

<b>Topic:</b>	Healthy Communities;
<b>Resource Type:</b>	Planning Documents and Policy Statements
<b>State:</b>	New York
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	Ulysses
<b>Year (adopted, written, etc.):</b>	2013
<b>Community Type - applicable to:</b>	Urban; Suburban
<b>Title:</b>	Zoning Law: Agriculture District
<b>Document Last Updated in Database:</b>	February 15, 2018

### ***Abstract***

The town of Ulysses, New York created policy to protect an area of historical and functional use as an agriculture district. The stated purpose of this zone is “to protect the agricultural production resources. . . viable agricultural operations and the agricultural heritage of the town.” This zoning district – called A1 – has been designated as an area whose primary land use is agriculture; the town created limitations on what structures can be erected and what purpose the land can be used for within the district. They also state that any practice which abides by the agricultural laws of New York State cannot be deemed a private nuisance.

### ***Resource***

§ 212-23 Purpose.

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 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, § 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.

You can find Ulysses, New York’s Zoning Law on Agriculture here:

<https://www.ecode360.com/28860356?highlight=a1#28860356>

ARTICLE VI  
**A2 — Special Agricultural District**

**§ 212-30. 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.

**§ 212-31. 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:

- A. Accessory building.
- B. Agriculture.
- C. Animal training.
- D. Athletic competition.
- E. Auctions, flea markets, craft fairs and merchandise sale of a temporary nature.
- F. Circuses.
- G. Commercial stables.
- H. Communication transmission towers and telecommunications facilities, subject to the provisions of Article XXII.
- I. Concerts, dramas, plays, religious events and revivals, variety shows and other forms of live entertainment.
- J. Day camps and supervised youth programs, community-sponsored programs, reunions and other public and private assemblies.
- K. Fairs and agricultural, horticultural and animal husbandry displays, exhibitions and competitions.
- L. Any legal form of racing.
- M. Industrial, merchandise and arts and crafts displays, exhibitions and competitions.

- N. Racing and other events that utilize motorized or otherwise self-propelled vehicles, except during weekdays from 7:30 a.m. to 5:00 p.m. during the school calendar year.
- O. 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.

**§ 212-32. Permitted accessory uses.**

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

- A. Signs as regulated under Article XX.
- B. Temporary buildings as defined in Article IV.

**§ 212-33. Lot area and yard requirements.**

- A. Minimum lot area shall be 25 acres.
- B. Minimum lot width at the front lot line shall be 1,000 feet.
- C. Minimum lot depth shall be 200 feet.
- D. Minimum front yard setback to any permanent structure shall be 30 feet.
- E. Minimum side yard setbacks shall be 15 feet, or 25 feet if parallel to a public road.
- F. Minimum rear setback shall be 35 feet.
- G. Maximum building height for any nonagricultural building or structure, including tents, shall be 32 feet above average grade measured at the building perimeter.
- H. Maximum lot coverage by permanent structures shall be 7.5% of the lot area.

**§ 212-34. 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 a stream edge or any wetland as defined by state or federal law.