

APPROVED BY P.C. FOR
FOR SELECT BOARD REVIEW
4/22/15

PITTSFORD ZONING ORDINANCE

ADOPTED

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ARTICLE I: ENACTMENT, OBJECTIVES AND PURPOSE	1
Section 101: Enactment	1
Section 102: Objectives and Intent	1
Section 103: Purpose	1
Section 104: Application of this Bylaw	1
Section 105: Limitations on Regulation under this Bylaw	1
ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP	2
Section 201: Establishment of Zoning Districts	2
Section 202: Zoning Map	6
Section 203: Interpretation of Zoning District Boundaries	6
ARTICLE III: TABLE OF USES	8
SECTION 300: Table of Uses	8
ARTICLE IV: LOT SIZE, SETBACKS, YARDS, HEIGHT LIMITATIONS	14
ARTICLE V: CONDITIONAL USES: USES PERMITTED SUBJECT TO CONDITIONS	15
Section 501: Conditional Use Criteria	15
Section 502: Applications for Conditional Use	15
Section 503: Bond	16
Section 504: Decision and Findings	17
ARTICLE VI: PLANNED UNIT DEVELOPMENT	18
Section 601: Planned Unit Development	18
Section 602: Planned Unit Development Objectives and Criteria	18
Section 603: Planned Unit Development Applications And Procedure	20
Section 604: Planned Unit Development – Approval	20
ARTICLE VII: PARKING AND LOADING	21
Section 701: Off-Street Parking Space General Requirements	21
Section 702: Parking Space Requirements	22

Section 703: Commercial Loading Areas	23
Section 704: Pooled or Group Parking Facilities	23
<i>ARTICLE VIII: NONCONFORMITIES</i>	25
Section 801: General	25
Section 802: Nonconforming Lots	25
Section 803: Nonconforming Uses	25
Section 804: Nonconforming Buildings and Structures	27
<i>ARTICLE IX: SIGNS</i>	28
Section 901: Sign Dimensions	28
Section 902: Illumination	29
Section 903: General Requirements	29
<i>ARTICLE X: SITE PLAN APPROVAL</i>	30
Section 1001: Scope	30
Section 1002: Submission of Site Plan and Supporting Data	30
Section 1003: Site Plan Review Considerations	31
Section 1004: Bond	33
Section 1005: Amendments	33
Section 1006: Public Hearing	33
Section 1007: Time for Action	34
<i>ARTICLE XI: GENERAL REGULATIONS</i>	34
Section 1101: Compliance with Regulations	34
Section 1102: Existing Small Lots	34
Section 1103: Required Frontage	35
Section 1104: Home Occupations	35
Section 1105: Yard Setbacks	36
Section 1106: Equal Treatment of Housing	36
Section 1107: Accessory Dwelling Unit	36
Section 1108: Day Care Homes/Facilities (Adults or Children)	37
Section 1109: Residential / Group Care Facility	37
Section 1110: Lot Density Limitations	37
Section 1111: Lots in More Than One Zoning District	37
Section 1112: Reduction of Lot Area	38
Section 1113: Required Area or Yards	38

Section 1114: Destroyed or Demolished Structures	38
Section 1115: Recreational Vehicles	38
Section 1116: Height of Structures	38
Section 1117: Approval of Subdivision Plats	39
Section 1118: Site Development / Fill	39
Section 1119: Fences	39
Section 1121: Protection of Ridgelines	39
1122: Farm Worker Housing	40
Section 1122: Temporary Zoning Permits Due to Catastrophic Events	40
Section 1123: Outdoor Wood-Fired Boiler (a.k.a. OWB, outdoor furnace)	41
Section 1124: Mobile Home Parks	41
<i>ARTICLE XII: TELECOMMUNICATIONS FACILITIES</i>	42
Section 1201: Scope of Article	42
Section 1202: Purposes	42
Section 1203: General Requirements	43
Section 1204: Application Requirements	43
Section 1205: Site Plan Requirements	45
Section 1206: Co-Location Requirements	46
Section 1207: Tower and Antenna Design Requirements	47
Section 1208: Amendments to Existing Telecommunications Facility Permit	47
Section 1209: Tower Lighting/ Sign	48
Section 1210: Antennas Mounted on Structures, Roofs, Walls, and Existing Towers Governed	48
Section 1211: Temporary Wireless Communication Facilities	48
Section 1212: Interference With Public Safety Telecommunications	49
Section 1213: Continuing Obligations of Permittee	49
Section 1214: Abandoned, Unused, Obsolete, Damaged or Dangerous Towers or Portions of Towers	49
Section 1215: Maintenance of Telecommunications Facilities Insurance	49
Section 1216: Fees	50
<i>ARTICLE XIII: ADMINISTRATION AND ENFORCEMENT</i>	50
Section 1301: Municipal Appointments	50
Section 1302: Zoning Permits & Exemptions	51

