

ZONING LAW
of the
Village of Trumansburg, New York

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ARTICLE I - INTRODUCTION

Section 101. Purpose.

For the purpose of promoting the health, safety, morals, or the general welfare of the community, and to lessen congestion in the streets; to secure from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to safeguard homes by preserving the attractive environment of residential areas; to conserve property values in all areas; to implement the Village of Trumansburg Comprehensive Plan; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements in the Village Law, under and pursuant to Article 6-A, Chapter 64 of the Consolidated Laws; the size of [buildings](#) and other structures, the percentage of [lot](#) that may be occupied, the size of [yard](#), the density of population and the use of buildings, structures and land for trade, industry and residence or other purposes, are hereby restricted and regulated as hereinafter provided:

Section 102. Validity.

The invalidity of any section or provision of this law shall not invalidate any other section or provision thereof.

Section 103. Repealer.

All zoning laws, rules, and ordinances adopted by the Village of Trumansburg prior to the effective date of this law, together with all changes and amendments thereto are hereby repealed and declared to be of no effect.

Section 104. Short Title.

This law shall be known as the **Zoning Law of the Village of Trumansburg of 2026**.

Section 105. When Effective.

This law shall be in force and effect immediately upon adoption, posting and publication as provided by law.

Section 106. Amendments.

This law may be amended as provided by law.

Section 107. Establishment of Districts.

For the purpose of this law, the Village of Trumansburg, New York, is hereby divided in to the following districts:

Residential Districts

- a. Residential District

Commercial Districts

- b. Downtown Core District
- c. Neighborhood Mixed Use District

Industrial Districts

- a. Industrial Mixed Use District

Conservation Overlay Districts

- a. Stream Buffer Conservation Overlay District
- b. Wetland Conservation Overlay District

Section 108. Zoning Map.

The districts are bounded as shown on the official zoning map made by the Tompkins County Planning Department, dated **[DATE TBD]**, which shall be certified by the Village Clerk and which, with all explanatory matter thereon, is hereby made a part of this law.

Section 109. Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following shall apply:

1. Where district boundaries are indicated as approximately following the center of streets or highways, [street lines](#), or highway lines, the centerline of such right-of-way shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the [lot lines](#), such lot lines, as

Commented [1]: Updated with the new districts

Commented [2]: Updated with the new districts

exist at the time of enactment or amendment of this law, shall be construed to be said boundaries.

3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.
4. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to follow the centerline of such body of water.

Section 110. Amending District Boundaries.

Zoning district boundaries may be amended hereafter as provided by law.

Section 111. Application of Regulations.

Except as hereinafter provided:

1. No [building](#) or land shall hereafter be used or occupied, and no building or part thereof shall be erected, moved, or altered, unless in conformity with the regulations herein specified for the district in which it is located.
2. No building shall hereafter be erected or altered to exceed the [height](#), to accommodate a greater number of dwellings, to occupy a greater percentage of [lot](#) area, or to have narrower or smaller rear [yards](#), front yard, side yards, or inner or outer courts than is specified herein for the district in which such building is located.
3. No part of a yard or other open space about any building required for the purpose of complying with the provisions of this law shall be included as a part of a yard or other open space similarly required for another building.

Section 112. Prohibition of Uses.

All uses not specifically set forth as permitted uses in a zone are expressly prohibited as uses in that zone. A use specifically permitted in one zone is not permitted in any other zone, less restrictive or otherwise, unless specifically enumerated as a permitted use in such other zone.

ARTICLE II - NON-CONFORMING USES AND STRUCTURES

Section 201. Continuation of Existing Uses.

Except as provided elsewhere in this Article, any use of land, or a structure or part thereof legal in accord with laws existing at the time that this law becomes effective, may be continued, even if such [building](#) or use does not conform to the provisions hereof.

Section 202. Extension of Use.

A non-conforming use may be extended with a [site plan](#) approval by the Planning Board. Said extension may not exceed a ten (10) percent [expansion](#) of the floor area of the non-conforming use when it became non-conforming.

Section 203. Change of Use.

Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use.

Section 204. Discontinuance of Use.

Whenever a non-conforming use has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall be in conformity with the provisions of this law.

Section 205. Displacement.

No non-conforming use shall be extended to displace a conforming use.

Section 206. Alterations of Existing Structures.

A non-conforming structure may be reconstructed or structurally altered with a [site plan review from the Planning Board](#)

Commented [3]: Changed to require site plan review instead of a special use permit.

Section 207. Unsafe Structures.

Nothing in this Article shall prevent the [reconstruction](#) of a structure to a safe condition when said structure is declared unsafe by the Code Enforcement Officer, providing the necessary repairs shall not constitute more than two-thirds of the assessed valuation of such structure and providing that the necessary repairs are made within any time limits established by the [Code Enforcement Officer](#).

Section 208. Restoration.

Any non-conforming structure damaged by fire, flood, earthquake, act of God, or act of the public enemy by less than two-thirds of the assessed valuation of such structure immediately prior to such damage may be restored to its former condition, or better, within twelve (12) months.

Section 209. Construction Approved Prior to Adoption of or Amendment to Law.

Nothing herein contained shall require any change in plans, construction, or designated use of a structure for which a permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three (3) months of the date of such permit, and the ground [story](#) framework of which, including the second tier of beams, shall have been completed within twelve (12) months of the date of the permit, and which entire structure shall be completed according to such plans as filed within eighteen (18) months from the date of this law.

Section 210. Junk Yards, Signs, Storage Containers, and Storage Trailers.

Notwithstanding any other provision of this law, any automobile or other junkyard, or any non-conforming sign or advertising device, or any storage container or storage trailer in existence in a residential district at the time of enactment of this law shall be discontinued within one (1) year of such date. Any [lot](#) containing one or more abandoned, partially dismantled, non-operative, or unregistered motor vehicles shall be considered a junkyard for the purposes of this section.

Section 211. Board of Appeals Determination.

The Board of Appeals shall have the jurisdiction to hear and determine any claims as to whether a particular use is a valid [nonconforming use](#), or whether a nonconforming use has been improperly extended or enlarged, or any other matter relating to the nonconforming uses. Such jurisdiction may be exercised by an appeal from a decision of the [Code Enforcement Officer](#) as hereinafter provided. Any such direct application to the Board of Appeals shall be

made on such forms and contain such information as the Board and/or the Code Enforcement Officer may determine and shall be delivered to the Code Enforcement Officer for submission to the Board.

Section 212. Variance Criteria.

In the event an application is made to the Board of Appeals for a variance to enlarge or alter a [nonconforming use](#), the Board shall apply the same criteria in determining the matter as would be applicable if the application had been made for property that was otherwise conforming. For example, if the application is to enlarge a [building](#) that already encroaches on a required side [yard](#), the Board shall use the criteria applicable to considering an area variance. If the application is to change the use to another nonconforming use, the Board shall use the criteria applicable to considering a use variance.

ARTICLE III - ALLOWED USES

Commented [4]: New section added to consolidate all use tables in one location for ease of use with the general public.

Section 301. Allowed Uses.

The following uses are allowed, as indicated, with a permit from the [Zoning Officer](#).

N = Not allowed

P = Allowed as a principal use

A = Allowed as an accessory use to a principal use

SPR = [Site Plan](#) Review required (see §912)

Use	Residential	Neighborhood Mixed-Use	Downtown Core	Industrial Mixed-Use
RESIDENTIAL USES				
One to Two Dwelling Units	P	P (see §502)	A (see §502)	N
Three to Four Dwelling Units	P + SPR	P (see §502)	A (see §502)	N
Five to Twenty Dwelling Units	P + SPR	P + SPR (see §502)	P + SPR (see §502)	P + SPR
More than Twenty Dwelling Units	N	P + SPR (see §502)	P + SPR (see §502)	P + SPR
Home Businesses	A (see §407)	A	A	A
Congregate Living				
Small (1-16 occupants)	P + SPR	P + SPR (see §502)	P + SPR (see §502)	N
Large (17+ occupants)	N	P + SPR (see §502)	P + SPR (see §502)	P + SPR
PUBLIC AND CIVIC USES				
Community Centers	P + SPR	P + SPR	P + SPR	N
Cultural Institutions	P + SPR	P + SPR	P + SPR	N
Day Care	P + SPR	P + SPR	P + SPR	N
Hospitals	N	N	N	N
Funeral Homes	P + SPR	P + SPR	P + SPR	N
Lodge or Private Club	N	P + SPR	P + SPR	N
Public Parks and Recreation	P + SPR	P + SPR	P + SPR	P + SPR
Postal Services	N	P + SPR	P + SPR	P + SPR
Public Safety Services	P + SPR	P + SPR	P + SPR	P + SPR
Religious Assembly	P + SPR	P + SPR	P + SPR	N
Schools	P + SPR	P + SPR	P + SPR	N
Utilities, Minor	P + SPR	P + SPR	P + SPR	P + SPR
Utilities, Major	P + SPR	P + SPR	P + SPR	P + SPR
COMMERCIAL				
Animal Shelters and Boarding Kennels	N	N	N	P + SPR
Animal Sales and Services	N	P + SPR	P + SPR	P + SPR

Use	Residential	Neighborhood Mixed-Use	Downtown Core	Industrial Mixed-Use
Veterinary Services	N	P + SPR	P + SPR	P + SPR
Drive-Through Facilities	N	N	N	N
Gas Stations	N	P + SPR	N	P + SPR
Vehicle & Equipment Repair	N	P + SPR	N	P + SPR
Car Washes	N	N	N	P + SPR
Eating and Drinking Establishments				
Small (< 300 sq ft)	N	P + SPR	P	A
Medium (300 to 1,499 sq ft)	N	P + SPR	P + SPR	A
Large (>= 1,500 sq ft)	N	N	P + SPR	P + SPR
Lodging				
Bed and Breakfast Dwelling	P + SPR	P + SPR	P + SPR	N
Inn	P + SPR (see §405)	P + SPR	P + SPR	N
Hotel	N	N	P + SPR	P + SPR
Parking, Commercial (non-accessory)	N	P + SPR	P + SPR	N
Professional Services				
Small (< 3,000 sq ft)	P + SPR (see §406)	P + SPR	P	P
Medium (3,000 to 4,499 sq ft)	N	P + SPR	P + SPR	P + SPR
Large (4,500+ sq ft)	N	N	P + SPR	P + SPR
Personal Care Services				
Small (< 3,000 sq ft)	N	P + SPR	P	N
Medium (3,000 to 4,499 sq ft)	N	P + SPR	P + SPR	N
Large (4,500+ sq ft)	N	N	P + SPR	P + SPR
Retail Sales and Services				
Small (< 1,000 sq ft)	N	P + SPR	P	A
Medium (1,000 to 3,000 sq ft)	N	P + SPR	P + SPR	P + SPR
Large (3,000+ sq ft)	N	N	P + SPR	P + SPR
Sports and Entertainment, Spectator				
Small (< 300 sq ft)	N	P + SPR	P	P
Medium (300 to 1,499 sq ft)	N	P + SPR	P + SPR	P + SPR
Large (1,500+ sq ft)	N	N	P + SPR	P + SPR
Sports and Recreation, Participant				
Small (<300 sq ft)	N	P + SPR	P	P

Use	Residential	Neighborhood Mixed-Use	Downtown Core	Industrial Mixed-Use
Medium (300 to 1,499 sq ft)	N	P + SPR	P + SPR	P + SPR
Large (1,500+ sq ft)	N	N	P + SPR	P + SPR
INDUSTRIAL				
Adult-oriented businesses	N	N	N	P + SPR
Micro Data Center	N	N	N	P + SPR
Light Production				
Small (< 1,000 sq ft)	P + SPR (see §406)	P + SPR	P	P
Medium (1,000 to 3,000 sq ft)	N	P + SPR	P + SPR	P + SPR
Large (3,000+ sq ft)	N	N	P + SPR	P + SPR
Research and Development	N	N	N	P + SPR
Storage and Distribution	N	N	N	P + SPR
Self-Service Storage	N	N	N	P + SPR
OTHER USES				
Small-Scale Alternative Energy Facilities, Roof-Mounted	A	A	A	A
Small-Scale Alternative Energy Facilities, Ground-Mounted	A + SPR	A + SPR	A + SPR	A + SPR
Agricultural Farm Stands	A	A	N	N
Communications Facilities	N	N	N	P + SPR
Construction Trailers	A (see §822)	A (see §822)	A (see §822)	A (see §822)
Storage Containers	A (see §823)	A (see §823)	A (see §823)	A (see §823)
Outdoor Storage and Display	N	N	N	A + SPR
Outdoor Storage and Display, Temporary	A	A	A	A
Such other accessory uses as are customarily incidental to permitted principal uses .	A	A	A	A

ARTICLE IV - RESIDENTIAL DISTRICT

Section 401. Dimensional Requirements.

