

**EXHIBIT A
TOWN OF ULYSSES
LOCAL LAW NO. ____ FOR THE YEAR 2024**

PARK/RECREATION ZONE ZONING CODE AMENDMENT

Be it enacted by the Town Board of the Town of Ulysses as follows:

Section 1. Chapter 212 Article XVIII entitled “PR – Park/Recreation Zone” shall be amended as follows:

110. Purpose. *Remains the same.*

111. Permitted uses.

In the PR — Park/Recreation Zone, 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. Farm operation.

B. Public and private community parks, regional parks and preserves.

112. Uses permitted by special permit.

The following uses are allowed within the PR — Park/Recreation Zone upon approval of a special permit pursuant to Article III, § 212-18, upon receipt of site plan approval from the Planning Board pursuant to Article III, § 212-19, and subject to the design standards set forth in relevant sections of Article XX:

A. Signs as regulated under Article XX, § 212-122.

B. Seasonal campgrounds, overnight campgrounds and group campgrounds, subject to the provisions of Article XX, § 212-127.

C. Cemeteries and the buildings and structures incidental to cemetery operations.

D. Golf courses, except miniature golf courses operated on a commercial basis.

E. Nature centers.

F. Public and private community parks, regional parks and preserves.

G. F. Commercial stables, subject to the provisions of Article XX, § 212-138.

113 through 115 *Remains the same.*

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Town of Ulysses shall remain in full force and effect.

Section 3. Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or

unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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ARTICLE XVIII
PR — Park/Recreation Zone

§ 212-110. Purpose.

The purpose of the PR — Park/Recreation Zone is to protect those natural areas and scenic and recreational resources within the Town of Ulysses that contribute to the high quality of life and economic vitality of the Town.

§ 212-111. Permitted uses.

In the PR — Park/Recreation Zone, 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. Farm operation.

A.B. ~~Public and private community parks, regional parks and preserves.~~

§ 212-112. Uses permitted by special permit.

The following uses are allowed within the PR — Park/Recreation Zone upon approval of a special permit pursuant to Article III, § 212-18, upon receipt of site plan approval from the Planning Board pursuant to Article III, § 212-19, and subject to the design standards set forth in relevant sections of Article XX:

- A. Signs as regulated under Article XX, § 212-122.
- B. Seasonal campgrounds, overnight campgrounds and group campgrounds, subject to the provisions of Article XX, § 212-127.
- C. Cemeteries and the buildings and structures incidental to cemetery operations.
- D. Golf courses, except miniature golf courses operated on a commercial basis.
- E. Nature centers.

~~F. Public and private community parks, regional parks and preserves.~~

G.F. Commercial stables, subject to the provisions of Article XX, § 212-138.

§ 212-113. Permitted accessory uses.

The following uses shall only be permitted as accessory uses to the uses set forth July 8, 2014, in §§ 212-111 and 212-112. Site plan approval shall be required from the Planning Board pursuant to the provisions of Article III, § 212-19.

- A. Accessory buildings.
- B. Single-family residences and their accessory buildings, subject to the limitations set forth in Article IV, Terminology; and Article XX, Design Standards.
- C. Seasonal roadside stand, subject to provisions of Article XX, § 212-135.
- D. Temporary buildings and structures used for office, sales, storage and fabrication activities

related to the development of a site, provided that such building or structure may not be continued for more than one year except upon receipt of a special permit.

- E. Vehicle parking, pursuant to the provisions of Article XX, § 212-121.
- F. Minor solar collection system subject to the provisions of Article XX, § 212-139.1.

§ 212-114. Lot area and yard requirements.