<i>ARTICLE XIV: APPEALS</i>	55
Section 1401: Appeals of Actions of the Administrative Officer	55
Section 1402: Interested Persons	56
Section 1403: Notice of Appeal	56
Section 1404: Appeals to Environmental Court	56
<i>ARTICLE XV: VARIANCES</i>	57
Section 1501: Variance Criteria	57
Section 1502: Variance for Renewable Energy Structures.	58
Section 1503: Additional Conditions	58
<i>ARTICLE XVI: VIOLATIONS & ENFORCEMENT</i>	58
Section 1601: Violations	58
Section 1602: Notice of Violation	58
Section 1603: Limitations on Enforcement	59
<i>ARTICLE XVII: PUBLIC HEARINGS</i>	59
Section 1701: Public Notice	59
Section 1702: Hearings	60
Section 1703: Decisions	61
<i>ARTICLE XVIII: RECORDING</i>	61
<i>ARTICLE XIX: OTHER PROVISIONS</i>	62
Section 1901: Interpretation of Regulation	62
Section 1902: Fees	62
Section 1903: Amendments	62
Section 1904: Severability	62
Section 1905: Effective Date	62
Section 1906: Precedence of Regulation	62
<i>ARTICLE XX: DEFINITIONS</i>	63

ATTACHMENT

A: Flood Hazard Area Regulations

ARTICLE I: ENACTMENT, OBJECTIVES AND PURPOSE

Section 101: Enactment

In accordance with the Vermont Planning and Development Act, Chapter 117 of Title 24 of the Vermont Statutes Annotated, hereinafter referred to as the "Act." there are hereby established Zoning Regulations for the Town of Pittsford which shall be known and cited as the "Town of Pittsford Zoning Regulations."

Section 102: Objectives and Intent

The objective of the Zoning Regulation is to establish standards and policies concerning development of land, which further the goals of the Pittsford Town Plan.

It is intended that standards and policies established by the Zoning Regulations reflect and express a sense of community values toward Pittsford's environment, including the value of appearance and congenial arrangement for the conduct of farming, trade, industry, residential and other uses of land necessary to the community's well-being insofar as such values are related to the objectives of the adopted Town Plan.

Section 103: Purpose

These regulations promote the health, safety, and general welfare of the people of Pittsford and implement the Pittsford Town Plan. Specific objectives are to protect and enhance the value of property, to facilitate the adequate provision of transportation, water, wastewater treatment, schools, and other public facilities and services, to provide for orderly growth and to further the purposes set forth in the Town Plan.

Section 104: Application of this Bylaw

Unless expressly exempted herein, or by Federal or State law, no development shall be commenced unless and until an administrative permit has been issued by the Zoning Administrator in conformance with this Zoning Regulation and the Pittsford Flood Hazard Area Regulations (See Attachment A).

Section 105: Limitations on Regulation under this Bylaw

Notwithstanding any other provision of this Bylaw, the following uses may be regulated only with respect to location, size, height, lot coverage, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:

- (1) State- or community-owned and operated institutions and facilities.
- (2) Public and private schools and other educational institutions certified by the state department of education.
- (3) Churches and other places of worship, convents, and parish houses.

- (4) Public and private hospitals.
- (5) Regional solid waste management facilities certified under 10 V.S.A. chapter 159.
- (6) Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.

ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP

Section 201: Establishment of Zoning Districts

The Town of Pittsford hereby establishes the following seven (7) major Zoning Districts and two (2) overlay Zoning Districts.

- A. Conservation I & Conservation II
- B. Rural
- C. Village
- D. Rural Commercial
- E. Commercial
- F. Industrial
- G. Flood Hazard Overlay District
- H. Wetlands Overlay District

The permitted uses and conditional uses allowed in each district are as specified in Article III: Table of Uses.

The minimum lot sizes, set back requirements, frontage requirements and height limitations for each district are as specified in Article IV: Lot Size, Setbacks, Yards, Height Limitations

Subject to Section 203, if and to the extent that there is any discrepancy between the descriptions of the zoning districts set forth below and the districts as shown on the Official Zoning Map, the district boundaries as shown on the Official Zoning Map shall control.

