

Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of TULLY

Local Law No. 1 of the year 20 24

A local law PHASE 1 TOWN OF TULLY ZONING LAW UPDATES
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of TULLY

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A local law entitled Phase 1 Town of Tully Zoning Law Updates

PURPOSE; LIMITED REPEALER , REPLACEMENT AND UPDATE.

A. Pursuant to the authority conferred by Article X XVI the Town Law of the State of New York, and for each and every purpose specified in such Article, the Town Board of the Town of Tully hererby repeals in part certain existing zoning and related laws, ordinances, resolutions and amendments to them and hereby enacts the following replacements and additions regulating the location and use of buildings, structures in land for trade, commercial, and other purposes.

B. This Law is adopted generally for the following purposes:

- 1 To promote the health, safety and general welfare of the community.
- 2 To reduce congestion on streets and highways and prevent the overcrowding of land.
- 3 To facilitate the adequate provisions of transportation, water, sewage disposal schools, parks and other services.
- 4 To consider and conserve the value of property.
- 5 To establish zones where regulations concerning the use of land and structures, the density of development, the amount of open space that must be maintained, and other provisions will be set forth to encourage the most appropriate development of the Town recognizing where appropriate the policies and objectives set forth in the recently updated and adopted Town Comprehensive Plan.

C. On July 12, 2023 the Town of Tully adopted an updated Comprehensive Plan as developed by a committee established by the Town Board.

The Comprehensive Plan listed a number of priority action items one of which was to update as necessary and appropriate, zoning district and use regulations to accommodate the communities desired types and locations of commercial and industrial establishments. It called for updating land-use regulations and

procedures and to enhance the general appearance of commercial and industrial lands.

To that end the Town applied for and was awarded a New York State DOS Smart Growth Grant for zoning updates. A Committee was established, which met on a regular basis to review the existing regulations. An open house was held for public input. Recommendations were made for updating the commercial and industrial portions of the Town zoning regulations by the Committee. Also, Barton and Loguidice, an engineering firm, was retained by the Town to aid in this process.

S-6, the Town of Tully Zoning Map, is hereby amended to reflect the changes set out in Phase 1 Town of Tully Zoning Law Updates. The Town Engineer is directed to make these changes and prepare a new and updated Zoning Map. Further, Tax Parcel 114.-01-01.0 which in part was shown on the existing Zoning Map as a Commercial Industrial Use District, a District which does not exist under the Tully Zoning Law and in part as Business B-1, is now reclassified in its entirety as an Industry IND District.

§ 280-4.B Definitions.

Removal of the following definition:

PLANNED DEVELOPMENT — A parcel of at least five acres in area, in one ownership, designed as a single unit providing a street system and water and sewer facilities as necessary, and used primarily for residential purposes but may also be used for special commercial or industrial development or a combination of residential types and commercial or industrial development.

Addition of the following definitions:

AUTOMOTIVE REPAIR SHOP — A lot for the primary use of repair, servicing, or inspection of motor vehicles, and which lot includes a principal building supporting the use and wherein any individual vehicles awaiting service do not occupy any space on the lot for greater than 60 days, and wherein the occupant of the lot is registered for such repair activity with the New York State Department of Motor Vehicles.

DISTRICT PLAN — A proposal for a PUD prepared in a manner prescribed by local regulation showing general layout of the proposed project. The plan will establish the allowable uses and design guidelines within the PUD. The district plan will establish bulk requirements for the district, including lot sizes, setbacks, height limits, buffers, screening, open space areas, lighting, signage, landscaping, parking and loading, traffic circulation, protection of natural resources, public or private amenities and such other elements as may be required by local regulation.

DISTRICT PLAN APPROVAL — The approval with conditions, if any, of the proposed PUD and the simultaneous amendment of the local zoning law or ordinance by the legislative body to create and map a planned unit development district within a land area designated by the Town Board.

GASOLINE SERVICE STATION — means a building, lot, structure, or facility having pumps and storage tanks where fuel, gasoline, oil or other similar products are dispensed, sold or offered for sale at retail only and may include accessory uses such as car washes, food marts or small grocery.

PLANNED UNIT DEVELOPMENT ("PUD") — A site upon which residential, commercial, or other land uses or any combination thereof may be authorized in a flexible manner so as to achieve the goals of the Town Comprehensive Plan and the Town Zoning Code.