- A. Minimum lot area shall be 10 acres.
- B. Minimum lot width shall be 400 feet at the front and rear lot lines.
- C. Minimum lot depth shall be 450 feet.
- D. Minimum front and rear yard setback shall be 75 feet.
- E. Minimum side yard setbacks shall be 15 feet.
- F. Minimum lakeside setback shall be 100 feet, measured from the MHWE.
- G. Maximum building height shall be 40 feet.
- H. Maximum lot coverage shall be 5% of the lot area, including roads.
- I. Maximum footprint of a new building shall be 2,000 square feet.
- J. The above and the provisions of § 212-115 notwithstanding, in the case of a lot with frontage on a lake, accessory uses such as boathouses, pump houses, docks, piers, boat ramps, patios, decks and other facilities typically associated with water-oriented recreational pursuits are permitted within the yard setback area and buffer area fronting on the lake; provided, however, that they are located outside the required side yard setback areas.

§ 212-115. Buffer areas.

- A. No buildings or other structures, or parking areas, shall be located within 100 feet from any stream edge or any wetland as defined by local, state or federal law, or in the case of a lot with frontage on a lake, within 100 feet of the lakefront using the mean high-water elevation. See § 212-124, Standards for buffer areas.
- B. The above notwithstanding, in the case of a lot with frontage on a lake, accessory uses such as boathouses, pump houses, docks, piers, boat ramps, patios, decks and other facilities typically associated with water-oriented recreational pursuits are permitted within the buffer area fronting on the lake, provided; however, that they are located outside the required side yard setback areas set forth in § 212-114 above.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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| Part 1 – Project and Sponsor Information | | | |
| Name of Action or Project: Zoning Code Amendment to Board of Zoning Appeals | | | |
| Project Location (describe, and attach a location map): Town-wide | | | |
| Brief Description of Proposed Action: The Town of Ulysses intends to amend the Code of the Town of Ulysses, Chapter 212 Zoning, Article XVIII PR - Park/Recreation Zone, Section 111 Permitted uses and Section 112 Uses permitted by special permit. | | | |
| Name of Applicant or Sponsor: Town of Ulysses Town Board | | Telephone: 607.387.5767 x232 E-Mail: supervisor@townofulyssesny.gov | |
| Address: 10 Elm Street | | | |
| City/PO: Trumanburg | | State: NY | Zip Code: 14886 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres | | | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland | | | |

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|---|--|---|---|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input type="checkbox"/> | N/A <input type="checkbox"/> <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO <input type="checkbox"/> | YES <input type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | NO <input type="checkbox"/> | YES <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | NO <input type="checkbox"/> | YES <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____ | NO <input type="checkbox"/> | YES <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____ | NO <input type="checkbox"/> | YES <input type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input type="checkbox"/> | |

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|--|------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | NO <input type="checkbox"/> | YES <input type="checkbox"/> |
| <p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Town of Ulysses</u> Date: <u>08.30.2024</u></p> <p>Signature: _____ Title: <u>Town Supervisor</u></p> | | |