The following chart indicates the required [lot](#) area and lot [frontage](#), setbacks, and dimensions, depending on the number of [dwelling units](#) on the lot.

	One to Two Dwelling Units	Three to Four Dwelling Units	Five to Twenty Dwelling Units	Non-residential Use
Minimum lot area	7,500 sq.ft.	9,500 sq.ft.	37,500 sq.ft. for 5 units plus 5,000 sq.ft. for each additional du	7,500 sq.ft.
Minimum lot frontage	50 ft.	50 ft.	100 ft.	50 ft.
Front yard setback - Principal building - accessory building	Section 403 Section 402	Section 403 Section 402	Section 403 Section 402	Section 403 Section 402
Minimum side yard setback - Principal building - accessory building	15 ft. 5 ft.	15 ft. 5 ft.	15 ft. 5 ft.	15 ft. 5 ft.
Minimum rear yard setback - Principal building - accessory building	30 ft. 5 ft.	30 ft. 5 ft.	30 ft. 5 ft.	30 ft. 5 ft.
Maximum height - Principal building - accessory building	2.5 stories & 35 ft. 20 ft.	2.5 stories & 35 ft. 20 ft.	2.5 stories & 35 ft. 20 ft.	2.5 stories & 35 ft. 20 ft.
Maximum impervious surface	60 %	60 %	60 %	60 %

Section 402. Location and Size of [Accessory Buildings](#).

Accessory buildings may not be located in front of the front face of the front-most [principal building](#). The gross floor area of any single accessory building may not exceed the gross floor area of any single principal building.

Section 403. Front Setbacks.

Front setbacks shall be measured from the centerline of the road. The minimum required front setback for [principal buildings](#) shall be 40 ft. A new principal building that (1) will be the front-most principal building on a lot and (2) has qualifying neighboring buildings must be located such that its front setback is within 20% of the average front setback of the qualifying neighboring buildings or 40 ft., whichever is greater.

For the purpose of this section, qualified neighboring buildings are existing principal buildings that are:

1. on the same side of the road as the proposed building
2. the front-most principal building on their lot
3. partially or fully within 200 ft of any point of the proposed building

Section 404. [Affordable Housing](#) Provisions.

1. [Purpose](#). The purpose of this section is to promote public welfare by providing safe, decent, and [affordable](#)

housing for all incomes; to ensure enough housing, especially for [low-income households](#); to mitigate housing shortage and balance the demand and supply of housing by constructing more housing units; to encourage [developers](#) to increase housing production by offering them incentives; and to integrate all residents of the County regardless of their income levels.

2. [Affordable Housing](#) Incentivized. Any new [residential development](#) shall be eligible to apply for incentives, as long as the development provides at least 20% of the project's total units as [affordable housing](#) to [low-income households](#). If the formula results in any decimal fraction, all fractions shall be rounded up.
3. [Location of Affordable Units](#). All affordable units shall be located on the same [site](#) as the rest of the project. All affordable units shall be dispersed throughout the project by being integrated with the [market rate units](#).
4. [Income Requirements](#). All affordable units shall be rented or sold to [low-income households](#). No specific mix of income ranges is required.
5. [Density Bonus](#)
 - a. Bonus Permitted. [Developers](#) shall be allowed to construct bonus units in exchange for the provision of [affordable housing](#).
 - b. Calculation of Density Bonus. The allowed increase in density shall be granted based on the number of [affordable units](#) provided in the development. The number of base dwelling units allowed on a lot is defined in §401. The number of bonus dwelling units allowed shall be seventy-five percent (75%), rounded down, of the number of base dwelling units that are affordable units. These bonus dwelling units are allowed beyond the base dwelling units allowed on a lot as defined in §401. For example, if 18 base dwelling units are allowed on a lot, and of those 18 units, 12 will be affordable, then 9 bonus dwelling units are allowed on the lot, for a total of 27 total units, at least 12 of which are affordable.
6. [Completion of construction](#): All [affordable units](#) shall be constructed concurrently with the [market rate units](#). The progress rate of affordable units shall be the same as that of the market rate units.
7. [Exterior appearance](#): [Affordable units](#) shall be constructed with similar exterior design and materials that are used in the [market rate units](#). Similar landscaping shall be applied to both affordable units and the market rate units.
8. [Interior appearance](#): Interior materials and amenities in the [affordable units](#) may be different from those used in the [market rate units](#), provided that:
 - a. The number of bedrooms is proportional between affordable units and market rate units.
 - b. The affordable units are at least 80% of the size of the market rate units in the project, or are larger than minimum standards expressed in the following table, whichever is smaller.

Number of bedrooms	Unit size (square feet)
Studio/Efficiency	600
1	800
2	1000
3	1200
4 and more	1400

9. [Period of Affordability](#)
 - a. For-Sale [Affordable Units](#). All for-sale affordable units shall remain affordable for a minimum of five years from the date of the initial sale of the unit. Owners may resell their units within that period, but the purchaser shall be a [low-income household](#), or an organization that will maintain the units as affordable.
 - b. Rental [Affordable Units](#). All rental affordable units shall remain affordable for forty-nine years. Initial [developers](#) may sell the rental affordable units to individuals or organizations. However, the subsequent owners shall maintain the units as affordable rental units for [low-income households](#). If affordable [rental units](#) are subsequently converted to [for-sale units](#), they shall meet the requirements of for-sale affordable units. The period of affordability for such for-sale affordable units shall be measured from the date of their initial sale as a for-sale unit.
10. [Approval Procedure](#). [Developers](#) shall provide documentation to receive an approval for the [development](#) as part of their application to the Planning Board for [site plan](#) review or subdivision approval. All application procedures shall be the same as the general application for a permit, site plan review, or subdivision approval. However, the developer shall submit additional documentation as follows:
 - a. [Site development](#) plan including the number, sizes, types of all affordable units.
 - b. Site plan including allocation of the affordable units and the [market rate units](#).

c. Timeline of construction for each of the affordable units and the market rate units.

11. **Enforcement.** A [development](#) plan shall not be approved, and therefore a building permit shall not be issued, unless the development plan satisfies the requirements under this law. The Village of Trumansburg may deny, suspend, or revoke any development plan if the plan violates this law. The Village of Trumansburg may cancel any approved development plan or issued building permit if it fails to maintain the requirements for the required period of time and may take legal action to stop or cancel the approval of the building permit.

Section 405. [Inns.](#)

To preserve separation from surrounding dwellings, the minimum side [yard](#) setback for an inn is 30 feet. Inns shall host no more than 2 [special outdoor events](#) in any calendar month. No special outdoor event shall have more than 100 attendees, not including paid staff. The nature of parking and traffic, the nature of allowed sales and services, and the nature of special outdoor events shall be reviewed as part of the site plan review process consistent with §912.

Commented [5]: Inns are a new allowed use in the Residential Zone. Added guardrails to encourage harmony with surrounding residential uses.

Section 406. [Professional Services](#) and [Light Production.](#)

1. **Use Limitations.** No more than one (1) such use is allowed on any individual [lot](#).
2. **Other Requirements.** The use shall meet the following requirements:
 - a. All activities shall be carried on wholly within a [building](#).
 - b. No more than four persons shall be employed on-site in the business.
 - c. No vehicular traffic may be generated by the business in greater volumes than would reasonably be expected in the residential neighborhood, nor may it create unreasonable parking or traffic congestion for the residents of the immediate neighborhood. Any parking or traffic of such character, intensity, or continued duration that substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities shall be considered unreasonable.
 - d. There shall be no exterior display, no exterior storage of materials, and no other exterior indication of the business, except for a [sign](#) as allowed in this law.
 - e. No offensive noise, vibration, smoke, dust, odors, heat, or [glare](#) shall be produced.
 - f. Unless established within an existing building, the exterior appearance of the building shall be of similar design and materials and with similar landscaping as other buildings in the immediate area.

Section 407. [Home Businesses.](#)

1. **Requirements.** Home Businesses shall meet the following requirements:
 - a. All activities shall be carried on wholly within a [building](#).
 - b. No more than two non-residents of the [dwelling](#) shall be employed on-site in the Home Business.
 - c. No vehicular traffic may be generated by the Home Business in greater volumes than would reasonably be expected in the residential neighborhood, nor may it create unreasonable parking or traffic congestion for the residents of the immediate neighborhood. Any parking or traffic of such character, intensity, or continued duration that substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities shall be considered unreasonable.
 - d. There shall be no exterior display, no exterior storage of materials, and no other exterior indication of the Home Business, except for a [sign](#) as allowed in this law.
 - e. No offensive noise, vibration, smoke, dust, odors, heat, or [glare](#) shall be produced.
 - f. No goods or products shall be publicly displayed or offered for sale outside.

Section 408. Design Requirements.

Lots with one or two dwelling units shall be designed so that the front facade of the front-most [principal building](#) (1) is approximately parallel to the frontage line and (2) contains at least one primary entrance, porch, or stoop. Lots with three or more dwelling units shall be designed to emulate traditional examples of this nature in Trumansburg, to resemble large single-unit dwellings, or to resemble a fourplex, courtyard building, cottage court, townhouse, or multiplex as documented at <https://web.archive.org/web/20230428183700/https://missingmiddlehousing.com/types>

ARTICLE V - COMMERCIAL DISTRICTS

Section 501. Dimensional Requirements.

The following dimensional standards are required within the two commercial districts.

	Downtown Core	Neighborhood Mixed Use
Maximum Height	4 fl.	3.5 fl.
Minimum Front Yard	0 ft.*	5 ft.*
Maximum Front Yard	10 ft.**	20 ft.**
Minimum Rear Yard	20 ft. / 5 ft.†	20 ft. / 5 ft.†
Maximum Lot Frontage	100 ft.	125 ft.
Minimum Frontage Coverage	60%	35%
Maximum Side Yard	25 ft.	55 ft.
Maximum Impervious Surface	80%	70%
Maximum Combined Footprint	9,000 sq. ft.	4,500 sq. ft.

* Measured from front property line

** Not applicable to interior buildings in courtyard designs

† Principal Building / Accessory Building

Section 502. Residential Uses in Downtown Core District.

Street-level residential uses within the Downtown Core District must be set back at least 20 feet from the front of the lot.

Section 503. Design Requirements in the Downtown Core District.

1. [Floor-to-Floor Heights and Floor Area of Ground-Floor Space.](#)
 - a. All nonresidential floor space provided on the ground-floor of a mixed-use building must have a minimum floor-to-ceiling height of 10 feet.
2. [Transparency.](#)
 - a. A minimum of 60 percent of the street-facing building façade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor nonresidential space or product display areas.
 - b. The bottom edge of any window or product display window used to satisfy the transparency standard of paragraph (a) above may not be more than 3 feet above the adjacent sidewalk.
3. [Doors and Entrances.](#)
 - a. Buildings must have a primary entrance door facing Main Street. Entrances at building corners may be used to satisfy this requirement.
 - b. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
4. [Architectural Style and Detail.](#)
 - a. Buildings shall articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade, or other architectural feature.
 - b. Buildings with four (4) floors shall articulate the line between the third and fourth floors with a cornice, canopy, balcony, arcade, or other architectural feature.

Commented [6]: Updated Dimensional Requirements. This allows for incremental development in both districts and encourages a denser, pedestrian-friendly downtown core with a less dense neighborhood mixed-use zone further from the downtown core.

Commented [7]: Allows for first floor residential in the back, opening up more residential options and reflecting existing uses in the downtown core.

Commented [8]: Implements design requirements to encourage an active and pedestrian-friendly downtown core, largely replicating the existing feel of the downtown core.

ARTICLE VI - INDUSTRIAL DISTRICTS

Section 601. Dimensional Requirements.

The following dimensional standards are required within the industrial mixed use industrial.

	Industrial Mixed Use
Front yard setback - Principal building - accessory building	25 ft. / 50 ft.* [†] Section 602
Minimum side yard setback - Principal building - accessory building	15 ft. / 30 ft. [†] 5 ft.
Minimum rear yard setback - Principal building - accessory building	30 ft. 5 ft.
Maximum height - Principal building - accessory building	2.5 stories & 35 ft. 20 ft.
Maximum impervious surface	80 %
Maximum combined footprint	15,000 sq. ft.

* Measured from the center line of the road

[†] The larger setback applies to areas of the lot abutting or across the street from a residential zoning district boundary; the smaller setback applies to all remaining areas.

Section 602. Location and Size of [Accessory Buildings](#).

Accessory buildings may not be located in front of the front face of the front-most [principal building](#). The gross floor area of any single accessory building may not exceed 600 square feet.

