 11-3
11.4.2 Emergency Matters 11-3
11.4.3 Complaints Regarding Approved Conditional Use Permits, Variances, and Home Occupations 11-3
11.4.4 Revocation 11-3

CHAPTER 12 Definitions 12-1
12.1 Word Construction 12-1
12.1.1 Lists and Examples 12-1
12.1.2 Technical and Nontechnical Terms 12-1
12.1.3 Public Officials and Agencies 12-1
12.1.4 Mandatory and Discretionary Terms 12-1
12.1.5 Conjunctions 12-1
12.1.6 Tenses and Plurals 12-1
12.1.7 Gender 12-1
12.2 Terms Defined 12-1

Appendix 1 (Designated Streets or Roads) ..... Appendix 1-1
Appendix 2 (Shoreline Plants and Landscaping) ..... Appendix 2