PLANNED UNIT DEVELOPMENT DISTRICT ("PUD DISTRICT") — The location where a district plan has been approved by the Town Board.

PUD SITE PLAN — A plan prepared pursuant to § 280-9.B of the Town of Tully Zoning Law showing information as is required by local law or regulations.

PUD SITE PLAN APPROVAL — The signing of a final plan by a duly authorized member of the Town Planning Board pursuant to a resolution granting final approval to the plan or after conditions, if any, specified in said resolution granting conditional approval of the plan are completed. Such final approval qualifies the plan for filing in the office of the Town Clerk as provided herein. Final approval shall be decided by the Town Planning Board.

RETAIL OR PERSONAL SERVICE USE — A commercial activity characterized by the direct on-premises sale of goods and services within the building to the ultimate consumer, generally involving stock-in-trade such as are normally associated with department stores, food markets, shops and similar establishments. This term shall also include personal service shops such as barbershops, beauty salons and dry-cleaning or laundry services of less than 4,000 square feet gross floor area.

WAREHOUSE — A building used for storage on either a wholesale or retail basis.

§ 280-6.A

Repeal and replace with:

A. Districts. The Town of Tully outside of the incorporated Village of Tully is hereby divided into the following use districts or zones:

Agriculture	A-1
Agriculture	A-2
Residence	R-1
Residence	R-2
Residence	R-3
Business	B-1
Industry	IND
Planned Unit Development	PUD

§ 280-6.D Use districts.

Repeal and replace with:

D. Description of districts; intent. Land use control districts in the Town of Tully have been established in furtherance of the Town's Comprehensive Plan and for the purpose and intent described below.

- (1) Agriculture A-1 District. The intent of the A-1 District is to designate areas where agricultural productivity is high in most locations and where farming is the predominant and desired use of land. Other compatible land uses in this district could include a limited amount of low-density, single-family housing and other activities that are closely related to production-agriculture. Land use regulations are intended to encourage maximum retention of productive farmland while supporting a limited amount of low-density, single-family housing. Clustering (See definitions.) is encouraged where possible.
- (2) Agriculture A-2 District. The intent of the A-2 District is to designate areas where farming, extensive wooded areas and other natural resources are predominant and desired land use activities. Farm-related agricultural businesses located in this district are also suitable. Nonagricultural development, primarily scattered low-density, one family housing, has occurred and is appropriate in the future. Land use regulations and development criteria are aimed at maintaining the effective operation of productive farms, supporting farm-related business and scattered or clustered (See definitions.), low-density, single-family housing and preventing serious environmental degradation and land use inconsistencies.
- (3) Residential R-1 District. The intent of the R-1 District is to designate areas where concentrations of low-density, primarily one-family housing, are located and are the expected and desired future developmental character. In most areas, larger parcels can be subdivided into residential lots. Regulations and restrictions in the R-1 District are intended to limit the extent of future development, to encourage clustering of lots as a method of preserving open space and environmentally sensitive areas, and to minimize the number of nonresidential land uses that can be established.
- (4) Residential R-2 District. The intent of the R-2 District is to designate areas where proximity to Tully Village could affect future land use and development patterns. A variety of housing types is appropriate and density can be increased when adequate utilities can be provided. Regulations and restrictions in the R-2 District are intended to produce a more concentrated urban setting and to establish neighborhood development characteristics. While public utilities may not yet exist in such areas, R-2 Districts are suitable targets for such services.

Residential R-3 District. The intent of the R-3 District is to designate areas where existing lakes and other natural features have produced sustained pressure for residential development that is likely to continue. Single-family housing, both permanent and seasonal, is an appropriate and desired use in these areas, but the absence of utility systems raises concerns about pollution and environmental damage. The transitional presence of agricultural in this district is suitable but can also be a potential source of environmental damage affecting nearby housing concentrations.

- (6) Business B-1 District. The intent of the B-1 District is to effectively balance retail and commercial businesses that can benefit from proximity to the Town's primary transportation network with the need to protect nearby natural resources, ensure safe and efficient vehicular traffic circulation patterns, and support safe and efficient pedestrian

and bicycle travel. Development restrictions and standards should reflect the unique location of properties within this district and development proposals should be evaluated in terms of design compatibility with surrounding land uses and intensity of development, impacts on the environment and surrounding natural resources, and vehicular traffic volumes and patterns. Review and approval of each development proposal is necessary to promote compatibility between adjacent land uses, to achieve the most efficient use of limited land resources and to minimize adverse environmental impacts.