Section 603. [Adult-Oriented Businesses](#).

1. **Purpose.** The purpose of these regulations is to mitigate the negative secondary effects associated with adult-oriented businesses and to provide for such uses to occur only in areas where the secondary effects will have a lesser impact than would be the case in other areas.
2. **Limitations.** [Adult-oriented businesses](#) are prohibited within 100 feet of any residential zoning district boundary.
3. **General Requirements**
 - a. No more than one adult-oriented business shall be permitted on any individual [lot](#).
 - b. All building openings, including doorways and windows, of the adult-oriented business shall be located, covered, or screened in such a manner as to prevent a view into the business from outdoors.
 - c. No person under the age of 18 shall be permitted into or on the premises of any adult-oriented business.

Section 604. Design Requirements.

1. Loading docks shall not be located on the street-facing façade.
2. No stretch of a street-facing façade shall extend more than fifty (50) feet without either an offset in the horizontal plane of not less than two (2) feet in depth or a window, door, or other opening.
3. A minimum of ten (10) percent of the street-facing façade must be comprised of clear windows.

Section 605. Screening Requirements.

1. A lot abuts the residential zoning district if it is contiguous to the district or is separated from it only by a street or a strip of land less than thirty (30) feet in width.
2. Where a lot abuts the residential zoning district, a vegetated buffer area not less than fifteen (15) feet in width

Commented [9]: Updated Dimensional Requirements. This allows for incremental development in the district while ensuring adequate buffers from surrounding residential zones.

Commented [10]: Added to allow for specific regulations for accessory buildings.

Commented [11]: Simplified to remove the special use permit, which added administrative overhead without additional protections.

Commented [12]: New section to regulate design in the industrial zone

Commented [13]: New section to regulate screening when the industrial zone abuts the residential zone.

shall be planted along the property boundary.

3. Plantings must not be listed as an Invasive Species Tier 1, 2, 3, or 4 by the Finger Lakes Partnerships for Regional Invasive Species Management.
4. Shrubs, when planted, may be two (2) to four (4) feet in height. Trees shall be a minimum of six (6) feet in height when planted. The vegetated buffer must provide an adequate visual screen eight (8) feet in height within three (3) years.
5. A tight-board fence may be substituted for vegetation to achieve the required eight (8) foot visual screen.
6. The buffer area shall be maintained by the property owner. Any tree or shrub that dies shall be replaced with new plant stock meeting the size and growth requirements above.

Section 606. Performance Standards.

1. No use shall emit objectionable odor detectable beyond the property line.
2. No use shall produce glare or heat detectable beyond the property line.
3. No use shall produce vibration that is perceptible without instruments at the property line.
4. No use shall emit dust or other particulate matter visible beyond the lot line.
5. Emissions of smoke and toxic or noxious gases from any use are subject to 6 NYCRR Parts 211 and 212.

Commented [14]: New section to regulate the performance of industrial uses.

ARTICLE VII - OVERLAY DISTRICTS

Section 701. Effect of Overlay Districts.

Overlay Districts combine with and add to the regulations of the basic districts established in this law. All uses in any Overlay District require a [Site Plan](#) Review.

Section 702. Conservation Overlay Districts.

The intent of the Conservation Overlay Districts is to protect fragile natural areas, including stream corridors and [wetlands](#), where changes and/or [development](#) would be adverse to the environment, community values, public health, safety and general welfare of the Village, in accordance with the Village of Trumansburg Comprehensive Plan. The provisions of this section take precedence over any other zoning section, law or code to the extent that the provisions of this section are inconsistent with the other provisions.

Section 703. [Site Plan](#) Review in Conservation Overlay Districts.

Any Site Plan Review conducted within a Conservation Overlay District shall include, in addition to any other requirements of this law, additional project review criteria and additional submission materials.

Section 704. Stream Corridor Conservation Overlay District.

[Section 819](#) of this law establishes minimum stream buffers for perennial and [intermittent streams](#) throughout the Village. Within the Stream Corridor Conservation Overlay District, additional requirements apply.

Section 704.1. Protection Requirements for [Perennial Streams](#).

All perennial streams shall require a [riparian buffer](#) and a setback area. All [site plan](#) applications, special permits, special approval and variance applications, building permit applications, and excavation or fill permit applications shall require the delineation of any applicable riparian buffers and setback areas. Prior to any soil-disturbing activity, the riparian buffer and setback area shall be clearly delineated on [site](#) and shall be undisturbed until the project is complete.

1. [Riparian Buffer Established](#). The riparian buffer will begin at the top of the [stream bank](#) and extend a minimum of fifty (50) feet horizontally measured in a direction directly perpendicular to the stream bank in a horizontal plane. Should a [steep slope](#) or wetland exist within this riparian buffer the entirety of that area will be added to the measurement of the riparian buffer. In addition to those minimum requirements, [Site Plan](#) Review shall consider whether additional buffer width is appropriate along perennial streams within the Stream Corridor Conservation Overlay District to protect and promote:
 - a. Habitat and Biodiversity, by providing terrestrial wildlife habitat and travel corridors, and food and habitat in aquatic ecosystems.
 - b. Stream Stability, by attenuating flooding, stabilizing stream banks and preventing erosion of stream banks and streambeds.
 - c. Water Quality, by removing pollutants and moderating temperatures.
 - d. Financial Savings, by preventing property damage, reducing public investment and protecting public facilities from flooding or other hazards.
2. [Riparian Buffer Restrictions](#). Riparian buffers shall maintain native vegetation in a natural state. [Development](#) may not modify or interrupt more than 10% of the entire riparian buffer area unless necessary for the protection of human health, utility usage, public infrastructure, or the betterment of the riparian corridor. Development within the riparian buffer is limited to:
 - a. Benches or seating.
 - b. Educational and scientific research.
 - c. Flood control, stormwater management structures, and [stream bank](#) stabilization measures approved by the Tompkins County Soil and Water Conservation District, Natural Resource Conservation Service, Army Corps of Engineering, or NYS Department of Environmental Conservation.
 - d. Maintenance of roadways or [impervious surfaces](#) existing at the time of the adoption of this provision.
 - e. Stream crossings necessary to access the property by driveway, transportation route, or utility line which have minimal negative impacts on the stream and riparian buffer.
 - f. Public water supply intake or public wastewater outfall structures.

- g. Public access and public recreational facilities that must be on the water including boat ramps, docks, foot trails leading directly to the stream, fishing platforms and overlooks.
 - h. Public sewer lines and/or other utility easements.
 - i. Non-paved recreational trails no wider than 10 feet that either provide access to the stream or are part of a continuous trail system running roughly parallel to the stream.
 - j. Temporary use of erosion control measures such as silt fencing.
3. Setback Area Established. The Setback Area will begin at the outward edge of the Riparian Buffer and extend an additional fifty (50) feet from the top of stream bank.
4. Setback Area Restrictions. Within the setback area development uses are restricted to the following:
- a. All development and uses permitted in the riparian buffer.
 - b. Minor recreational structures and surfaces to allow passive recreation in the setback area such as decks, picnic tables, playground equipment, and small concrete slabs, the total area of which is not to exceed 200 square feet each and in aggregate occupy no more than 10% of the setback area.
 - c. Fences, provided such structures do not impede floodwaters.
 - d. Landscaping, mowing, decorative planting or improvements that do not encroach upon or impact the integrity of the riparian buffer.

Section 704.2. Submission Materials.

In addition to any other materials required by this law, the proposed [site plan](#) shall show the location of the top of banks of any [perennial stream](#) within fifty (50) feet of the property.

Section 704.3. Prohibited Activities.

The following activities are explicitly prohibited within any [riparian buffer](#) or setback area:

- a. Storage or placement of any hazardous materials.
- b. Purposeful introduction of invasive vegetative species that reduce the persistence of native vegetation.
- c. Waste storage, placement, or disposal, including but not limited to disposal and dumping of snow and ice, recyclable materials, manure, hazardous or noxious chemicals, inoperative automobiles or appliance structures, and other abandoned materials.
- d. Mining or removal of soil, sand and gravel, and quarrying of raw materials.
- e. Dredging, deepening, widening, straightening or any such alteration of the beds and banks of natural streams except where the New York State Department of Environmental Conservation has issued a permit expressly allowing such activities.
- f. Application of herbicide, pesticides, fertilizers, or other chemicals.
- g. Parking of motorized vehicles, except as permitted as a Special Use by the Board of Appeals.

Section 704.4. Exemptions.

The following specific activities are exempt from the requirements of the Stream Corridor Conservation Overlay District.

- a. This section shall not apply to agricultural land use activity existing as of the effective date of this law.
- b. Work consisting of the repair or maintenance of any lawful use of land that is approved for such use on or before the effective date of this law.

Section 705. Wetland Conservation Overlay District.

Section 705.1. Buffer Requirement.

- 1. Buffer Required. A minimum setback of 100 feet shall be required from the delineated boundaries of all [wetlands](#) of two acres or more within the Wetland Conservation Overlay District. The Planning Board may, in reviewing any [site plan](#) within the Wetland Overlay District, require greater setbacks.
- 2. Exempt activities. The following activities shall be permitted within a Wetland Overlay District without a Site Plan Review provided they do not require structures, grading, fill, draining, or dredging:
 - a. Normal ground maintenance including mowing, trimming of vegetation.

- b. Repair of existing decorative landscaping and planting native species.
 - c. Repair of existing walkways, walls, and driveways.
 - d. Public health activities, in emergencies only, of the County Department of Health and/or New York State Department of Health.
 - e. Operation of existing dams and water control devices.
3. **Prohibited activities.** The following activities are explicitly prohibited in both the setback area.
- a. Storage or placement of any hazardous materials.
 - b. Purposeful introduction of invasive vegetative species that reduce the persistence of native vegetation.
 - c. Waste storage, placement, or disposal, including but not limited to disposal and dumping of snow and ice, recyclable materials, manure, hazardous or noxious chemicals, used automobiles or appliance structures, and other abandoned materials.
 - d. Mining or removal of soil, sand and gravel, and quarrying of raw materials.
 - e. Alteration of [wetlands](#) except where the New York State Department of Environmental Conservation or the U.S. Army Corps of Engineers has issued a permit expressly allowing such activities.
 - f. Application of herbicide, pesticides, fertilizers, or other chemicals.
 - g. Parking of motorized vehicles, except as permitted as a Special Use by the Board of Appeals.

Section 705.2. Project Review Criteria.

[Site Plan](#) Review within the Wetland Conservation Overlay District shall consider the impact of any proposed project on:

- 1. The ability of the wetland to filter harmful toxins, nutrients, and sediment from surface and stormwater runoff.
- 2. The ability of the wetland to store floodwaters and reducing the magnitude of flood events.
- 3. The ability of the wetland to provide valuable habitat for a diverse array of flora and fauna, including any existing rare, threatened, or endangered species.
- 4. The ability of the wetland to maintain surface-water flow during dry periods.
- 5. The impact of any excessive siltation resulting from surface runoff from construction [sites](#), road, bridge, and [pipeline](#) construction and lack of erosion control on [steep slopes](#).
- 6. The impact of [pollution](#) by road salt and chemical pollution from parking lots and treated lawns.
- 7. The impact of pollution by garbage, litter, and refuse.
- 8. The impact of a reduction in the flow of watercourses due to destruction of [wetlands](#).

Section 705.3. Submission Materials.

In addition to any other materials required by this law, the proposed [site plan](#) shall show the boundaries of any wetland as determined by field investigation. The Planning Board may require flagging and subsequent survey by a licensed land surveyor. The Planning Board may consult and/or may require the applicants to consult with approved biologists, hydrologists, soil scientists, ecologists, botanists, legal counsel, engineers, or other experts necessary to make this determination.

ARTICLE VIII - SUPPLEMENTARY REGULATIONS

Section 801. Off-Street Parking.

Section 801.1. Number of Parking Spaces.

1. At least one (1) off-street parking space shall be provided per dwelling unit on a lot, except in the Downtown Core district (where none are required).
2. For all other uses, in all districts, the number of off-street parking spaces shall not exceed the number required to meet the 85th percentile demand for the proposed use. The applicant shall calculate this demand based on standards such as the Institute of Transportation Engineer's Parking Generation Reports, Urban Land Institute, observed local demand analysis, or another standard acceptable to the Planning Board.

Section 801.2. Location of Parking Spaces.

1. All off-street parking shall be located behind the front facade of the frontmost [principal building](#), except for parking in a single driveway. The driveway shall be no more than 20 feet wide plus an optional single hammerhead turnaround, which is no more than 10 feet long and 10 feet wide.

Section 801.3. Additional Parking Requirements.