A. Conservation

1. **Description:** A Conservation District is a protected district that has been designated protected status in order to ensure that natural features, cultural heritage and flora and fauna are safeguarded. Lands above the 800 foot contours that are generally characterized by dense forests, steep hills with shallow or otherwise fragile soils, stream banks and elevations where potential development is limited. Some of the more prominent areas within this district are Cox Mountain, Biddie Knob, Bald Peak, and Blueberry Hill. Other protected areas include lands owned by the Nature Conservancy, the Towns of Proctor and Pittsford and the State of Vermont.

- (a) Within the Conservation District, the Conservation I District includes the areas between eight hundred (800) and one thousand one hundred (1,100) feet above sea level in elevation as shown on the Map.
 - (b) Within the Conservation District, the Conservation II District includes those areas on the Map located at an elevation of one thousand one hundred (1,100) feet or higher above sea level.
2. Purpose: To provide habitat for wildlife and offer scenic vistas of Pittsford which are essential components of the tourist industry. Development between the 800 and 1,100-foot contours shall be limited to residential and agricultural uses on lots of at least two acres. Above 1,100 feet, where residential uses prove feasible given the availability of water and on-site sewage disposal, lots shall be at least five acres.
- To provide land area for low-impact recreational uses, such as nature and hiking trails and low-density residential development, farming, forestry, recreation and other rural land uses. Residential development above 1,100-foot contour shall be extremely limited.
3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A.

B. Rural

- 1. Description: Those areas outside the Village District not otherwise designated for commercial, industrial or conservation.
- 2. Purpose: To preserve the rural character by managing the development of open space and woodland while fostering appropriate economic activity. Growth shall be managed consistent with the character of the area, the availability of services, and the site conditions.
- 3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A.

C. Village

- 1. Description: The Pittsford village area is mostly the former Village of Pittsford consisting of residential and commercial uses. The Village is also the site for most of the state and local governmental uses.
- 2. Purpose: To maintain the Village area's traditional social and physical character. Some portions of the Village are long established and have little room for new growth being suitable mainly for residences, commercial uses, and recreation.

The development of certain areas of the Town along US Route 7 is the area that is most extensively served by municipal water and sewer services. This is the area of the town which historically has the most intense development.

3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A.

D. Rural Commercial

1. Description: Portions of Vermont Route 3 as designated on the zoning map.

Lots, a portion of which lie within 600 feet from the centerline of VT Route 3, and which are in an area designated as a Rural Commercial District; and which have a minimum of 200 feet of frontage on VT Route 3 or a minimum of a 200 foot wide access strip to VT Route 3.

Lots whose depth extends more than 600 feet from the centerline of VT Route 3, are allowed to have the Rural Commercial District designation extended to the rear property line, or to the Conservation District, whichever is closer to VT Route 3.

2. Purpose: To provide an area where light commercial uses would be permitted that would not detract from the residential atmosphere common throughout most of Route 3 but would permit residents to engage in activities that are somewhat more intensive than customary home occupations but not as intensive as the uses in the commercial areas.
3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A

E. Commercial

1. Description: Areas proximate to primary transportation routes and currently or likely to be areas of commercial growth as shown on the zoning map including the access into and out of the village along sections of Route 7.

Lots, a portion of which lie within 600 Feet from the centerline of U S Route 7, and which are in an area designated as a Commercial District and which have a minimum of 200 feet of frontage on U S Route 7 or a minimum of a 200 foot wide access strip to U S Route 7 and whose depth extends more than 600 feet from the centerline of U S Route 7, are allowed to have the Commercial District designation extended to the rear property line, or to the Conservation District, whichever is closer to U S Route 7.

2. Purpose: To provide opportunities for commercial uses.

3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A.

F. Industrial

1. Description: The area is composed primarily of land owned by OMYA and the railroad. Other sites, adjacent or nearby to OMYA lands, and along access to the OMYA lands, are also considered to have potential for industrial uses.
2. Purpose: To allow for industrial development in those areas of the town that offer the potential for further industrial expansion if the resources are available to make them useable for industrial purposes.
3. Flood Hazard Areas: There may be some land within this district that is within the Flood Hazard Overlay District. Please check the Official Zoning Map and see Attachment A.

E. Flood Hazard Overlay District

1. Description: All lands shown on the official FEMA Flood Insurance Rate Map as flood hazard areas are based on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, and National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by reference and declared to be part of these regulations. See also Attachment A: Flood Hazard Area Regulations.
2. Purpose: It is the purpose of this district and its regulations to promote the public health, safety, and welfare, to control development of lands in areas of special flood hazard, and to minimize losses due to floods by:
 - (a) Restricting or prohibiting uses that are dangerous to health, safety or property in times of flood or cause excessive increase in flood heights or velocities;
 - (b) Requiring that uses vulnerable to floods, including public facilities that serve such uses, be protected at the time of initial construction against flood damage;
 - (c) Protecting individuals from buying lands that are unsuitable for their intended purposes because of flood hazard.
3. Uses within the Flood Hazard Overlay Maps are subject to the provisions of Attachment A.