- (7) **Industry IND District.** The intent of the IND District is to designate areas with a relatively concentrated mixture of industrial land uses. Flat land, high visibility, good vehicular access to major traffic routes and the potential for railroad service are important considerations for development in the IND District. Various forms of light manufacturing, gas services stations, warehousing, fabrication, assembly, research and development and similar types of land use are appropriate and desired. Because the area of the IND District is limited, development restrictions and standards should focus on businesses and industries that require larger sites and have truck access and transportation needs that are not readily available or safe in other parts of the Town. Review and approval of each development proposal is necessary to promote compatibility between adjacent land uses, to achieve the most efficient use of limited land resources and to minimize adverse environmental impacts.
- (8) **Planned Unit Development PUD District.** A planned unit development ("PUD") provides flexibility and encourages a variety of land uses and innovative design techniques that otherwise would be restricted by standard use and area regulations contained within the Town of Tully Zoning Law. A PUD may be placed at the full discretion of the Town Board and pursuant to § 280-11.1.

§ 280-11.C Special authorization by the Planning Board (SPB).

Repeal and replace with:

- C. Special authorization by the Planning Board (SPB). In addition to the general requirements for special authorization, as set forth in Subsection B, specific requirements for special authorization by the Planning Board for certain land use activities, as set forth below, shall also be applicable.
- (1) Dwelling, multifamily, townhouse, retirement housing in R-2 District; Retirement housing in R-1 and R-3 Districts. In R-2 Districts, minimum lot area of 15,000 square feet per dwelling unit is applicable only if it can be demonstrated that an adequate sewage disposal system is to be provided. In other districts, Subsection B shall be applicable.
 - (2) Church and religious use in A-1 and A-2 Districts is permitted when such use is duly registered in the State of New York.
 - (3) Business uses benefiting from good highway access in B-1 and IND Districts is permitted when:
 - (a) Driveways and walkways provide safe access, egress and traffic circulation within the site.
 - (b) The site has direct access to potable water and adequate sewerage with ample capacity for certain intense uses based on demand.
 - (c) Entrance driveways from public roads are no wider than 50 feet and at least 100 feet apart and adequately marked and lighted for safe and efficient access by both vehicles and pedestrians.
 - (d) Opportunities for direct vehicular access to adjacent properties without needing to reenter the highway (service roads, for example) have been examined and evaluated.
 - (e) No structure is placed closer than 50 feet from any adjacent zone boundary or road right-of-way line. Such setback space shall be appropriately landscaped with a combination of trees, shrubs, and/or earthen berms to separate the commercial businesses from existing or future development in the adjacent zone.
 - (f) Access drives and parking areas are landscaped to define spaces and provide visual relief from wide expanses of pavement.
 - (g) The site is designed and operated so that it does not pose potentially adverse impacts on the health of nearby aquifers, streams, lakes or other waterbodies.
 - (h) The site is designed and operated so that it does not produce levels of noise, odors, and lighting that adversely affect adjoining residential properties.
 - (4) Mini-commercial warehouse for self storage in B-1 and IND Districts is permitted when such use is extensively landscaped along front and side boundary lines with a combination of trees, shrubs or earth berms.
 - (5) Commercial animal facility in A-1, A-2 and IND Districts is permitted when such facility is designed and operated so that it does not produce excessive noise and odors that adversely affect adjoining properties.
 - (6) Motel in B-1 and IND Districts is permitted when:

