

AMENDMENT TO TOWN OF ORLEANS
ZONING ORDINANCE

The Town of Orleans Zoning Ordinance is hereby further amended as follows:

Article II is amended by adding the following definitions thereto:

Overlay District: A zoning district that encompasses one or more underlying zoning districts and that imposes additional requirements above that required by the underlying zoning district.

Wind Energy Conversion System ("WECS"): A machine that converts the kinetic energy in the wind into a usable form (commonly known as "wind turbine" or windmill").

Wind Energy Facility: Any wind energy conversion system, small wind energy conversion system, or wind measurement tower, including all related infrastructure, electrical lines and substations, access roads and accessory structures.

Article V is hereby amended by adding the following district designation and purpose.

Wind Energy Facility Overlay District.

Purpose:

To provide an area within the Town of Orleans where wind energy facilities shall be permitted subject to the review and permitting requirements of the Ordinance and any other applicable local law or ordinance of the Town of Orleans. Wind energy facilities shall not be permitted in the Town of Orleans outside of the Wind Energy Facility Overlay District.

The Wind Energy Facility Overlay District shall include lands bounded by the following:

Beginning on the South and West, the District shall commence at the point where Woodard Road enters the Town of Orleans from the Town of Clayton and then traveling Easterly to the intersection of Dog Hill Road and Carter Street. Then traveling in a Northerly direction along Carter Street to that street's point of intersection with N.Y.S. Route 180. Then traveling in a Westerly direction along Dutch Gap Road to the Westerly boundary of the Town of Orleans. Then traveling Southward along the Town of Orleans boundary to the point of beginning.

The zoning map of the Town of Orleans shall be amended to include the Wind Energy Facility Overlay District.

ARTICLE V - SCHEDULE I, USE CONTROLS				PERMITTED ACCESSORY USES	SPECIAL USES	SITE PLAN REVIEW USES
DISTRICT	PURPOSE	PERMITTED USES	PERMITTED USES			
AGRICULTURE & RURAL RESIDENCE - A	The primary purpose of this District is to promote agriculture, rural residences, open spaces and other complementary uses.	Any Agricultural Operations, Agri-business Operations, Single or Two Family dwellings, Mobile Homes, Home Occupations	Barns, Milk Sheds or agriculturally related structures, private garages, carpports, patio swimming pools, signs, bathhouses, other customarily incidental uses, and satellite dishes.	Public or private recreation facilities, educational institutions, drive-in restaurants, hospitals, small commercial enterprises, forest product uses, agricultural processing plants, animal hospitals, churches, crematoriums, community facilities, cemeteries, public riding stables, automobile service stations, above ground fuel storage tanks (over 1000 gallons), building supply operations, internal organizations, machine and welding shops, billboards.	Slaughter houses, air-strips, quarry, mobile home parks, public utility facilities, motels, hotels, resorts, camping grounds, shopping centers, drive-in theaters, hog or fur farms, salvage yards, multiple dwellings, large commercial uses, automobiles and other vehicle dealerships, billboards.	
RESIDENTIAL - BUSINESS DISTRICT	The primary purpose of this District is to promote and enhance residential areas and related small commercial uses.	Home occupations, single and two family dwellings, mobile homes.	Private garages, swimming pools, patios, carpports, signs, barns, and other agricultural structures, bathhouses, other customarily incidental uses, and satellite dishes	Church, community facilities, educational institutions	Public utility facility, multiple dwelling, small commercial uses, shopping centers, hotels, motels, resorts, recreation facilities, automobile mobile service stations, automobile or other vehicle dealerships, internal organizations.	
BUSINESS - B	The primary purpose of this District is to promote a wide variety of business exclusive of industry.	Mobile Homes, small commercial enterprises, single and two family dwellings, home occupations, agricultural operations, agribusiness operations.	Private garages, swimming pools, patios, carpports, signs, barns, and other agricultural structures, marine uses and satellite dishes.	Public and private recreational uses, automobile service stations, automobile or other vehicle dealership community facilities.	Signs, billboards, camping grounds, shopping center small commercial enterprises, industry, public utility facility, quarry, multiple dwelling, large commercial enterprises, motels, hotels, resorts.	

Lot of Record Pre '84

ARTICLE V DISTRICT REGULATIONS SCHEDULE II - LOT DIMENSIONS									
DISTRICT AND USE	MAXIMUM LOT COVERAGE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD	MINIMUM HEIGHT (')	MAXIMUM HEIGHT (')	
RURAL RESIDENCE - ARR									
Permitted Uses	50%	15,000	100	30	20	20	20	35	
Accessory Uses	-	-	-	30	20	20	20	35	
Special/site Plan Uses	50%	15,000	100	30	20	20	20	35	
Lot of Record	50%	7,500	50	30	10	10	10	35	
RESIDENTIAL BUSINESS - RB									
Permitted Uses	50%	15,000	100	30	15	15	15	35	
Accessory Uses	-	-	-	30	15	15	15	35	
Special/site Plan Uses	50%	15,000	100	30	15	15	15	35	
Lot of Record	50%	7,500	50	30	15	15	15	35	
BUSINESS - B									
Residential & Related Uses	50%	15,000	100	30	15	15	15	35	
Business & Commercial Uses	50%	15,000	75	10	0 (1)	15	15	35	
Accessory Uses	-	-	-	10	0 (1)	15	15	35	
Special/site Plan Uses	50%	7,500	75	10	0 (1)	15	15	35	
Lot of Record	50%	5,000	50	10	0 (1)	10	10	35	
RESORT - I RES-I									
Permitted Uses		11,250	75	30	20	20	20	35	
Accessory Uses		-	-	30	20	20	20	35	
Special/site Plan Uses		11,250	75	30	20	20	20	35	
Lot of Record		7,500	50	10	10	10	10	35	
RESORT - II RES-II									
Permitted Uses		11,250	75	30	20	20	20	35	
Accessory Uses		-	-	30	20	20	20	35	
Special/site Plan Uses		11,250	75	30	20	20	20	35	
Lot of Record		6,000	50	10	10	10	10	35	
INDUSTRIAL - IHD									
Permitted Uses		11,250	75	30	20	20	20	35	
Accessory Uses		-	-	30	20	20	20	35	
Special/site Plan Uses		11,250	75	30	20	20	20	35	
Lot of Record		6,000	50	10	10	10	10	35	

All lot dimensions for permitted uses, as noted, will be waived and will be at the discretion of the Board of Appeals and Town Board, as per the requirements of Article VIII, and Article XI, Amendments.

Notes for Schedule II:

* Any Public building, school, church, hospital, or other institution, radio or T.V. antenna, water tower, observation tower or farm building or structure other than a dwelling, which is located in an Agriculture and Rural Residence or Resort District, or any Building or structure which is located in a Business District or Industrial District, may be erected or altered to a height not exceeding 75 feet, provided that for each foot by which the maximum height permitted in the District is exceeded, the front, side and rear yards required therefore shall be increased an additional foot and such building or structure shall be erected or altered not closer than the height thereof to any dwelling on the same or any other lot.

In any District, for any lot where the front yards on the lots adjacent thereto on either side are less than the minimum front yard requirement (See Article V, Schedule II) at the time of enactment of this Ordinance, the required front yard may be reduced to the average of the adjacent yards, but not less than ten (10) feet from the lot line or street line or five (5) feet on a lot of record.