F. Wetlands Overlay District

1. Description: Those lands generally designated on the Vermont Significant Wetlands Inventory Maps which incorporate, in part, the National Wetlands Inventory Maps. Note that on-the-ground analysis of sites may be necessary and not all sites have been identified *at this time*.
2. Purpose: To preserve and protect designated wetlands by limiting development to recreational, agricultural, and open space.

Section 202: Zoning Map

The location and boundaries of Zoning Districts are established as shown on the Official Zoning Map, and in accordance with provisions in this regulation. The Zoning Map is hereby made a part of these zoning regulations. No changes shall be made to the Official Zoning Map except in accordance with the procedures for amending zoning regulations.

Where available (i.e., Zones A1 through A30, AE and AH), the base flood elevations and floodway limits provided by the National *Flood Insurance Program*, the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, *and the National Flood Insurance Program*, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by reference and declared to be part of these regulations; the area is also generally shown on the Official Zoning Map as an overlay. See also Attachment A: Flood Hazard Area Regulations.

In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program, base flood elevation and floodway information available from state or federal agencies, or other sources, shall be obtained and reasonably used.

Regardless of the existence of copies of the Zoning Map that may from time to time be made or published, the Official Zoning Map shall be that located in the Town Clerk's office.

Section 203: Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- A. Boundaries that approximately follow the centerlines of roads, streams, and transportation and utility rights-of-way shall be construed to follow such centerlines;
- B. Boundaries that approximately follow lot lines shall be construed to follow such lot lines;
- C. Boundaries that follow shorelines shall be construed as the low mean water level;

D. Boundaries which are parallel to, or extensions of, features in A through C above shall be so construed; and

E. Boundaries shall be determined based on the language in the Zoning Regulations.

Where circumstances are not covered by A through E above, the Zoning Administrator shall interpret the district boundaries. For lots divided by a zoning district boundary, see Section 111.

ARTICLE III: TABLE OF USES

SECTION 300: Table of Uses

ALL NON-EXEMPT USES REQUIRE A PERMIT

The Table of Uses, below, identifies use categories as permitted ("P") or conditional ("C") in the various zoning districts defined in Article II.

- A. All uses are subject to the requirements of Article IV and Article XI.
- B. No use identified as either a Permitted ("P") or Conditional ("C") Use shall be commenced unless and until an administrative permit has been obtained pursuant to Section 1302.
- X. Conditional Uses also are subject to the provisions of Article V, as applicable.
- A. For the purposes of the table below: C II = Conservation II; C I = Conservation I; R = Rural; V = Village; RC = Rural Commercial; C = Commercial; I = Industrial.

Property Use	C II	C I	R	V	RC	C	I	Comments
Accessory Dwelling Unit	P	P	P	P	P	P	P	See § 1107
Accessory Structure	P	P	P	P	P	P	P	
Animal Boarding/Kennels					C	C	C	
Animal Hospital (small animal hospital only)/Veterinarians				C	C	C	P	
Animal Hospital (large animal)					C	C	P	
Appliance – Retail Sales and Service				C		P		
Appliance – Wholesale Sales and Service				C		P	P	
Art Gallery				P		P		
Associations: Clubs and Lodges				P		P		
Auction House				C		P	P	
Automobile; Storage (inside non-residential)				C		P	P	
Bank				P		P	P	
Bars & Night Clubs				C		C	C	
Bakery				C		P	P	
Beach (Private/Commercial)			C					

Property Use	C II	C I	R	V	RC	C	I	Comments
Bed & Breakfast (Lodging)			C	P	C	P	C	
Beer & Wine Distributors				P		P	P	
Book Store				P		P	P	
Bowling Alley				C		P	P	
Building Materials Sales/Storage				C		P	P	
Camp: Commercial/Organized	C	C						
Camp: Residential/Hunting	P	P	P				P	
Campgrounds	C	C	C		C	C		
Car Wash				C		P	P	
Carnival/Circus/Outdoor Concerts and Shows				C	C	C		
Cemeteries	P	P	P	P	P	P	P	
Clinic (Human) Medical				P		P		
College				C		C		
Community Care Facility			C	C	C	C		
Community Center / Hall				C		C		
Computer and Business Machines Sales/Service				P		P		
Concrete Products Sales							P	
Contractors Yards						C	P	
Convenience Stores/Small Groceries (No Gas)				P		P	P	
Convenience Stores/Small Groceries (Gas Service)				C		C	P	
Cultural Facilities (Public & Private)				C		C		
Dairies, Processing & Distributing			P	C	C	C	P	
Day Care Home/Facility-(Seven (7) or More) Adults or Children			C	C	C	P	C	
Day Care Home/Facility-(Six (6) or Less) Adults or Children	P	P	P	P	P	P	P	
Drive-in Establishments				C		P		
Earth Resources Extraction			C				C	
Electric Power Co., Offices (not requiring an Act 248 permit)				P	C	P	P	