- (a) No building is located less than 50 feet from an existing residential lot and no off-street parking is located less than 25 feet from a front right-of-way line.
 - (b) Access driveways intersect public roads at approximately 90° and are located no less than 150 feet from the intersection of two right-of-way lines of public roads.
 - (c) Landscaping is provided along road frontages and around parking areas.
- (7) Bed-and-breakfast in A-1, A-2, R-1, R-2 and R-3 Districts is permitted when:
- (a) Off-street parking is located and designed in a manner that is consistent with the visual character of the adjacent neighborhood.
 - (b) Access drives intersect public roads at approximately 90° and are located no less than 50 feet from the intersection of two right-of-way lines of public roads.
 - (c) Landscaping is provided around parking areas.
- (8) Nursery school in A-1, A-2, R-1 and R-2 Districts is permitted when applicable regulations of New York State can be complied with.
- (9) Drive-in or drive-through business in B-1 District is permitted when entrance and exit routes to service windows are clearly marked, service windows face a side or rear yard, safe and adequate stacking space is provided, and landscaping along property lines is provided.
- (10) Gas service station in the IND District is permitted when not adjacent to a residential zoning district, entrance and exit routes to the Town's primary transportation network are safe and clearly marked and lighted, safe and adequate parking is provided on site such that it does not conflict with truck traffic and circulation, and landscaping along property lines is provided.
- (11) Warehouse in the B-1 and IND Districts is permitted when such use is extensively landscaped along the front and side with a combination of trees, shrubs, or earth berms. A warehouse is not permitted in a B-1 or IND Districts when the site is adjacent to a residential neighborhood in the Town of Tully. No outside storage is allowed at a warehouse facility unless properly screened, subject to review and approval by the Planning Board after Site Plan Review.
- (12) Off-site parking facility in all districts is permitted when:
- (a) Access and exit driveways are clearly defined and no less than 150 feet from the intersection of two right-of-way lines of public roads.
 - (b) Landscaping is provided along lot lines and as needed to define parking spaces and access and egress routes thereto.
- (13) Automotive repair shop in the IND District.

§ 280-11.1 Planned Unit Development Process and Procedures¹⁷

- A. Legislative purpose. The Town of Tully, Onondaga County, New York hereby finds and determines that:
- (1) When coordinated with the Comprehensive Plan, a PUD can be an effective tool to encourage development in ways that support the community goals and priorities outlined in the Town of Tully Comprehensive Plan and its Zoning Code.
 - (2) This section provides a process to allow for the approval of a beneficial development plan that would not otherwise be possible due to existing zoning laws that regulate permissible uses and bulk requirements. A PUD provides flexibility in the regulation of land use development in order to:
 - (a) Encourage innovation in land use variety and design, in the layout and type of new structures and in their integration with existing structures;
 - (b) Enhance efficiency in the use of land, natural resources, energy, community services and utilities;
 - (c) Encourage open space preservation and protection of natural resources, historic sites and structures;
 - (d) Facilitate the construction of multiunit housing and improved residential environments;
 - (e) Enhance the Town's ability to promote business and employment opportunities;
 - (f) Preserve the safety and efficiency of the state, county and Town transportation system within the Town of Tully;
 - (g) Provide for logical and orderly extensions of water, sewer and utility infrastructure; and
 - (h) Provide for a unified and logical pattern of development to land areas determined to be appropriate for growth as outlined in the Town of Tully Comprehensive Plan.
 - (i) Develop land that has unique characteristics, including steeper slopes, topographic challenges, connectivity to population centers and/or commercial areas, and authorize growth to meet goals and policies of the Town of Tully.
- B. Authority. In addition to any other powers and authority to plan and regulate by zoning, the Town of Tully hereby enacts requirements for the review of applications to establish a planned unit development district and the establishment and simultaneous mapping of planned unit development districts pursuant to the provisions of this § 280-11.1.
- C. Overview of process.
- (1) An applicant that seeks to establish a PUD district plan in the Town must submit a PUD district plan application to the Town Board. Only persons who can demonstrate legal control over the parcel(s) covered by the proposed PUD district, or their authorized representative(s), may file a PUD district application. A contract vendee for a parcel or parcels of land may be considered to have sufficient legal control for purposes of submitting a PUD district plan application.
 - (2) The establishment of a PUD district plan shall require two steps:
 - (a) Approval of the PUD district plan application; and

- (b) Enactment of a local law to adopt the provisions of the PUD district plan, establish the legal boundaries of the district and to amend the Town Zoning Map.
- (3) After a PUD district plan has been adopted by the Town Board, the applicant must obtain PUD site plan approval for the project from the Town Planning Board.
- (4) No permit for the erection of a building or structure or development of the site may be granted until after all necessary approvals under this section have been issued.
- (5) The applicant for a PUD district shall pay, and the Town shall be entitled to receive, reimbursement for expenses associated with the review of any application submitted pursuant to this section.