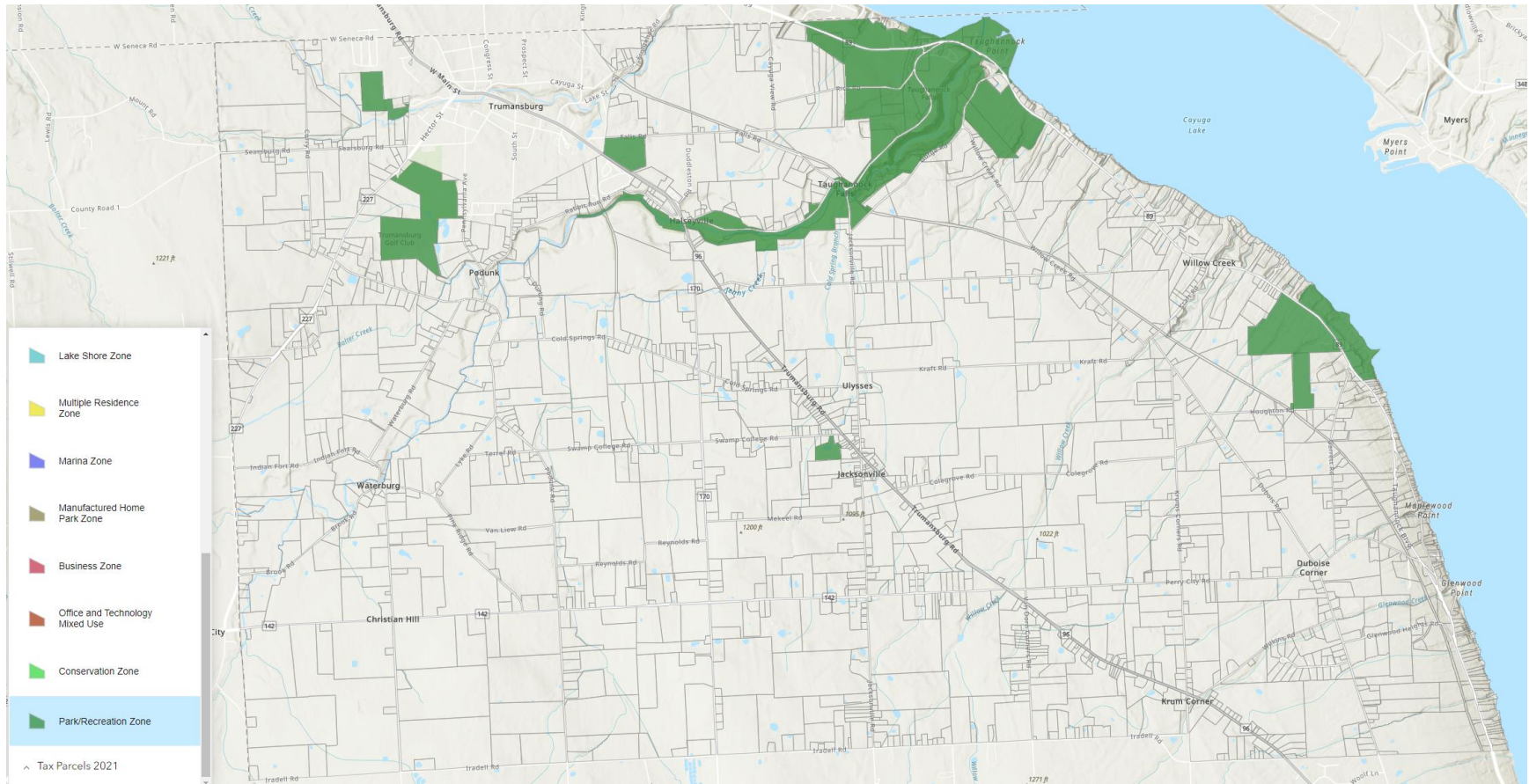
SUBJECT: Zoning Code Amendment to PR: Park/Recreation Zone, SEAF Part 1 Narrative

PROJECT NUMBER: ZCA2408-01

PROJECT LOCATION: Town-wide

The intent of the proposed action is to amend two sections to the Code of the Town of Ulysses, Chapter 212 Zoning, Article XVIII PR: Park/Recreation Zone, Section 111 Permitted uses and Section 112 Uses permitted by special permit. This action will make community and regional parks and preserves a permitted use by right in the PR zone vs a use that requires a special use permit from the Planning Board.

SUBJECT: Zoning Code Amendment to PR: Park/Recreation Zone, SEAF Part 1 Location Map
PROJECT NUMBER: ZCA2408-01
PROJECT LOCATION: Town-wide



PR Park/Recreation Zones in the Town of Ulysses



TOWN OF ULYSSES

PLANNING AND ZONING DEPARTMENT

STAFF MEMO

TO: Town Board
FROM: Niels Tygesen, Planner
DATE: August 30, 2024
MEETING DATE: September 10, 2024
SUBJECT: Zoning Code Amendment to
Park/Recreation Zone