Property Use	CII	CI	R	V	RC	C	I	Comments
Electrical Supplies, Wholesale & Retail				C		C	P	
Explosives; Storage and Distribution							C	
Farm Supply Center				C	C	P	P	
Fill (aggregate amount of more than 30 cubic yards)	P	P	P	P	P	P	P	See §1118
Firearm Sales/Gunsmith				P	C	P		
Flooring Retail Sales				P		P		
Florist				P	C	P		
Fuel: Commercial Bulk Plant/LP Gas/Oil (Supply & Storage)							P	
Funeral Home/Mortuary				C		P		
Furniture and Home Furnishings; Upholstering & Refinishing				C	C	P	P	
Furniture and Home Furnishings; Wholesale & Storage						P	P	
Furniture and Home Furnishings; Retail Sales, New and Used				P		P		
Garden Center – Retail				C		P	P	
Gift Shops, Antique Stores, Crafts				P	C	P		
Glass Sales & Repair				P		P	P	
Golf Course					C	P	P	
Golf Driving Range					C	P	P	
Golf, Miniature				C	C	P		
Governmental Facility	C	C	C	C	C	C	C	
Grave Stones and markers (Manufacturing/Sales)							P	
Greenhouse – Commercial				C	C	P	P	
Grocery Store/Market				P		P		
Hardware Sales				P		P		
Health Club/Gymnasium/Spa/Fitness Center				P		P		
Home Occupation (Cottage Industry)	P	P	P	P	P	P	P	See Section 504
Hospital: Medical				C		P		
Hotel				C		P		

Property Use	CH	CI	R	V	RC	C	I	Comments
Humane Society			C		C	C	P	
Ice skating rink			C	C		C		
Landscaping Contractor			C	C	C	P	P	
Library - Private				P		P		
Liquor Store				P		P		
Lumber Yard						C	P	
Machinery Sales and Service: Agricultural, Industrial, Construction						P	P	
Mall/Shopping Center - Retail Sales				C		C		
Manufacturing							P	
Marble Contractors & Sales						C	P	
Marble Retail Sales				P		P		
Meat; Retail Sales				P		P		
Meat Cutting/Processing/Packing						C	P	
Mobile Home Park				C		C		See Section 506
Mobile/Manufactured/Modular Home: Sales, Rental, Leasing			C			P	P	
Motel				C		P		
Motor Vehicle Fuel Sales				C		C	C	
Motor Vehicle Parts & Supplies				P		P	P	
Motor Vehicle Rental				C		P	P	
Motor Vehicle Repair				C		C	P	
Motor Vehicle Sales and Service - New/Used				C		P		
Museum				P		P		
Musical Instruments - Retail Sales & Service				P		P		
Nursery (Horticultural)			C	C	P	P	P	
Nursing Homes				C				
Office Equipment - Retail Sales & Service				P		P		
Outdoor Wood-Fired Boiler - (OWB)		C	C		C	C	C	See Section 1123
Park or Playground	C		C	C	C	C	C	
Personal Services				P		P		
Pet Shops				P		P		

Property Use	C II	C I	R	V	RC	C	I	Comments
Pharmacy				P		P		
Planned Unit Development (PUD)	P	P	P	P	P	P	P	See Article VI
Plumbing Fixtures-Supplies, Wholesale						P	P	
Plumbing Fixtures-Supplies, Retail				P		P	P	
Plumbing Service				P		P	P	
Pool: In-Ground/Above Ground over 3,000 Gal	C	C	P	P	P	P	P	
Pools (Swimming) Equipment Sales				P		P		
Printing & Publishing				P		P	P	
Private Clubs/Lodges				P		P		
Professional Office/Business				P		P	P	
Propane Distributor						C	P	
Quarrying							C	
Real Estate Office				P		P	P	
Recycling Station (Private)						C	P	
Religious Institutions			C	P	C	P		
Rendering Facility							C	
Research and Development Facility				C		P	P	
Residential- Multi Family Dwelling		C*	C*	C	C*	C		*No more than 8 units per building in Rural District See Section 4417
Residential - One Family or Two	P	P	P	P	P	P	P	
Residential / Group Care Facility (24 Hour Residency Care)				P		P		
Restaurant/Snack Bar				P		P		
Retail Sales: Other				P		C		
Rooming or Boarding House				P		C	C	
Salvage Yard							C	
Schools - Private				P		C		
Shooting Range: Archery						C	C	
Shooting Range: Paint Ball, etc. - indoor						C	C	
Shooting Range: Rifle & Pistol - indoor						C	C	
Shooting Range - outdoor							C	
Sign	P	P	P	P	P	P	P	See Article IX