D. Planned unit development district plan application requirements.

The following must be submitted as part of an application to establish a PUD district plan:

- (1) PUD district plan description. The application must include a description of the proposed PUD district plan requirements, including the types of land uses, bulk requirements, parking requirements, the regulations of signage, as well as provisions, if any, relating to cluster development, incentives, bonuses, open space, design guidelines and the preservation of historic resources.
- (2) PUD district plan map. The applicant must provide a map of the PUD district plan identifying the location of permissible land uses, roads, sidewalks, drainage, landscaped areas, parking, utilities and the total acreage of the proposed PUD district. In no instance shall a PUD district be bisected by a state highway or county highway. However, an area that includes land divided by internal private roads or roads intended to be dedicated to the Town may be considered to be contiguous for the purpose of complying with this requirement.
- (3) Phasing plan. The application must include a schedule describing all phases for the completion of buildings, public and private facilities and site improvements for the full build-out of the development and shall clearly indicate all aspects of the phasing of the entire development.
- (4) Application timeline. The PUD district plan must include a timeline providing deadlines to apply for PUD site plan approval and building permits. Failure to meet the deadlines set forth in the PUD district plan may result in the automatic revocation of the PUD district plan approval, unless extended by the Town Board.
- (5) Real property rights. The application must include a draft of all covenants, easements and rights-of-way relating to the site development and/or homeownership, homeowners' associations and any lands dedicated to public use within the PUD district plan.
- (6) Environmental review. The Town Board must comply with the New York State Environmental Quality Review Act (SEQRA) (Environmental Conservation Law § 8-0101 et seq.) when considering an application for a PUD district plan. The applicant must provide a completed Part 1 of the Full Environmental Assessment Form. In addition, the applicant will be required to provide the Town with any information deemed necessary by the Town in order to evaluate the potential environmental impacts of a proposed development.
- (7) Escrow. The Town Board may require that the applicant place into escrow at the time of submission of the application sufficient funds to pay for the Town's use of legal and engineering professionals to evaluate the application.

- E. **Development Impact Statement:** The Town Board may require the applicant prepare and submit a developmental impact statement. It must describe in detail the effects that the proposed development may have and how those effects can be mitigated. The Town Board can require that the development impact statement address any or all of the following:
- (1) Environmental factors, such as streams, rivers, air pollution, wetlands, lakes, and the quality of surface and ground waters.
 - (2) Traffic congestion.
 - (3) Local school systems.
 - (4) Population in the surrounding area and the Township.
 - (5) Additional costs to governmental units and school districts.
 - (6) Aesthetic qualities, quality of life and enjoyment, and blighting influences, upon surrounding properties, especially residential properties.
 - (7) Noise, vibration, dust and dirt, litter, gas smoke, odor, light, and glare.
 - (8) Public safety services.
 - (9) Drainage.
 - (10) Surrounding property values.
 - (11) Sanitation, including water supply and sewage disposal.
 - (12) Historical structures and places.
 - (13) Archaeological sites and artifacts.
 - (14) Wildlife and trees and forests.
 - (15) Such other matters as the Town Board may request to be included.
 - (16) The developmental impact statement shall, if requested by the Town Board, include statements and comments from the following public agencies or officials concerning any aspects of the proposed land use within their respective responsibilities and jurisdictions: County Health Department, County Highway Commission, local Board of Education, County Sheriff's Department, local Fire Department, and other agencies as determined appropriate by the Town Board.

F. **Procedure.**

The Tully Town Board may approve a proposed PUD district plan after receiving comments and recommendations from the Town of Tully Planning Board. The following procedural steps shall be required prior to approval:

- (1) **Preapplication conference.** Before submission of an application for approval of a PUD district plan, the applicant is encouraged to contact the Code Enforcement Officer to arrange for a meeting with representatives of the Town in order to obtain feedback on the application prior to formal submittal.
- (2) **Referrals.** Upon the receipt of a complete PUD district plan application, the Town Board shall review it and refer it to the Town Planning Board and the County Planning Board for comment.
- (3) **Public hearing(s).** The Town Board shall be required to conduct one or more public hearing(s) prior to adopting a PUD district plan. Notice of each public hearing shall be published in a newspaper of general circulation at least 10 calendar days in advance of

the hearing. The application shall be made available for public review at least 10 calendar days prior to said public hearing at the office of the Town Clerk.

- (4) Review and comment. The Town Planning Board must provide comments to the Town Board no later than 60 days after having the application referred to them. If the Planning Board fails to provide comments prior to the deadline, the Town Board may proceed without receiving comments from the Planning Board.
- (5) Town Board action. Following completion of the referral and comment process, at least one public hearing and satisfaction of the Town Board's obligations pursuant to SEQRA, the Town Board may vote to approve or deny the PUD district plan application. In the event that the application is approved, the Town Board must also adopt a local law to amend the Town Code to include the district plan and to amend the Zoning Map.
- (6) PUD site plan approval. Following approval of a PUD district plan, the applicant must submit an application for PUD site plan approval to the Town Planning Board and follow the procedure for site plan review as outlined in § 280-9.B of the Town of Tully Code.