1. All parking lots and parking structures shall conform to the appropriate accessibility requirements in the NYS Building Code.
2. Parking areas larger than 1,000 sq ft in size shall have a landscape plan approved by the Planning Board.
3. All off-street parking shall be surfaced, well-drained, and maintained in a well-kept condition.
4. In the residential districts, no more than two (2) [business-related vehicles](#) may be parked in such a way that they are visible from the [public right of way](#) unless approved by the Planning Board.

Section 802. [Signs](#).

Section 802.1. General Requirements.

- a. Flashing and moving lighting is prohibited.
- b. Inflatable signs are prohibited.

Section 802.2. Illumination Requirements.

- a. Signs larger than 20 sq. ft. may only be illuminated while the associated business or activity is taking place.
- b. The maximum luminous or illuminated surface area of an individual sign must not exceed 300 sq. ft.
- c. Signage may be illuminated externally, internally, or backlit, provided the light source itself is not directly visible from the public right-of-way or adjacent property.
- d. External illumination of signs shall be mounted above the sign and directed downward.
- e. The highest light level of any illuminated sign shall not exceed 3 lux more than the ambient lighting conditions (defined here as not including non-essential, decorative, or other sign sources of light) as measured within 15 degrees of perpendicular (both horizontal and vertical) from a distance calculated by square root of [Area of Sign (sq. ft.) x 100].
- f. Illuminated signs that cannot be measured using an illuminance meter shall not exceed a luminance of 100 nits (100 candelas per square meter, cd/m2).

Section 802.3. Computation of Sign Area.

- a. The area of a sign shall be computed from the algebraic sum of the actual sign configuration, be it a square, rectangle, circle, oval, or other polygon shape. The area shall be measured from the outer dimensions of the frame, trim, or molding by which the sign is enclosed, where they exist, or from the outer edge of the signboard where they do not exist.
- b. When a sign consists of individual letters, symbols, or characters, its area shall be computed as the area of the smallest rectangle that encloses all the letters, symbols, and characters.
- c. When a sign consists of two or more faces, only one face of the sign shall be used in computing the sign area if the faces are parallel to and within 12 inches of each other. Otherwise, all faces of the sign shall be used to compute the sign area.
- d. Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects,

Commented [15]: Simplified parking requirements based on modern demand studies rather than outdated ratios. Moves parking behind the building to create a more active and pedestrian-friendly feel. Sets a maximum parking limit to prevent unused and unnecessary impervious surface.

Commented [16]: Simplified general requirements to restrict undesirable sign types

Commented [17]: Created enforceable illumination regulations

Commented [18]: Clarified computation of sign area

shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.

Section 802.4. Signs Allowed in All Districts Without a Permit.

The following signs are allowed in any zoning district without a permit, provided that if ground mounted, the top must not be over six feet above the ground, and if building mounted, it must be flush mounted:

- a. One sign, not self-illuminated, denoting the name and location of the office or property containing six (6) or more rental residential units, which sign may be located on the premises, and where the property lacks [frontage](#) on a public street, one sign may be placed along the access way to such premises, which sign must not exceed nine (9) square feet in area.
- b. One nameplate, not self-illuminated, denoting the names and addresses of the occupants of the premises, not exceeding one hundred forty-four (144) square inches per [dwelling unit](#).
- c. Directional (entrance/exit) signs on premises, one for each access way, each not exceeding two (2) square feet in area and which must not include any trademarks or names of businesses conducted or products sold, and must include the minimum amount of lettering necessary to direct traffic.
- d. One sign or notice, having an area of thirty-two (32) square feet or less, erected by a public utility, necessary for the direction, information, or safety of the public.
- e. Temporary signs as defined and regulated in this Article.

Section 802.5. Signs Allowed in All Districts With a Permit.

The following signs are allowed in any zoning district but require a permit, and if ground mounted, the top must not be over six (6) feet above the ground, and if building mounted, must be flush mounted:

- a. One sign of a temporary nature, not self-illuminated, advertising real estate [developments](#) or construction projects (during the period of development, not to exceed one year from the date of permit) is allowed in all districts. This sign must not exceed thirty-two (32) square feet in area and must advertise only the names of the architect, contractor, owner, [developer](#), and other project participants, and such sign must not be illuminated in any manner. The permit may be renewed for two additional periods of one year each.
- b. One sign, not self-illuminated, identifying a real estate development, subdivision, or neighborhood at each entrance. Such a sign shall not be self-illuminated in any manner and shall not exceed five (5) square feet in area. Such a sign shall set forth only the specific name of the real estate development, subdivision, or neighborhood and no other information.
- c. [One changeable message board](#), not self-illuminated, which must not exceed sixteen (16) square feet in area.

Commented [19]: Removed unenforceable comments about museums, libraries, places of worship, etc.

Section 802.6. Signs Allowed in Residential Districts.

The following signs are allowed in the residential zoning districts but require a permit.

- a. Signs, not self-illuminated, identifying commercial uses in a residential [building](#) as follows:
 - i. For [home businesses](#) carried on or within the premises, one sign not exceeding three (3) square feet in area.
 - ii. For uses other than home businesses, one sign not exceeding six (6) square feet in area.
- b. No part of freestanding signs in a residential district shall be closer than fifteen (15) feet to the edge of street pavement, nor have a [sign height](#) greater than six (6) feet.

Section 802.7. Signs Allowed in Commercial and Industrial Districts.

The following signs are allowed in the commercial and industrial zoning districts but require a permit

- a. A maximum of two signs per business are allowed. Only one projecting or freestanding sign is allowed for each business on the premises. One sign may be illuminated, but not both.
- b. For premises fronting on more than one Village street, signs may be allowed in accordance with the preceding for each of such [frontages](#). The total size of signage allowed for premises fronting on more than one Village street may not exceed 150% of the square footage allowed for a business that faces one Village street.
- c. Any projecting sign shall be limited to a maximum area of twenty (20) square feet.
- d. Any freestanding sign shall be limited to a maximum area of thirty-two (32) square feet. Freestanding signs shall not exceed fifteen (15) feet in [height](#), measured from normal [grade](#) to the top of the sign. Wall and/or window signs shall be limited in size to forty (40) square feet, but not in excess of twice the

- building front linear footage.
- e. All non-street level businesses in a [building](#) shall be limited to a total [sign area](#) of twenty (20) square feet.
 - f. Projecting signs that are attached to a building shall be allowed only when all parts thereof project no more than three (3) feet from the building and at least nine (9) feet above the surface of any sidewalk underneath the sign.
 - g. Portable signs shall be allowed in commercial districts in accordance with the following conditions:
 - i. Portable signs must be placed so that they do not obstruct pedestrian traffic.
 - ii. Portable signs must not be more than thirty six (36) inches wide by forty eight (48) inches high.
 - iii. Where there is more than one business in a building, only one portable sign will be allowed. The portable sign may be shared.
 - iv. Portable signs may only be displayed when the establishment is open for business. Portable signs must be removed to allow for normal sidewalk maintenance.
 - h. Signs on a marquee, canopy, or awning are limited to an area of twenty (20) square feet.
 - i. Roof signs.

Section 802.8. Location.

- a. No [signs](#) may be erected or maintained in such a manner as to project over or above any street, public highway, or waterway.
- b. No part of a free standing sign shall be closer than fifteen (15) feet, measured horizontally, from the existing pavement edge of any public highway or street. Directional (entrance/exit) signs may be closer than fifteen (15) feet with the approval of the [Zoning Officer](#).
- c. [Signs](#) must conform to corner visibility requirements in §811.
- d. [Commercial signs](#) must be located on the lot where the advertised business is conducted.

Commented [20]: Clarifies visibility requirements

Commented [21]: Bans "offsite billboards"

Section 802.9. Permits and Fees.

Except as otherwise herein provided, a person must not erect any [sign](#) as defined herein without first obtaining a permit therefor from the [Zoning Officer](#). No sign, whether new or existing, may hereafter be erected or altered, except in conformity with the provisions of this law.

- 1. Application for the permit must be made in writing by the property owner or his/her agent to the Zoning Officer and upon forms prescribed and provided by the Zoning Officer.
- 2. Along with an application for a sign permit, the applicant must deliver to the Zoning Officer all required fees.
- 3. It is the duty of the Zoning Officer, upon the filing of an application for a permit, to examine such plans, specifications, and other data submitted with the application, and, if necessary, the [building](#) or premises upon which it is proposed to erect the sign or other advertising structure. If the proposed sign is in compliance with all the requirements of this law, the Zoning Officer must issue a permit for the erection of the proposed sign.
- 4. If the sign authorized under any permit has not been completed within one year from the date of the issuance of such permit, the permit shall become null and void but may be renewed, within fifteen (15) calendar days from the expiration thereof upon payment of any required additional fee.

Section 802.10. Maintenance of [Signs](#).

Signs, marquees, and awnings must be kept clean, in neat order and repair, and free from all hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.

Section 802.11. Removal of Certain [Signs](#).

- 1. Any sign that advertises a business no longer conducting business on the premises or that does not have a valid permit must be removed within thirty (30) days by the owner of the premises upon which the sign is located.
- 2. Notwithstanding anything hereinbefore contained, if the [Zoning Officer](#) determines that any sign is unsafe or is an actual or imminent traffic or other hazard or danger to the public, he may require that such sign be either removed or corrected to remove such hazards or dangers within a shorter period than above provided, but not less than two (2) days.

Section 802.12. Temporary Signs.

1. Purpose and Findings. This section is enacted in order to establish reasonable regulations for the posting of temporary signs on public and private property. Temporary signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, temporary signs can become a threat to public safety as a traffic hazard and detriment to property values and the Village's overall public welfare as an aesthetic nuisance. These regulations intend to (1) balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs; (2) further the objectives of the Village's Comprehensive Plan; (3) protect the public health, safety, and welfare; (4) reduce traffic and pedestrian hazards; (5) protect property values by minimizing the possible adverse effects and visual blight caused by temporary signs; (6) promote economic development; and (7) ensure the fair and consistent enforcement of the temporary sign regulations specified below.
2. Temporary Signs Permitted in All Zones. Temporary signs may be posted on property in all zones of the Village without a permit, subject to the following requirements and those applicable provisions stated elsewhere in the Village's Sign Law.
 - a. The total square footage for temporary signs posted on a [building lot](#), in the aggregate, shall not exceed sixteen (16) square feet. The total square footage of a sign is measured to include all the visible display area of one side of the sign.
 - b. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard, and shall be kept in good repair.
 - c. A temporary sign shall be designed to be stable under all weather conditions, including high winds.
 - d. No temporary sign shall be illuminated or painted with light-reflecting paint.
 - e. A temporary sign shall only be posted by, or with the consent of, the property owner or occupant.
3. Removal Requirements for Temporary Commercial Signs. In addition to the requirements stated above, temporary commercial signs shall comply with the following requirements:
 - a. A temporary real estate sign advertising the sale or lease of the premises upon which the sign is located shall be removed within fourteen (14) days after the closing of title on or occupancy by a tenant on lease of the property.
 - b. Temporary signs denoting the architects, engineers, and/or contractors shall be allowed on premises where construction, repair, or renovation is in progress and shall be removed within five (5) days of the conclusion of the work.
 - c. Temporary signs announcing [yard](#) sales and special events to occur on one or more particular dates shall be permitted for up to thirty (30) days before and, in any case, removed within five (5) days of the conclusion of the sale or event that the sign is promoting.
 - d. All other commercial temporary signs shall be permitted for up to thirty (30) days.
4. Removal or Replacement of Signs.
 - a. The property owner of the building lot where a sign is posted is responsible for the sign's maintenance, removal, or replacement.
 - b. The Village Zoning Officer is authorized to remove any temporary signs posted in violation of this law that are not removed or replaced in accordance with the provisions above. Temporary signs posted on private property in violation of this law shall be deemed a public nuisance, and the Village Zoning Officer may abate that nuisance in accordance with this law.
 - c. The Village Zoning Officer may immediately remove any temporary signs posted on public property or rights-of-way that are in violation of this law or that constitute a hazard.

Commented [22]: Clarified and simplified timing requirements

Section 803. Exterior Lighting.

1. Requirements. Exterior lighting shall be designed, constructed, and installed in accordance with the following:
 - a. The light source shall not be directly visible from any adjoining primary residential use.
 - b. [Light fixtures](#) shall be [fully-shielded light](#).
 - c. No elevated exterior [light fixture](#) shall exceed fourteen (14) feet in [height](#). The height of light fixtures required for doors and decks shall be measured from the walking surface they illuminate.