Property Use	C II	C I	R	V	RC	C	I	Comments
Ski Area (Private Organization –NORDIC)	C	C	C					
Slaughter House							C	
Sporting Goods & Camping -Retail Sales				P		P		
Storage; Self-Storage Facility (Commercial)						P	P	
Telecommunication Towers & Antenna	C	C	C	C	C	C	C	See Article XII
Theaters				P		P		
Trailer: Sales, Renting, Leasing				C		P		
Tree Maintenance Service						P	P	
Truck-Stop						C	P	
Video Rental & Sales				P		P		
Warehouse							P	
Welding Shop						P	P	
Well Drilling Contractor				C			P	
Wood Working Shop				C	C	P	P	
Wholesale (Other)						P	P	

Section 301: Interpretation of Table of Uses:

- A. If a proposed use falls into a use category identified in the Table of Uses, but is proposed in a district where the use in neither Permitted (P) nor Conditional (C), the proposed use is prohibited.
- B. If a proposed use reasonably falls under two (2) or more of the categories listed in the Table of Uses, and where the combined use is not otherwise regulated by this Ordinance, the more restrictive use category shall control.
- C. If a proposed use does not reasonably fit into any category in the Table of Uses, the proposed use may be treated as a conditional use, provided that the anticipated impacts of the proposed use will be no greater than the impact of at least one (1) use category that is expressly allowed (either as permissible or conditional) in the district in which the use is proposed to be located.

ARTICLE IV: LOT SIZE, SETBACKS, YARDS, HEIGHT LIMITATIONS

The following requirements apply to all uses, whether Permitted, Conditional, or Exempt. Conditional Uses shall meet the requirements of Article V, and all uses shall comply with all other applicable provisions of this Ordinance.

DISTRICT	USE	MINIMUM LOT SIZE	MAXIMUM LOT COVERAGE	SETBACKS (Feet)			MINIMUM FRONTAGE (feet)	MAXIMUM BUILDING HEIGHT (feet)
				Front*	Side	Rear		
CONSERVATION I	All uses	2 Acres	10%	40	25	25	200	40
	All uses	3 Acres	3%	40	25	25	200	40
RURAL	Single family dwelling	1 Acre	30%	40	25	25	100	40
	Two family dwelling	2 Acres	20%	40	25	25	100	40
	Multi-Family dwelling	2 Acres + 15,000 sq. ft. for each additional dwelling unit (Max. 8 per structure)	30%	40	25	25	100	40
	All other uses	2 Acres	20%	40	25	25	100	40
VILLAGE	Single family dwelling*	10,000 sq. ft. 25,000 sq. ft.	60%	25	10	15	75	40
	Two family dwelling*	20,000 sq. ft. 25,000 sq. ft.	60%	25	10	15	75	40
	Multi-family dwelling	20,000 sq. ft. + 15,000 sq. ft. for each additional dwelling unit	60%	25	10	15	75	40
	All other Uses	1.2 Acre	60%	10	10	15	100	40
RURAL COMMERCIAL	Single family dwelling	1 Acre	20%	40	25	25	100	40
	Two family dwelling	2 Acres	30%	40	25	25	100	40
	Multi-family dwelling	2 Acres + 15,000 sq. ft. for each additional dwelling unit	20%	40	40	25	100	40
COMMERCIAL	All other uses	2 Acres	20%	50	50	50	300	40
	Single family dwelling	1 Acre	30%	40	25	25	100	40
	Two family dwelling	2 Acres	20%	40	25	25	100	40
	Multi-family dwelling	2 Acres + 15,000 sq. ft. for each additional dwelling unit	20%	40	40	25	100	40
INDUSTRIAL	All other uses	2 Acres	20%	50	50	50	300	40
	Single family dwelling	1 Acre	20%	40	25	25	100	40
	Two family dwelling	2 Acres	20%	40	25	25	100	40
	All other uses	6 Acres	20%	100	100	100	300	40***

* Setbacks measured from streets having less than a 50 foot right of way are subject to Section 1105.