G. PUD District plan review criteria.

The Town Board shall weigh the following factors when considering whether to approve an application to create a PUD district plan:

- (1) Whether the proposed plan will result in the efficient use of land, natural resources, energy sustainability, community services, infrastructure and utilities.
- (2) Whether the proposed plan is consistent with the Comprehensive Plan and the orderly development of the Town.
- (3) Whether the proposed plan will negatively impact natural resources, the environment or historic resources.
- (4) Whether the proposed plan will result in new employment opportunities for Town residents and investment in the community in the form of economic development.
- (5) Whether the proposed plan will improve the availability of affordable housing in the Town.
- (6) Whether the proposed plan will have a negative impact on existing residential uses of land in the Town in terms of, but not limited to, traffic, visual and aesthetic impact, noise, dust, odors, glare, threats to human health or other nuisances.
- (7) Whether the proposed plan has adequately addressed issues related to the provision of sewer, water, drainage, electricity, parking, public safety, fire safety and other infrastructure issues.
- (8) Whether the proposed plan will result in the loss of prime farmland or will interfere with existing farm businesses.
- (9) Whether the proposed plan is consistent with the existing character of the neighborhood.
- (10) Whether the proposed development will impact in a negative way access to the towns recreation areas including foot and bicycle access.

¹⁷ . Editor's Note: Former § 280-11.1, Opt-out of exemption for solar, wind and farm waste energy systems, added 7-12-2017 by L.L. No. 1-2018, was repealed 3-11-2020 by L.L. No. 2-2020.

§ 280 Attachment 2

Repeal and replace with:

280 Attachment 2

Town of Tully Schedule I

Schedule of Land Uses or Activities Town of Tully

P = Permitted as of right (except when affected by § 280-9B Site plan review, or § 280-11.1 PUD authorization)

SC = Special conditions apply

SPB = Special authorization by the Town Planning Board

STB = Special authorization by the Town Board

NP = Not permitted

PUD = PUD authorization required (§ 280-11.1)

Land Use or Activity	District								Reference Notes
	A-1	A-2	R-1	R-2	R-3	B-1	IND	PUD	
A. Residential Uses									
1. Dwelling, single-family	P	P	P	P	P	NP	NP	P	
2. Dwelling, two-family	NP	NP	NP	P	NP	NP	NP	P	
3. Dwelling, multifamily	NP	NP	NP	SPB	NP	NP	NP	P	§ 280-11B and C(1)
4. Dwelling, mobile	SC	SC	SC	SC	SC	SC	SC	NP	§ 280-10B
5. Group residence	NP	NP	NP	STB	NP	NP	NP	P	§ 280-11D (See definitions.)
6. Accessory use or structure related to residential use	P	P	P	P	P	NP	NP	P	
7. Dwelling, ECHO housing	STB	STB	STB	STB	STB	NP	NP	NP	§ 280-11D. (See definitions.)
8. Dwelling, townhouse	NP	NP	NP	SPB	NP	NP	NP	P	§ 280-11C(1)
9. Retirement housing	NP	NP	SPB	SPB	NP	SPB	NP	P	§ 280-11C(1) (See definitions.)
10. Cluster housing	SPB	SPB	SPB	SPB	SPB	NP	NP	P	See Definitions.
B. Community Uses									
1. Community center	NP	NP	NP	NP	NP	SPB	SPB	P	§ 280-11B
2. Public or private school	NP	SPB	SPB	NP	NP	NP	NP	P	§ 280-11B
3. Religious uses	SPB	SPB	NP	NP	NP	NP	NP	P	§ 280-11C(2)
4. Cemetery	SPB	SPB	NP	NP	NP	NP	NP	NP	§ 280-11B
5. Public park, playground	P	P	P	P	P	P	P	P	
C. Business Uses									
1. Agriculture uses	P	P	P	NP	NP	SP	P	NP	See definitions.
2. Roadside stand	SC	SC	SC	SC	SC	NP	SC	NP	§ 280-10C (See definitions.)
3. Retail business benefitting from good highway access but not listed in this Schedule	NP	NP	NP	NP	NP	SPB	SPB	P	§ 280-11C(3)
4. Mini-commercial warehouse for self storage and warehouse	NP	NP	NP	NP	NP	SPB	SPB	P	§ 280-11C(4)
5. Nursing home	NP	NP	NP	SPB	NP	NP	SPB	P	§ 280-11B
6. Day-care facility	NP	NP	SPB	SPB	SPB	NP	NP	P	§ 280-11B (See definitions.)
7. Commercial animal facility	SPB	SPB	NP	NP	NP	NP	SPB	NP	§ 280-11C(5)