Commented [23]: Consolidates and unifies lighting requirements from all districts

- d. There shall be no lighting of a blinking, flashing, or fluttering nature, including changes in light intensity, brightness, or color.
- e. All lighting shall make use of lamps whose correlated color temperature does not exceed 3,000 Kelvins.
- 2. Exceptions. The following are not regulated by this section:
 - a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads.
 - b. Lighting solely for signs (lighting for signs is regulated in [Section 802.2](#)).
 - c. Temporary exterior lighting intended as holiday/seasonal decorations, provided that individual lamps do not exceed 70 lumens and neither cause light to fall beyond the legal boundaries of the property it is intended to illuminate nor interfere with the reasonable use and enjoyment of any other property.
- 3. Non-conforming. Any non-conforming exterior lighting existing at the time of enactment of this law shall be discontinued within one (1) year of such date.

Section 804. Animals.

Except for [animal sales and services](#) uses, no land or [buildings](#) shall be used for harboring of animals other than common [domestic animals](#). Poultry and farm animals of any kind, including horses, are prohibited unless expressly permitted by Village Law.

Section 805. Side [Yard](#) on Corner [Lot](#).

On a corner lot in any district, a yard on one street side shall be a front yard. The yard on any other street side shall be at least one-half the required front yard setback. On a corner lot, no accessory building may be nearer to the center line of the side street than the required front yard depth.

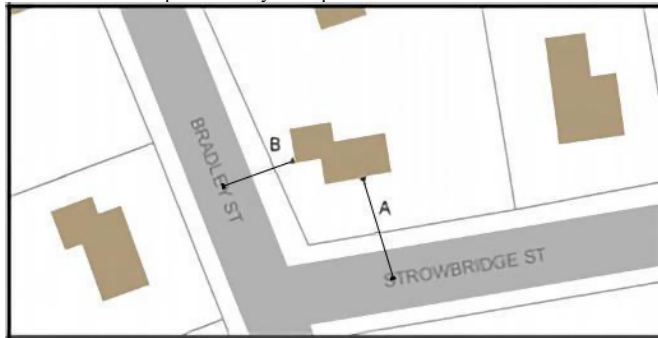
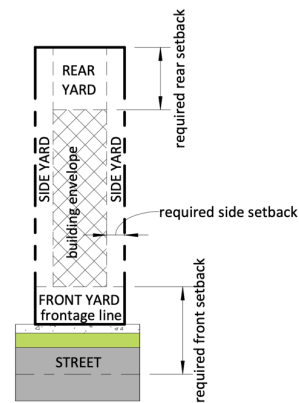


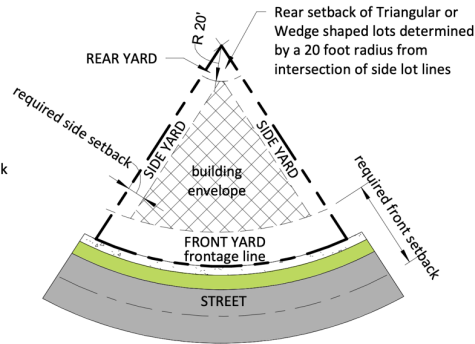
Figure: Corner Lot Yards. The lot shown shall be required to have a full front yard (A) along one street (in the figure, Strowbridge Street) and the front yard (B) along the other street (Bradley Street) at least equal to one-half of the minimum front yard requirements of the district

Section 806. Irregular [Lots](#).

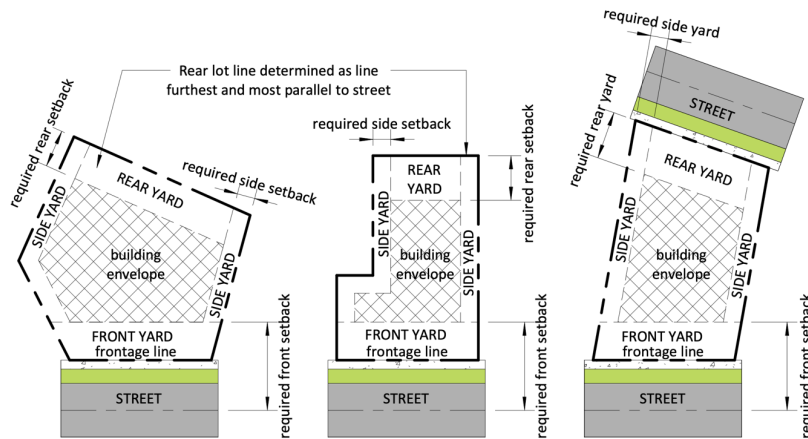
Setbacks for irregular lots must be in accordance with the diagram below. When the lot shape is irregular and not covered here, reasonable judgment should be used in accordance with these rules.



STANDARD LOTS



WEDGE /TRIANGLE LOTS



LOTS WITH MORE THAN FOUR SIDES

THROUGH LOTS

Section 807. Flag Lots.

Flag lots may be allowed, subject to review and approval by the Planning Board and the following requirements:

1. The minimum lot area and lot width requirements of this law shall be measured exclusively upon the “flag” portion of the lot.

2. There shall be provided in connection with all [principal buildings and structures](#) setbacks from all property lines of no less than the required rear yard setback for that district.
3. The “pole” shall maintain a minimum width of thirty (30) feet and shall not exceed four hundred (400) feet in length. In approving a flag lot, the Planning Board shall consider the potential impact of driveways on improvements on adjoining properties.
4. No part of the “pole” shall be used for any portion of an on-lot sewage disposal system or any other improvement except a driveway and minor improvements such as landscaping, fencing, utility connections to off-site facilities, mailboxes, and [signs](#). Any driveway located in the pole must be in the center of the pole, and in no case shall its edge be closer than five (5) feet from the [lot line](#).

Commented [24]: References the rear yard setback of the district to be variable per district.

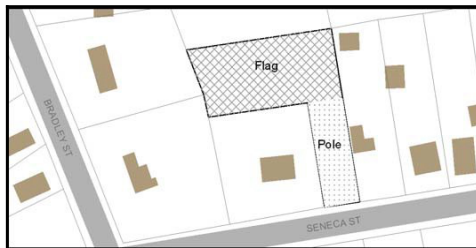


Figure: Flag Lot with “flag” and “pole” identified.

Section 808. [Yard Structures.](#)

Porches or carports, open at the sides but roofed, shall be considered a part of the [building](#) and are not allowed in required yards. Fixed appliances such as generators and outdoor units for air conditioners or heat pumps shall not be considered a part of the building and shall be allowed in required yards.

Section 809. [Landscape Structures.](#)

The provisions of this law shall not apply to fences not over six (6) feet nor retaining walls not over four (4) feet high above the natural [grade](#), except as limited by the section addressing corner visibility. Terraces, steps, decks, or other similar features under thirty (30) inches above average finished grade and not attached to a [building](#) shall not be subject to the provisions of this law.

Section 810. [Architectural Projections in Required Yards.](#)

Every part of a required yard shall be open from its lowest point to the sky unobstructed, except for the ordinary architectural projections of sills, belt courses, pilasters, leaders, chimneys, cornices, eaves, and ornamental measures, provided that no such projection may extend more than two (2) feet into any required yard and further provided that the sum of such projections on any wall shall not exceed one-third the length of such wall. An open fire balcony or fire escape may not extend more than four (4) feet into any required yard.

Section 811. [Corner Visibility.](#)

In any district, no structure, fence, or planting over three (3) feet in [height](#), measured from the center of the adjacent traveled way, shall be maintained on any corner [lot](#) within a triangular area formed by the [lot lines](#) along the streets to the points on such lines a distance of thirty (30) feet from their [street line](#) intersection and a line connecting such points. Any fence or planting that does not conform to the requirements of this section and that constitutes a hazard shall be made to conform within one year from the date this law becomes effective.

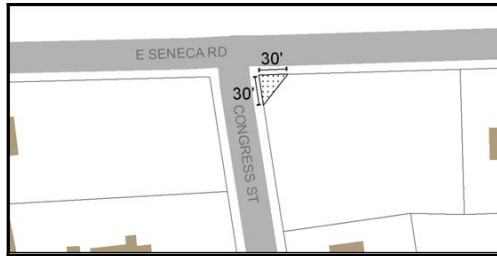


Figure: Corner Visibility. The triangular area shown is to be kept free of obstructions to visibility as described in this Section.

Section 812. Reduction of [Lot](#) Area.

Whenever a lot upon which stands a [building](#) is changed in size or shape so that the area and [yard](#) requirements of this law are no longer complied with, such building shall not thereafter be used until it is altered, reconstructed, or relocated to comply with those requirements. The provisions of this section shall not apply when a portion of a lot is acquired for a public purpose or when a variance is obtained from the Board of Appeals.

Section 813. More than One [Principal Building](#) on a [Lot](#).

More than one principal building is permitted on a single lot, provided all applicable requirements are met. A site plan review is required if more than one principal building on a lot has a gross floor area greater than 800 sq ft, excluding [accessory use](#) areas (e.g., a garage), or a height greater than 20 ft, or both.

Commented [25]: Expanded to incorporate language that was previously in the principal building definition and to clarify the intention to explicitly exclude accessory use areas from the site plan review requirement calculation.

Section 814. Location of Certain Activities.

Other provisions of this law notwithstanding, the following uses or activities shall not be permitted nearer to any residential district than the following specified distances:

1. Garage or shop for the painting of automobiles or for the repairing of automobile bodies or fenders involving hammering or other work causing loud or unusual noise, fumes, or odors – two hundred (200) feet.
2. Theatre, dance hall, bowling alley, skating rink – two hundred (200) feet.

Section 815. Extraction of Natural Products.

In any district, the removal of sod, loam, sand, gravel, or quarried stone for sale, except when incidental to or in connection with the construction of a [building](#), shall be prohibited.

Section 816. Access to Business or Manufacturing Use.

No driveway or other means of access for vehicles, other than a public street, shall be maintained or used in any residence district for the servicing of a business or manufacturing use located in a commercial or industrial district.

Section 817. [Gas Stations](#).

No gasoline or oil pump, no oiling or greasing mechanism, and no other service appliance installed in connection with any gasoline sales station or public garage shall be within thirty (30) feet of any street right-of-way or within fifty (50) feet of any residential zoning district.

Section 818. [Swimming Pools](#).

All swimming pools shall be constructed and installed in accordance with the requirements of the New York State Uniform Fire Prevention and Building Code and require a building permit. Swimming pools shall meet the setback requirements for [accessory buildings](#).

Section 819. Stream Buffers.

This section is intended to promote the prevention of sediment, nutrient, and pollutant loads from entering streams by maintaining stream buffers from the top of the [stream bank](#).

Section 819.1. Protection Requirements for Perennial and Intermittent Streams.

All perennial and intermittent streams shall require a [riparian buffer](#) with a total width of fifty (50) feet from the top of [stream bank](#). All [site plan](#) applications, special permits, special approval and variance applications, building permit applications, and excavation or fill permit applications shall require the delineation of any applicable riparian buffers. Prior to any soil-disturbing activity, the riparian buffer shall be clearly delineated on [site](#) and shall be undisturbed until the project is complete.

Section 819.2. Riparian Buffer.

The riparian buffer will begin at the top of the [stream bank](#) and extend a minimum of fifty (50) feet horizontally, measured in a direction directly perpendicular to the stream bank in a horizontal plane. Should a [steep slope](#) or wetland exist within this riparian buffer, the entirety of that area will be added to the measurement of the riparian buffer. Riparian buffers shall maintain native vegetation in a natural state. [Development](#) may not modify or interrupt more than 10% of the entire riparian buffer area unless necessary for the protection of human health, utility usage, public infrastructure, or the betterment of the riparian corridor. Development within the riparian buffer is limited to:

- a. Benches or seating.
- b. Educational and scientific research.
- c. Flood control, stormwater management structures, and stream bank stabilization measures approved by the Tompkins County Soil and Water Conservation District, Natural Resource Conservation Service, Army Corps of Engineering, or NYS Department of Environmental Conservation.
- d. Maintenance of roadways or [impervious surfaces](#) existing at the time of the adoption of this provision.
- e. Stream crossings necessary to access the property by driveway, transportation route, or utility line that have minimal negative impacts on the stream and riparian buffer.
- f. Public water supply intake or public wastewater outfall structures.
- g. Public access and public recreational facilities that must be on the water, including boat ramps, docks, foot trails leading directly to the stream, fishing platforms, and overlooks.
- h. Public sewer lines and/or other utility easements.
- i. Non-paved recreational trails no wider than 10 feet that either provide access to the stream or are part of a continuous trail system running roughly parallel to the stream.
- j. Temporary use of erosion control measures such as silt fencing.

Section 819.3. Exemptions.

The following specific activities are exempt from the requirements of this section.

- a. This section shall not apply to agricultural land use activity existing as of the effective date of this law.
- b. Work consisting of the repair or maintenance of any lawful use of land that is approved for such use on or before the effective date of this law.