[1] Steps, landings, and handicapped access ramps meeting the requirements of the Americans with Disabilities Act shall not be included when determining setbacks.

* Lots abutting an existing Federal, State or Town Highway or street as of the effective date of these regulations.

ARTICLE V: CONDITIONAL USES: USES PERMITTED SUBJECT TO CONDITIONS

Section 501: Conditional Use Criteria

A zoning permit shall be issued by the Zoning Administrative Officer for any use or structure, which requires conditional use approval only after the Board of Adjustment grants such approval, taking into consideration the following and the appropriate conditions of Sections 503 through 507:

In considering its action, the Board shall make findings that the proposed conditional use shall not result in an undue adverse effect on any of the following:

- A. The capacity of existing or planned community facilities;
- B. The character of the area affected as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan.
- C. Traffic on roads and highways in the vicinity;
- D. Bylaws and ordinances in effect;
- E. Use of renewable energy resources.

The Board shall also consider the Site Plan requirements detailed in Section 1003.

In granting conditional use approval, the Board may attach such reasonable conditions, in addition to those outlined, as it deems necessary.

Section 502: Applications for Conditional Use

A. Waiver of Application Requirements

Any of the following information may be waived at the discretion of the Board.

A request for a waiver shall be submitted to the Board and shall specify which portions are requested for waiver. The applicant shall include a preliminary site plan providing sufficient information upon which the Board can make a decision. The Board may request additional information.

A request for a waiver shall not be considered an application for purposes of timing requirements relating to action on applications.

- B. The owner and applicant (if different from owner) shall submit **seven (7)** sets of a site plan and supporting data to the Board, which shall include the following information presented in drawn form and accompanied by written text.

1. Name and address of the owner of record of this, adjoining lands, and lands adjacent (across a road); name and address of applicant - if different than owner; name and address of person or firm preparing the plan; description of the property giving location; scale of map, north point, and date.
 2. *Graphic illustration drawn to scale* of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights-of-way, land use and deed restrictions, zoning classification, existing surface waters (brooks, ponds, etc.), if any, and the location of proposed structures with distance from lot lines indicated.
 3. Site plan showing proposed structure(s), locations and land use areas; streets, access points, driveways, traffic circulation, parking and loading spaces and pedestrian walks; utilities both existing and proposed, including placement of poles; and including water wells and sewage treatment facilities; landscaping plans, including site grading, planting design, screening or fencing, detailed specifications of planting and landscaping materials to be used; existing and proposed equipment such as propane tanks, transformers, etc.
 4. Construction sequence and anticipated time schedule for the completion of each phase for buildings, parking spaces and landscaped areas of the entire development.
 5. A traffic study if issues of traffic safety are a concern.
 6. The location and size of proposed signs.
 7. *The applicant shall provide a list of all abutting property owners to the Zoning Administrator.*
- C. For proposed uses in Flood Hazard Overlay Districts see Section 201G for additional application requirements.

Section 503: Bond

The applicant may be required to provide a suitable performance bond or other form of security to secure compliance with any conditions.

Section 504: Decision and Findings

The Board shall make findings of fact and conclusions of law that the project:

A. Shall not adversely affect the capacity of existing or planned community facilities;

1. Water and Sewer. The project shall have sufficient water and sewer capacity available for its needs and shall not result in an unreasonable burden on the municipality's present or planned water or sewer systems (if Town water or sewer are not involved, the property must have adequate capability for on-site water supply and wastewater disposal in accordance with Town regulations and applicable State Statutes and Regulations).

The Board or Commission may solicit input from the appropriate Town Officials and require engineering reports by the applicant.

2. School Impact. The project shall not cause an unreasonable burden on the ability of the Town or School districts to provide educational services.

The Board or Commission may solicit input from the School Boards.

3. Municipal Impact. The project shall not place an unreasonable burden upon the ability of the Town to provide municipal services, including but not limited to Fire, Police, Ambulance, Highway, Public Works Maintenance and Recreation.

The Board or Commission may solicit input from the appropriate local officials, fire and police, Recreation Director / Advisory Board.

B. Shall not have an undue adverse effect on the character of the neighborhood, or area affected.

"Neighborhood" means in the same area; nearby including but not limited to the area within sight and/or sound. "Character of a neighborhood" refers to the distinctive traits, qualities or attributes; its appearance and essential nature, pattern of uses, and sense of community; the factors which give it identity.

A goal of the Town Plan is to allow for appropriate mixed uses to generally encourage balanced diversity, while protecting the essential character of neighborhoods. The existence of one conditional use in a neighborhood shall not be interpreted as justification for another similar conditional use to be located there.