Land Use or Activity	District									Reference Notes
	A-1	A-2	R-1	R-2	R-3	B-1	IND	PUD		
8. Funeral home	NP	NP	SPB	SPB	NP	SPB	NP	P		§ 280-11B
9. Medical center	NP	NP	NP	NP	NP	SPB	SPB	P		§ 280-11B
10. Accessory use or structure related to business use	SPB	SPB	NP	NP	NP	SPB	SPB	P		§ 280-11B
11. Motel	NP	NP	NP	NP	NP	SPB	SPB	P		§ 280-11B(6)
12. Bed-and-breakfast	SPB	SPB	SPB	SPB	SPB	SPB	NP	P		§ 280-11C(7)
13. Nursery school	SPB	SPB	SPB	SPB	NP	NP	NP	P		§ 280-11C(8)
14. Commercial stable	P	P	NP	NP	NP	NP	NP	NP		See definitions.
15. Drive-in or drive-through business	NP	NP	NP	NP	NP	SPB	NP	P		§ 280-11C(9)
16. Commercial off-season storage of boat, snowmobile, RV and similar vehicle	SPB	SPB	NP	NP	NP	NP	STP	NP		§ 280-11B for A-1 and A- 2 § 280-11D for IND
17. Off-site parking facility	SPB	SPB	SPB	SPB	SPB	SPB	SPB	P		§ 280-11C(10)
18. Gasoline service station	NP	NP	NP	NP	NP	NP	STB	NP		
D. Business/Industry										
1. Wholesale business	NP	NP	NP	NP	NP	NP	P	NP		
2. Manufacturing business	NP	NP	NP	NP	NP	NP	P	NP		
3. General processing, assembly	NP	NP	NP	NP	NP	NP	P	NP		
4. Truck or motor freight terminal	NP	NP	NP	NP	NP	NP	STB	NP		§ 280-11D(3)
5. Use of accessory farm buildings for farm-related business	P	P	NP	NP	NP	NP	STP	NP		§ 280-11D
6. Scientific research laboratory	NP	NP	NP	NP	NP	STB	STB	NP		§ 280-11D(4)
E. Miscellaneous Uses										
1. Sign	SC	SC	SC	SC	SC	SC	SC	P		§§ 280-9D and 280-10D
2. Home occupation	SC	SC	SC	SC	SC	SC	SC	P		§ 280-10D
3. (Reserved)										
4. Wind power and other alternate domestic energy sources, except solar	STB	STB	STB	STB	STB	STB	STB	NP		§ 280-11.2
5. Telecommunications tower and related accessory equipment	STB	STB	STB	NP	NP	STB	STB	NP		§ 280-11D(5)
6. Utility structure	STB	STB	STB	STB	STB	STB	STB	NP		§ 280-11D(6) (See definitions.)
7. Swimming pool	SC	SC	SC	SC	SC	SC	SC	P		§ 280-10F (See definitions.)
8. Adult-oriented business	NP	NP	NP	NP	NP	NP	STB	NP		See Town Law
9. Mining	NP	NP	NP	NP	NP	NP	NP	NP		Subject to agreement between the Town and Valley Realty in April 2001 ²
10. Renewable energy facilities	See Reference Note	See Reference Note	See Reference Note	See Reference Note	See Reference Note	See Reference Note	See Reference Note	NP		Such facilities shall include without limitation wind energy systems (§ 280-11.2).
11. Solar energy systems	STB	STB	STB	STB	STB	STB	STB	NP		Rate 1; see § 280-11.3

Notes:

¹ (Reserved)

² Editor's Note: Supreme Court settlement.

¹ Editor's Note: Subsequently amended pursuant to L.L. No. 1-2018, adopted 7-12-2017.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2024 of the ~~(County)(City)(Town)(Village)~~ of TULLY was duly passed by the TOWN BOARD on _____ 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: _____