Section 819.4. Prohibited Activities.

The following activities are explicitly prohibited in the [riparian buffer](#).

- a. Storage or placement of any hazardous materials.
- b. Purposeful introduction of invasive vegetative species that reduce the persistence of native vegetation.
- c. Waste storage, placement, or disposal, including but not limited to disposal and dumping of snow and ice, recyclable materials, manure, hazardous or noxious chemicals, used automobiles or appliance structures, and other abandoned materials.
- d. Mining or removal of soil, sand, and gravel, and quarrying of raw materials.
- e. Dredging, deepening, widening, straightening, or any such alteration of the beds and banks of natural streams except where the New York State Department of Environmental Conservation has issued a permit expressly allowing such activities.
- f. Application of herbicides, pesticides, fertilizers, or other chemicals.
- g. Parking of motorized vehicles, except as permitted as a Special Exception by the Board of Appeals.

Section 820. Private Roads.

Any private road that can act as a through road between two public roads shall be constructed to meet Village specifications for right-of-way, [grade](#), and cross section, as approved by the Village Superintendent of Public

Works or Village Engineer.

Section 821. [Construction Trailers](#) and [Storage Containers](#).

Construction trailers and storage containers are permitted on a property with an active building permit for the duration of that permit. On a property without an active building permit, such items may remain for up to 90 days in any 12-month period without a permit. A zoning permit is required for any longer period and shall be valid for a period not to exceed one year.

Section 822. Temporary Dumpsters.

Temporary dumpsters are permitted on a property with an active building permit for the duration of that permit. On a property without an active building permit, they may remain for up to 90 days in any 12-month period.

Section 823. Waste Dumpsters.

Waste dumpsters shall not be located in front yards, nor shall they be visible from the street.

Section 824. Outdoor [Rubbish](#).

There shall be no outdoor accumulation of rubbish visible from the street.

Section 825. Animal Services and Facilities.

Activities at [animal sales and services](#) and [animal shelters and boarding kennels](#) shall take place only within an entirely enclosed [building](#) except for regular exercise activities in the accompaniment of a human handler.

[Section 826. Rooftop Mechanical Equipment.](#)

Rooftop mechanical equipment shall be screened from view from any public street by a parapet wall or an enclosure not less than the height of the equipment.

Commented [26]: New section to screen mechanical equipment.

ARTICLE IX - ADMINISTRATION

Section 901. Permits.

1. No structure shall be erected, added to, or structurally altered until a permit therefore has been approved by the [Zoning Officer](#) and a building permit has been approved by the [code enforcement officer](#). Except upon a written order of the Board of Appeals, no such permit or certificate of occupancy shall be issued for any [building](#) where said construction, addition or alteration or use thereof would be in violation of any of the provisions of this law.
2. There shall be submitted with all applications for permits one (1) copy of a layout or plot plan drawn to scale showing the actual dimensions of the [lot](#) to be built upon, the exact size and location on the lot of the building and [accessory buildings](#) to be erected and such other information as may be necessary to determine and provide for the enforcement of this law.
3. No permit shall be issued when the estimated cost of the proposed structure obviously indicates that it is materially inferior in construction or design to the buildings existing in the vicinity in which it is to be constructed, to the detriment of existing property owners and devaluation of their properties.
4. Unless there has been substantial progress in the work for which the permit was issued, said permit shall expire one year from the date of issue.

Section 902. Certificate of Occupancy.

1. No [building](#) shall be occupied or used and no building hereafter erected, altered or extended shall be used or changed in use until a certificate of occupancy shall have been issued by the [code enforcement officer](#), stating that the buildings or proposed use thereof complies with the provisions of this law.
2. No [nonconforming use](#) shall be maintained, renewed, changed or extended without a certificate of occupancy (certificate of use therefore) having first been issued.

Section 903. Enforcement.

This law shall be enforced by a [Zoning Officer](#) who shall be appointed by the Village Board of Trustees. No permit or certificate of occupancy shall be issued except where all the provisions of this law have been complied with, unless by written order of the Board of Appeals.

Section 904. Violations and Penalties.

A violation of this law is an offense punishable as specified [herein](#) and in New York State Village Law § 7-714

Commented [27]: Updated to no longer reference the law by specific year and number

Section 905. Complaints of Violations.

Whenever a violation of this law occurs, any person may file a complaint in regard thereto. All such complaints must be made in writing and shall be filed with the [Zoning Officer](#), who shall properly record such complaint and immediately investigate and report thereon to the Board of Trustees, and refer such cases to the Board of Appeals where necessary.

Section 906. Board of Appeals Established.

1. Creation, appointment and Organization. A Board of Appeals is hereby created, to be known as the Zoning Board of Appeals of the Village of Trumansburg, New York. Said Board shall consist of five members, each to be appointed by the Board of Trustees of the Village of Trumansburg. Re-appointments shall be for five- year terms. The Board of Trustees shall appoint a chairman from the Board of Appeals membership and shall prescribe rules for the conduct of its affairs.
2. Powers and Duties. The Board of Appeals shall have all the power and duties prescribed by law and by this law, which are more particularly specified as follows:
 - a. Interpretation. Upon appeal from a decision by the [Zoning Officer](#), to decide any question involving the interpretation of any provision of this law, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.
 - b. Special Use Permits. To issue special use permits for any of the uses for which this law requires the obtaining of such permits from the Board of Appeals.
 - c. Variances. To vary or adapt the strict application of any of the requirements of this law.

Section 907. Special Use Permits.

1. Special uses are uses for which approval of the Board of Appeals is required and for which conformance to additional standards is required, in addition to all other requirements of this law. All such uses are hereby declared to possess characteristics of such unique and special forms that each specific case or use shall be considered as an individual case.
2. A plan for the proposed [development](#), alteration or extension of a [site](#) for a permitted special use shall be submitted with an application for a special use permit, and such plan shall show the location of all [buildings](#), parking areas, traffic access and circulating drives, open spaces, landscaping, and any other pertinent information that may be necessary, in the sole discretion of the Board, to determine if the proposed special use meets the requirements of this law.
3. Normal maintenance of an approved special use shall not require an additional review by the Board of Appeals. Small extensions of an approved special use, not to exceed 10% of the originally approved special use, shall not require an additional review by the Board of Appeals.
4. A special use permit shall be deemed to authorize only one particular special use and shall expire if the special use shall cease for more than six (6) months for any reason.
5. The Board of Appeals shall hold a public hearing to consider each application for a special use permit.
6. No permit shall be issued for a special use for a property where there is an existing violation of this law.
7. The following standards shall apply to all special uses:
 - a. The location and size of the use, the nature and intensity of the operations involved, the size of the [site](#) in relation to it, and the location of the site with respect to the existing or future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district, and the location, nature and [height](#) of buildings walls, and fences will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
 - b. Operations in connection with any special use shall not be more objectionable in nature to nearby properties by reason of noise, fumes, vibration, flashing lights, increased traffic or any other objectionable reasons, than would be the operations of any permitted use.
 - c. The special use shall be in conformance with the Village of Trumansburg Comprehensive Plan.
8. Some special uses, as enumerated in this law, shall be required to meet additional standards.

Section 908. Use Variances.

1. The Board of Appeals, on appeal from the decision or determination of the [Zoning Officer](#), shall have the power to grant use variances, as defined herein.
2. No such use variance shall be granted by the Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located,
 - a. the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
 - b. that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
 - c. that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
3. that the alleged hardship has not been self-created. The Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
4. The Board of Appeals shall, in the granting of use variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Section 909. Area Variances.

1. The Board of Appeals shall have the power, upon an appeal from a decision or determination of the [Zoning Officer](#), to grant area variances as defined herein.
2. In making its determination, the Board of appeals shall take into consideration the benefit to the applicant if

the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

- a. whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - b. whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 - c. whether the requested area variance is substantial;
 - d. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 - e. whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.
3. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
 4. The Board of Appeals shall, in the granting of area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Section 910. Procedures of the Board of Appeals.

1. The Board of Appeals shall act in strict accordance with the procedure specified by law and by this law. All appeals and applications made to the Board shall be made in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of the law involved, and shall exactly set forth the interpretation that is claimed, the use for which a special permit is sought or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.
2. Every decision of the Board of Appeals shall be by resolution, each of which shall contain a full record of the findings of the Board in the particular case. Each such resolution shall be filed in the office of the Village Clerk together with all documents pertaining thereto. The Board of Appeals shall notify the Board of Trustees of each special use permit and each variance under the provisions of this law.
3. The applicant shall bear the cost of advertising as required in connection with public hearings.

Section 911. Planning Board.

The Village of Trumansburg Planning Board was established to review and make recommendations on the village comprehensive plan and amendments to that plan; to make investigations and prepare maps, reports, and recommendations in connection with issues related to the comprehensive plan; and to make investigations and prepare reports and recommendations on any other matter referred to them by the village board of trustees. The Planning Board also has the authority to review [site plans](#), subdivision plans, special exceptions, and other [development](#) approvals.

Section 912. Site Plan Review.

The following shall be subject to [site plan](#) review:

- a. New construction, demolition, [reconstruction](#), or [expansion](#) of any uses identified in Article III as requiring Site Plan Review.

Commented [28]: Updated to refer to Article III as the source of truth for what is subject to site plan review.

Section 912.1. Other Permits and Approvals.

The Planning Board decision to approve a [site plan](#) does not excuse an applicant from obtaining and complying with all other permits and approvals that may be needed.

1. **Permits.** For projects subject to Site Plan Review, Permits shall be issued only after Site Plan Review approval. When an application is for a permit for sitework only, the permit may be issued based on preliminary or preliminary conditional Site Plan Review approval, following adequate review of at least the layout and grading components of the site plan. In a case where a conditional Site Plan Review approval has been given, no certificate of occupancy or completion shall be issued until final Site Plan Review approval has been given and all provisions of such final approval have been met. Any costs for [site](#) adjustments required in the final Site Plan Review shall be borne by the applicant.
2. **Use Variance.** Any required use variance must be obtained from the Board of Appeals before a site plan can be

- approved by the Planning Board.
3. Area Variance. Any required area variance must be obtained from the Board of Appeals before a site plan can be approved by the Planning Board.
 4. Special Use Permit. Any required special use permit must be obtained from the Board of Appeals before a site plan can be approved by the Planning Board.

Section 912.2. Project Review Criteria.

Site Plan Review shall, where applicable, include, but shall not be limited to:

1. General Criteria
 - a. The arrangement, location, size, design, and general site compatibility of proposed buildings, landscaping, lighting, open spaces and buffers, and outdoor waste facilities, including
 - i. If a trash compactor unit is to be used, this unit shall be attached to the building and be screened in with materials and colors that are consistent with the building that it serves. Also, an effort to minimize the noise of the compactor unit from adjacent properties shall occur.
 - ii. Dumpsters must be screened with materials and/or colors that are consistent with the building that it serves.
 - iii. Loading docks, if attached to a building, must be screened with materials and colors that are consistent with the building that it serves (i.e. loading docks attached to a brick building must be screened with brick walls).
 - iv. If possible, antennas, satellite dishes, air handling units and other mechanical equipment placed on a roof should not be visible from the street.
 - v. The usage of metal-sided buildings as façades for primary structures should be minimized, especially in highly visible areas and along principal commercial corridors.
 - vi. All new construction or redevelopment of a property should, to the greatest practical extent, utilize materials and design that is either evocative or respectful of a historic/village setting. This should include wood and stone for primary façades.
 - b. The arrangement, location and adequacy of vehicular access and circulation, including intersections, road widths, pavement surfaces, off-street parking and loading areas, and traffic controls, including
 - i. Provide automobile connections to adjacent lots and developments through shared access roads, linked parking, etc.
 - ii. Minimize entry points and curb cuts. Temporary curb cuts may be provided for individual sites, as they are developed. However, as additional sites are developed, such curb cuts may be abandoned in favor of a safe and conveniently located curb cut that serves multiple, adjoining businesses.
 - c. The arrangement, location and adequacy of pedestrian and bicycle access and circulation, and appropriate provisions for handicapped persons, including
 - i. Provide pedestrian connections between adjacent commercial developments through sidewalks, multi-use paths, etc.
 - ii. Establish a pleasant, walkable environment for pedestrians through landscaped sidewalks and multi-use trails.
 - iii. Utilize a consistent theme of street trees, other landscaping elements, and pedestrian amenities to provide a unified streetscape.
 - iv. Provide internal pedestrian connections (on site, from parking lots, to adjacent lots, etc.) through pedestrian walkways and access to and around development.
 - v. Bicycle racks are encouraged and should be placed in easily observable locations.
 - vi. Access to public transportation (Tompkins Consolidated Area Transit (TCAT), or other transit service) should be provided at visible, attractive, and safe locations in consultation with the relevant transit service providers.
 - d. The adequacy of provision for fire protection, storm water, sediment, erosion management, drainage, water supply, and sewerage disposal;
 - e. In the case of residential site plans, the arrangement, location and adequacy of any proposed open space and recreational facilities;
 - f. The adequacy of arrangements for the protection of adjacent neighboring properties from any undue disturbance, such as may be caused by excessive or unreasonable noise, glare, vapors, smoke, fumes, dust, odors, or stormwater runoff;
 - g. Determination under SEQR and compliance with the State Environmental Quality Review Act and the

Village Environmental Quality Review Law.