When considering the "character of the neighborhood or area", the Board shall consider the following:

1. Existing neighborhood uses, types of buildings, noise and traffic.

2. Town Plan objectives including but not limited to planned future neighborhoods, and neighborhood character enhancement and wildlife travel corridor as defined by the state (see official website: http://www.vtfishandwildlife.com/cwp_elem_land_chc.cfm).
3. Historic buildings and features; intensity, uniformity or mix of uses and buildings; mass, scale and spacing of buildings; scenic views, aesthetics, open space.
4. Privacy, security, identity, sense of community and cohesion.

C. Shall not adversely affect traffic on roads and highways in the vicinity.

The project shall have adequate traffic access, circulation and parking, and shall not cause unreasonable traffic congestion or unsafe conditions with respect to pedestrian or vehicular traffic or other transportation facilities.

The Board or Commission shall consider:

- Town traffic plans and studies; and
- Traffic engineering studies that may be required of the applicant.

D. Shall be consistent with bylaws in effect.

E. Shall not have an undue adverse effect upon the use of renewable energy resources.

F. Is consistent with the Site Plan requirements of Section 1003.

In addition to the standards set forth above, the following standards shall apply to all applications for conditional use review within the appropriate district.

ARTICLE VI: PLANNED UNIT DEVELOPMENT

Section 601: Planned Unit Development

The purpose of this Section is to provide an alternative zoning procedure that may be used to establish PUDs in accordance with the planning and development objectives of the Pittsford Town Plan, and provide standards by which such flexibility may be accomplished, while maintaining and protecting the public health, safety and welfare.

Section 602: Planned Unit Development Objectives and Criteria

In reviewing PUD Applications, the Planning Commission shall consider the following objectives and apply the criteria below:

A. General Objectives:

1. To provide a choice in the types of environment and living units available to the public and quality in residential land uses so that development will be a permanent and long term asset to the Town.
2. To preserve agricultural and forest resources, wildlife habitats, natural areas, and other resource areas of importance to the Town.
3. To foster a pattern of development, which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion.
4. To foster an efficient use of land resulting in smaller networks of utilities and roads.
5. To foster an environment in harmony with surrounding development.
6. To foster a more desirable environment than would be possible through the strict application of other sections of these regulations.
7. Structures and common areas should be arranged in such a way as to best serve the needs of occupants and/or other users of the PUD and minimize any adverse effects or neighboring properties.
8. Underground utilities will be encouraged wherever possible.

B. Criteria:

Upon application, the applicant shall provide the Planning Commission with a Plot Plan showing buildings and acceptable and approved on site water and sewage locations.

2. Within a PUD, there must be adequate space and infrastructure to permit accessibility to all structures by fire fighting and similar emergency equipment.
3. Those parts of development or construction plans involving water and septic engineering, architecture, landscape architecture or land surveying shall be prepared and certified respectively by a site technician, an engineer, architect, landscape architect, or land surveyor.

C. Drainage Requirements:

1. The applicant shall meet all applicable State and Town standards for the design of drainage facilities and storm water runoff.
2. The applicant shall take particular care in the design of drainage facilities to preserve or enhance the quality of any adjacent bodies of water in accordance with State and local guidelines
3. There will be no adverse effect on neighboring properties.

D. Common Lands Criteria:

1. There should be reasonably convenient access from all occupied structures to common lands and areas.
2. Plans should attempt to preserve valuable site amenities in common areas and lands such as trees, natural landforms, topography, etc.
3. Common areas should not be physically altered except for the addition of landscaping and except as necessary to further one or more specific development objectives of the applicant.

E. Common Areas and Elements Criteria:

If the application of the procedure [PUD] results in lands available for park, recreation, open space, or other municipal purposes, the Planning Commission as a condition for its approval may establish such conditions on the ownership, use, and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

Section 603: Planned Unit Development Applications And Procedure

- A. Applications for PUDs shall be submitted to the Planning Commission. The Application shall be placed on the agenda for review by the Planning Commission at the next regularly or specially scheduled meeting once the Application has been on file for seven (7) days. The Planning Commission may not proceed with review until all of the documentation required in this Article is presented to the Planning Commission. Once the Planning Commission has found the Application to be complete, it shall set a date for its hearing on the Application.
- B. The Application shall contain a site plan showing the location, height and spacing of driveways and off-street parking spaces, 10 ft contours and all other physical features, accompanied by a statement setting forth the nature of all proposed modifications, changes or supplementation of existing zoning regulations and shall contain those items and information specified elsewhere herein.

Section 604: Planned Unit Development – Approval