PROJECT NUMBER: ZCA2408-01
PROJECT LOCATION: Town-wide

INTRODUCTION

The Code of the Town of Ulysses ([CTU 212-112.F](#)) requires community and regional parks and preserves uses in a designated park and recreation zone to obtain a special permit from the Planning Board. 'Special permit' is not defined in the zoning code, however, under the Code of the Town of Ulysses ([CTU 212-18 Special permits](#)), it states, "the purpose of this section is to set forth regulations, procedures, and conditions that apply to certain permitted uses that, because of size, intensity, or other special factors, warrant special evaluation of each individual case. Per [CTU 212-110](#), the purpose of the PR zone is "to protect those natural areas and scenic and recreational resources within the Town of Ulysses that contribute to the high quality of life and economic vitality of the Town". Per [CTU 212-22](#), 'community park' is defined as, "a parcel of land in public or private ownership available to the public for daytime and evening recreational, educational, cultural or scenic purposes, intended for use by residents living within a few miles of the facility"; 'regional park' is defined as, "a parcel of land in public or private ownership available to the public for daytime, evening and overnight recreational, educational, cultural or scenic purposes, such as a county, regional or state park"; and 'preserve' is defined as, "a tract of land dedicated to the protection of one or more scenic or environmental attributes, including, but not limited to, flora, fauna, geological features, lakes, streams, wetlands or other hydrological features".

In [2019, the Town adopted a new zoning map](#) that designated seven properties as PR: Cayuga Nature Center, Girl Scouts Camp Comstock, Jacksonville Community Park, (Salo) Habitat Nature Preserve, Smith Woods, Taughannock Falls State Park, and Trumansburg Golf Course. Three of these, Jacksonville Community Park, Salo, and Trumansburg Golf Course, were rezoned from either residential or hamlet zones. When rezoning property and/or adopting a new zoning map, the Town is required in part to ensure the zoning designation complies with the Land Use Map and goals and policies of the Comp Plan, consider the need and location within the community, and the compatibility with the existing character of the neighborhood.

Special permits, or conditional use permits as is more commonly used in contemporary zoning codes, are designations most often used for certain land uses that might not normally fit into a zoning category but could be suitable if the proposed land use meets certain conditions to mitigate any foreseeable negative impacts. One fairly common example is a proposal to locate a new elementary school in a low-density residential zone. On the one hand it might be desirable to locate the educational facility in a residential area so that local students and their parents have convenient access to it. On the other hand, the new school may generate some impacts, like a higher level of traffic that could negatively affect the surrounding neighborhood. Most zoning codes permit park/public recreation as an outright permitted use in lands zoned 'Park/Recreation'. Presumably, the Town previously weighed and vetted through public engagement and hearings, whether or not lands should be designated as PR prior to rezone actions and/or adoption of the 2019 zoning map, and that the requirement to obtain a special permit for park use was an oversight.

PROCESS

Staff drafted a proposed local law that would amend two sections of [CTU 212 Article XVIII](#) to codify ‘public and private community parks, regional parks and preserves’ as an outright permitted use in the PR zone. Under the [Consolidated Laws of New York \(CLNY\) 62.16.265](#), the Town Board may amend the zoning code subsequent to a public hearing. [CTU 1-7](#) states the Code of the Town of Ulysses may be amended as the Town Board deems desirable. And [CTU 212-12](#) states the zoning code regulations may be amended by the Town Board pursuant to local law. The action is considered an unlisted action under SEQR per [Title 6 of the Codes, Rules, and Regulations of New York](#) which the Town Board will act as Lead Agency. The proposal was submitted to the County for review as it is not exempt from the requirements of [CLNY 24.12-B.239-L, M, or N](#).

REQUEST TO THE TOWN BOARD

Review the information in this memo; [review the proposed drafted code amendment](#); [review the drafted resolution and local law](#); [review the drafted SEQR documents](#); and consider additional materials that may be needed by the Board from Legal and/or staff to facilitate its deliberations.