- h. Conformance with the Village of Trumansburg Comprehensive Plan.
 - i. Compliance with this Article and any other applicable Village rules and regulations and policies.
2. Criteria for plant materials and maintenance. All projects shall provide for adequate types and arrangements of landscaping, both to enhance the [site](#) and to complement the architectural components of the [development](#) and to screen or buffer adjacent uses in public ways. Where possible and reasonable, trees shall be planted in a strip adjacent to the road. Specifications governing tree species, size, spacing and method and location of planting, as well as appropriate guarantees for tree health may be required. Where possible and reasonable, any trees greater than eight inches in diameter at breast height of desirable species and in good health and sound structure, as determined by the reviewer's designee, should be retained on the site and protected during development.
- a. Deciduous trees shall have a caliper of at least 2 1/2 inches at the time of planting unless specific exemptions to this are granted. Size of evergreen trees and shrubs shall be allowed to vary depending on location and type of plant material (species).
 - b. The owner shall replace dead, dying, and/or seriously damaged plant materials within a reasonable time period during the current (or immediate next) planting season. Any other damaged or missing elements, including but not limited to fences, bollards, [signs](#), shrubs, street furniture, etc., of the approved plan must be similarly replaced by the owner. This will assure that landscaping remains in compliance with the final site plan as approved by the Planning Board.
 - c. Notwithstanding any provision in this chapter or any other village law or regulation to the contrary, an approved site plan may not be modified without express written approval of the Planning Board except as approved by the [Zoning Officer](#) as specified herein above.
 - d. All required street trees should be placed between the edge of the road and the parking area or front building line, whichever is closest.
 - e. Parking areas located between structures and the road should be softened with a low growing hedge and/or an attractive fence or wall.
 - f. Large expanses of parking should be broken up with tree and shrub plantings.
 - g. A transition zone consisting of pedestrian amenities and landscaping should occur between [buildings](#) and parking areas.
3. Criteria for parking areas where applicable. The general criteria above shall apply also to parking area [development](#). These are intended to be minimum criteria. The Board may make such additional reasonable conditions as it deems appropriate to carry out the intention of this law. The following criteria shall apply:
- a. There shall be screening or fencing between a parking area and adjacent properties and public ways, except where there is parking that is shared by more than one property or where commercial properties abut. In such cases the Board may require landscaping as it deems appropriate.
 - b. Additionally, the Planning Board will be guided by the parking standards set forth in Article VIII and may, as appropriate, require elements of those standards.
4. Natural Site Design. Site design shall recognize and respect the site's natural features, creating a balance between the program of the new development and the environmental impact. By recognizing and building with the existing topography, it becomes possible to integrate stormwater management into the design, lessen the amount of grading and erosion, and thereby lessen the environmental impact to surrounding areas. In addition, by incorporating the site's natural features into the site design, it becomes possible to create a more aesthetically relevant place that fits into its context.
- a. Existing mature trees should be maintained, where possible, and species selected for planting should be appropriate for this region and microclimate of the setting.
 - b. Utilize native vegetation and avoid invasive species.
 - c. Development should minimize and balance cut and fill, utilize gentle grading and avoid abrupt [grade](#) transitions. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.
 - d. Utilize sensitive construction practices and erosion control (limit soil erosion and disturbance).
 - e. Natural drainage ways, contours and landforms should be respected and disturbance to these areas should be minimized.
 - f. Utilization of "green techniques" for handling stormwater and runoff are encouraged where feasible, such as bio-retention swales, pervious paving materials and pervious alternatives to asphalt and concrete, such as modular paving systems or reinforced grass block (or other "dust-free" materials).

Section 912.3. [Site Plan](#) Review Procedures.

1. Process initiation. The [Zoning Officer](#) shall determine whether Site Plan Review is required when a zoning or demolition permit is applied for. Such determinations may be appealed to the Planning Board within 30 days of the written notification that Site Plan Review is required.
2. Site Plan Review procedures.
 - a. Sketch Plan Conference. This step may occur before the application for a permit if it can be reasonably assumed that Site Plan Review would be required, in order to inform the applicant of the Site Plan Review process and to explain the standards for approval, before substantial time and effort are invested in the preparation of plans. The Zoning Officer should determine at this stage whether the proposal is a project of limited scope as defined above.
 - b. Submission of application materials. Application for site plan approval shall be made to the Zoning Officer. If the project is deemed above the threshold of projects of limited scope as defined above, the application will be forwarded to the Planning Board for Site Plan Review. If the project is deemed within the thresholds of projects of limited scope as defined above, the Zoning Officer shall conduct Site Plan Review. In either case, each application for site plan approval shall contain, at a minimum, the following information:
 - i. Name and address of applicant;
 - ii. Name and address of owner(s) of record, if different from the applicant;
 - iii. Name and address of person or firm preparing the site plan map;
 - iv. Current zoning classification of property;
 - v. Applicable application fee(s);
 - vi. The number of copies of materials required to be submitted.
 - vii. Detailed site plan showing all elements integral to the proposed project, at a scale of no less than one inch equals 100 feet, including, but not limited to:
 1. north arrow, scale, and submitted date;
 2. property lines, including metes and bounds;
 3. name and addresses of all property owners of all parcels abutting the [site](#), or within 500 feet of the perimeter boundary of the site, including owners of easements or right-of-way, together with tax parcel numbers for all such owners;
 4. current and proposed zoning and uses on adjacent properties;
 5. location of adjacent public and private streets and highways;
 6. size and locations of all existing and proposed structures, including locations of access drives, parking and pedestrian facilities, and off-street loading facilities;
 7. existing vegetation on the site;
 8. existing and proposed overhead and underground utilities;
 9. existing and proposed easements, right-of-ways, covenants, and deed restrictions;
 10. location and design of all water and sewerage facilities;
 11. location of all existing streams or drainage ways, water bodies and [wetlands](#);
 12. grading and drainage plan showing proposed topography at appropriate contour intervals;
 13. proposed landscaping, size, height and location of all [signs](#) and exterior lighting;
 14. an area map showing existing roads and highways in the general vicinity of the project site, and including any zoning district boundaries located within five hundred (500) feet of the site perimeter;
 15. elevation plans at a scale of 1/4" for all exterior facades of the proposed structure(s) and/or existing facades, plus additions showing design features and indicating type and color of material to be used;
 16. an Environmental Assessment Form, as determined at the sketch conference, with Part 1 filled out; and
 17. identification of any federal, state, or county permits required for the project's execution.
 - viii. The Planning Board may require topography, including existing topography and proposed topography, a detailed [traffic impact study](#) for large [developments](#) or those in heavy traffic areas, to include:
 1. the projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 2. the projected traffic flow pattern including vehicular movements at all major intersections likely to

- be affected by the proposed use of the site;
- 3. the impact of this traffic upon existing abutting public and private ways in relation to existing road capacities;
- 4. Existing and proposed daily and peak traffic hour levels as road capacity levels.
- ix. The Planning board reserves the right to request additional information related to the above submission material as considered necessary. Depending upon the scope and complexity of the project, applicants may be required or encouraged to engage the services of one or more licensed design professionals and other experts such as architects, engineers, ecologists, landscape architects, or surveyors at the applicant's expense.
- x. The Planning Board reserves the right to waive the submission of any of the above said materials.
- 3. Environmental review. SEQR/VEQR review of the proposed development shall be conducted prior to Site Plan Review approval, if applicable.
- 4. Public notice. Upon application for Site Plan Review, a public notice of the proposed development, the form of which shall be approved by the Zoning Officer, shall be posted at the project site for a minimum of seven business days. This notice must remain in place at least until a decision to approve or disapprove the Site Plan Review application is made. The notice shall specify the type and size of the development project; the time and place of the public hearing should the development project be subject to one; and to whom and by when any public comments are to be communicated. The notice must be placed at or near the property line in the front yard so that it will be plainly visible from the street, and, in cases where a property has frontage on more than one street, an additional sign must be placed at or near the property line on any additional street frontage so that the sign will be plainly visible from the street on which it has such additional frontage.
- 5. Coordination and consultation. Site Plan Review projects requiring the review and approval of the Board may also be reviewed by the Code Enforcement Officer, the Fire Department, the Department of Public Works and any other village officials or non-village consultants deemed appropriate by the Board or the Zoning Officer at the applicant's expense. These may include, but shall not be limited to, local and county officials and representatives of county, state, and federal agencies, including the Natural Resource Conservation Service, Tompkins County Soil and Water District, the State Department of Transportation, and the State Department of Environmental Conservation. Any comments from these reviewers shall be summarized and forwarded to the Board to aid its decision on the proposal.
- 6. Planning Board meeting. Following timely receipt of a complete application as defined above for site plan approval, the Board shall schedule consideration of the application at its earliest possible scheduled meeting. The Board may establish its procedures and requirements, within the framework provided by this chapter, for conducting site plan review.
- 7. Public hearing. Prior to rendering any decision on a Site Plan Review application, the Board shall first hold a public hearing on the proposed development. This may begin concurrently with any required public hearing for the purpose of environmental review of the same project and may continue after any such environmental review public hearing is closed. Public hearings are not required of projects of limited scope as defined above, unless the project is referred to the Board for Site Plan Review. The public hearing shall be advertised in the official newspaper at least 5 business days before the date of the meeting and the applicant and adjoining property owners shall be notified in writing at least 5 business days before the date of the meeting.
- 8. Action on application for site plan approval.
 - a. Within 30 days of the completion of a public hearing on an application and completion of environmental review, the Board shall render one of the following decisions:
 - i. Approval only.
 - ii. Approval with conditions.
 - iii. Revise and resubmit.
 - iv. Disapproval of the site plan.
 - b. The decision indicating which of the above decisions was reached shall be conveyed in the form of a written statement to the applicant. This statement shall state the reason(s) for such decision.
 - c. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related and incidental to a proposed site plan. Upon its approval of said site plan, any such conditions must be met in connection with the issuance of permits by applicable enforcement agents or officers of the Village.
 - d. The Planning Board's statement may include recommendations of desirable modifications to be

incorporated in a revised proposal, and conformance with specified modifications shall be considered a condition of approval. In such a case, the Planning Board may recommend to the applicant to revise and resubmit their proposal after it has been revised or redesigned. The Planning Board may grant to the applicant a continuance of the review process and/or adjourn the conclusion of the public hearing. If more than 180 days has elapsed since the time of the Planning Board's decision, the Planning Board shall require a resubmission of the proposal.

- e. Upon approval of the final proposal and payment by the applicant of all fees and reimbursable costs due to the Village, the Planning Board shall endorse its approval by signature or stamp on a copy of the final site plan and related supporting documents, and shall forward it to the Zoning Officer. A copy of the resolution of approval shall be filed with the Village Clerk within 5 working days of the decision by the Planning Board.
- f. Upon disapproval of a final proposal, the Planning Board shall so inform the Zoning Officer and the Zoning Officer shall not issue a Permit to the Applicant. The Planning Board must make specific written findings as to the criteria set forth above before it can disapprove a final proposal. The Planning Board shall also notify the applicant in writing of its decision and its reasons for disapproval. A copy of the resolution of disapproval shall be filed with the Village Clerk within 5 working days of the decision by the Planning Board.
- g. Additionally, copies of the resolution shall be submitted to the Village Board of Trustees, the Planning Board, the Zoning Officer, and the [Code Enforcement Officer](#) within 5 working days of the date of decision.
- h. If no decision is made within the 30-day period following the conclusion of the public hearing and completion of the environmental review, the proposal shall be considered approved, as submitted.

Section 912.4. Changes to Approved [Site Plan](#).

Proposed changes (whether before or after construction) to approved site plans must be submitted to the [Zoning Officer](#) for review to determine whether the effect of the proposed changes warrants reconsideration of the project's approval status. The Zoning Officer shall make one of the following determinations:

- a. That the proposed changes do not affect the approval status of the site plan.
- b. That the changes are significant and shall require a reopening of the review.
- c. That the proposed changes are likely to have such an extensive or significant effect on the project that a new Site Plan Review application is required.

Section 912.5. Submission of Final Detailed [Site Plan](#).

- 1. After receiving approval, with or without conditions, from the Planning Board on a site plan, the applicant shall submit a final, detailed site plan to the [Zoning Officer](#) for verification before a permit will be issued. If more than 180 days has elapsed since the time of the Planning Board's decision on the final proposal and the issuance of any permits, the Planning Board shall require a resubmission of the proposal.
- 2. A final site plan shall conform to the approved proposal. It should incorporate any conditions or [modifications](#) that may have been made by the Planning Board in its review. All such compliance's shall be clearly indicated by the applicant on the appropriate submission.
- 3. The following additional information must accompany a final site plan:
 - a. Record of application for and approvals of all necessary permits from federal, state and county officials;
 - b. Any changes or additions in sizing and final material specification of all required improvements; and
 - c. An estimated project construction schedule.

Section 912.6. Expiration of [Site Plan](#) Approval.

- 1. An approved site plan may be revoked by the Planning Board, after a public hearing and upon written notice in person or by mail to the applicant if work has not materially commenced within 24 months of the date the approval was granted.
- 2. The Planning Board may, when compliance with the foregoing time periods would create a significant hardship for the owner, extend the time periods for such periods and upon such conditions as the Planning Board may reasonably determine.

Section 912.7. Extension of Deadlines.

All deadlines for decisions on a [Site Plan](#) Review application may be extended upon mutual agreement by the

Planning Board and the applicant.

Section 913. Special Exceptions.

1. Purpose. The Village of Trumansburg Comprehensive Plan has identified as a goal the creation of “a thriving downtown with a multitude of diverse businesses that meet the daily need of residents from the Village and surrounding areas.” In order to achieve this goal, the Village desires to limit the location of certain types of commercial uses to its Downtown Commercial District while recognizing that at a given point in time there may be no land or [building](#) available within the district for a particular commercial use. As a result, this law identifies certain Special Exceptions, commercial uses that should be located in the Downtown Commercial District, but may be permitted in other districts if and only if they cannot be located in the Downtown Commercial District. Such commercial uses are identified as Special Exceptions in the list of uses permitted in the West Gateway Commercial District, the East Gateway Mixed Use District, and the Mixed Use Industrial District.
2. Special exceptions require the approval of the Planning Board in its sole discretion. All such cases are hereby declared to possess characteristics of such unique and special form that each specific case or use shall be considered as an individual case. Grant of a special exception is not ‘a right’ for any applicant, and a denial of any application shall not be challengeable as arbitrary and capricious, so long as a reason is given for the decision. Granting of a special exception, or denial of it, is a basic function of planning for this community and is placed in the hands of the Planning Board, which is comprised of a cross- section of the citizenry for this purpose.
3. A Special Exception is permitted only for a specific use at a specific point in time. Once a Special Exception has been permitted, that specific Special Exception shall be treated as though it were a Special Use.
4. No Special Exception shall be granted by the Planning Board without a showing by the applicant that there is no land or building available in the Downtown Commercial District for the proposed use. In order to prove the lack of available land or buildings, the applicant shall demonstrate to the Planning board that for each and every property in the Downtown Commercial District,
 - a. The owner is unwilling or unable to sell or lease the land or building to the applicant, OR
 - b. The property or building is too small or otherwise physically incapable of supporting the proposed use, OR
 - c. The use of the property for the proposed use will not allow the applicant to realize a reasonable return, provided that the lack of return is substantial as demonstrated by competent financial evidence.
5. The Planning Board shall, in the approval of Special Exceptions, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this law, and shall be imposed for the purpose of minimizing any adverse impact such approval may have on the downtown commercial district, the immediate neighborhood, or the community as a whole.
6. A Special Exception approval shall be deemed to authorize only one particular special exception at a particular point in time. Any like or similar proposed special exception will need to fully comply with the requirements above and not rely on information provided by an earlier Special Exception application. Any Special Exception approval shall expire if the use shall cease for more than six (6) months for any reason.
7. The Planning Board shall hold a public hearing to consider each application for a Special Exception.
8. Public notice. Upon application for a Special Exception, a public notice of the proposed [development](#), the form of which shall be approved by the [Zoning Officer](#), shall be posted at the project [site](#) for a minimum of seven business days. This notice must remain in place at least until a decision to approve or disapprove the Special Exception application is made. The notice shall specify the type of the development project; the time and place of the public hearing; and to whom and by when any public comments are to be communicated. The notice must be placed at or near the property line in the front [yard](#) so that it will be plainly visible from the street, and, in cases where a property has [frontage](#) on more than one street, an additional [sign](#) must be placed at or near the property line on any additional street frontage so that the sign will be plainly visible from the street on which it has such additional frontage.
9. Public hearing. Prior to rendering any decision on a Special Exception application, the Board shall first hold a public hearing on the proposed development. This may begin concurrently with any required public hearing for the purpose of environmental review of the same project and may continue

after any such environmental review public hearing is closed. The public hearing shall be advertised in the official newspaper at least 5 business days before the date of the meeting and the applicant and adjoining property owners shall be notified in writing at least 5 business days before the date of the meeting.

10. Special Exceptions shall comply with all other requirements of this law, including, but not limited to, undergoing [site plan](#) review where required

ARTICLE X - EXPLICITLY PROHIBITED USES

Section 1001. Explicitly Prohibited Uses.

Notwithstanding any provisions to the contrary, the following uses and activities are expressly and explicitly prohibited in any district within the Village, and no structure shall be created, altered or erected, and no land or structure thereon shall be used, for any of such uses or activities:

1. [Deleterious substance disposal/storage facility.](#)
2. Disposal of radioactive material.
3. [Dump.](#)
4. Extractive industry.
5. [High impact industry](#)
6. [Injection well.](#)
7. [Land application facility.](#)
8. [Large scale water use.](#)
9. [Natural gas compression facility.](#)
10. [Natural gas processing facility.](#)
11. [Non-regulated pipeline.](#)
12. [Solid waste disposal](#) facility.
13. [Staging facility.](#)
14. Terminal for [bulk oil or gas.](#)
15. [Truck stop.](#)
16. [Underground injection of deleterious substances.](#)
17. [Underground natural gas storage.](#)
18. Any use of land that is likely to result in degradation of private water systems in the Village.
19. Any use of land not otherwise specified above, but which is likely to result in [degradation of water](#) or [pollution](#) within the Village.

Any condition caused or permitted to exist in violation of the provisions of this Section is a threat to public health, safety and welfare and is hereby declared and deemed to be a nuisance.

Collectively the above expressly prohibited uses may be referred to in this law as “Explicitly Prohibited Uses,” any one of the above expressly prohibited uses may be referred to in this law as an “Explicitly Prohibited Use,” and any combination of more than one such use may also be referred to as “Explicitly Prohibited Uses.”

It is intended that Explicitly Prohibited Uses herein be construed to prohibit any exploration for or extraction of natural gas and/or petroleum, and natural gas and/or petroleum support activities.

Section 1002. Prohibition Against [Deleterious Substances.](#)

It shall be unlawful for any person to produce, store, inject, discard, discharge, dispose, release, or maintain, or to suffer, cause or permit to be produced, stored, injected, discarded, discharged, disposed, released, or maintained any deleterious substance, anywhere within the Village.

ARTICLE XI - DEFINITIONS

Section 1101. Interpretation.

Words will be used for the customary dictionary definition except as otherwise provided. For the purpose of this law, certain terms or words herein shall be interpreted or defined as follows: words used in the present tense include the future tense; the singular includes the plural; the word "person" includes a corporation as well as an individual; the word "lot" includes the word "plot" or "parcel"; the term "shall" is always mandatory; the word "used" or "occupied" as applied to any land or [building](#) shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Section 1102. Construal of Use.

If the use of a [building](#) or land meets the definition of more than one use, the more specific definition shall apply. For example, a business that sells cars and, thus, meets the definition of [retail sales](#) and the definition of vehicle sales and services shall be interpreted to be vehicle sales and services.

Section 1103. Definitions.

1. Accessory Buildings and Structures. Buildings or structures whose uses are incidental to the principal uses(s) on a [site](#) and are customarily found on the same site.
2. Accessory Use. A use that is incidental to the principal use(s) on a [site](#) and is customarily found on the same site.
3. Adult-Oriented Businesses. Any business involving one or more of the following:
 - a. Adult arcades where, for any form of consideration, one or more motion picture projectors, slide projectors, video cassette players, computers, or similar electronic machines, for viewing by five or fewer persons, each are used to show films, motion pictures, video cassettes, slides, computer generated images, or other photographic reproductions, which are characterized by emphasis upon the depiction or description of [specified sexual activities](#) or [specified anatomical areas](#).
 - b. Adult bookstores which have a substantial (20% or more) portion of its stock in trade and offers for sale, any consideration, any one of more of the following:
 - i. Books, magazines, periodicals, or other printed matter or photographs, film, motion pictures, video cassettes, slides or other visual representations, which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas, or
 - ii. Instruments, devices or paraphernalia that are designed for use in connection with specified sexual activities.
 - c. Adult cabarets meaning any night club, bar (including establishments which do not serve alcoholic beverages), restaurant, or similar establishment, which regularly feature live performances characterized by exposure of specified anatomical areas or by specified sexual activities or films, motion, pictures, videos cassettes, slides, or other photographic reproductions characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
 - d. Adult motion picture theaters where, for any form of consideration, films, motion pictures, video cassettes, slides, or other photographic reproductions are regularly shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
 - e. Adult theaters meaning any theater, concert hall, auditorium or similar establishment which, for any form of consideration, regularly features live performances in which a substantial portion of the total presentation time is devoted to the exposure of specified sexual activities or specified anatomical areas.
 - f. Massage parlors where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment or manipulation of the human body is administered, unless by a medical practitioner, chiropractor, acupuncturist, physical therapist, licensed massage therapist, or similar professional person licensed by the state.
 - g. Peep shows where, for any form of consideration, persons may observe from individual enclosures shows which regularly feature live performances characterized by exposure of specified anatomical areas or by specified sexual activities or films, motion pictures, video cassettes, slides, computer

generated images, or other photographic reproductions characterized by an emphasis upon which the depiction or description of specified sexual activities or specified anatomical areas.

- h. Adult hotels or motels, meaning any hotel or motel that excludes minors because of age.
 - i. Any other business the income of which is primarily derived from the display or sale of material portraying specified anatomical areas or specified sexual activities, and not otherwise defined in a-h above, that defines itself primarily through its exclusion of minors.
4. Affordable Housing. Housing for which renters or homebuyers pay no more than 35% of their annual gross income for housing.
 5. Affordable Unit. A dwelling unit that is constructed under the affordable housing provisions of this law and is rented or sold to a low-income household.
 6. Agricultural Farm Stand. A cart or stand used for the retail sale of produce and plant materials.
 7. Animal Sales and Services. Retail sales of domestic animals or provision of non-veterinary care for domestic animals, or both. For example, bathing, grooming, and nail clipping.
 8. Animal Shelters and Boarding Kennels. Establishments that provide temporary homes for animals whose owner is unknown or unavailable or that provide short-term overnight lodging and care for pets for a fee. Shelters are generally run by charitable or government-funded organizations, while Boarding Kennels are generally commercial operations. Examples include dog pounds and pet hotels.
 9. Artists' Studios. Workspace for artists or artisans, including individuals practicing one of the fine or applied arts or crafts or performing arts. May include classes and accessory retail sales of products created on site.
 10. Bed and Breakfast Dwellings. An owner-occupied residence resulting from a conversion of a one-unit dwelling, used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers, and containing not more than five (5) bedrooms for such lodgers.
 11. Building. Any structure utilized or intended for supporting or sheltering any occupancy, as described in NYS Building Code.
 12. Bulk Oil or Gas. One or more stationary tanks that are used singularly or in combination for the storage or containment of more than one thousand one hundred gallons of petroleum. This term shall not include (1) a heating oil tank used for on premises consumption at the same site which is not interconnected to any other heating oil tank, or (2) tanks used to store motor fuel (gasoline or diesel products) for non-commercial purposes at a farm or residence.
 13. Business-related vehicle. A motor vehicle or trailer, carrying business-related signs or decals, whose primary purpose is in support of a business.
 14. Car Washes. Facilities where motor vehicle exteriors are cleaned, either by mechanical equipment such as conveyors, blowers, or steam cleaners, or by hand using water and cleaning materials.
 15. Code Enforcement Officer. The administrative official charged by the Village of Trumansburg Board of Trustees with the responsibility for administering the New York State Uniform Fire Prevention and Building Code, regardless of the title of that person.
 16. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios and data transmission facilities.
 17. Community Center. A multipurpose community facility where various recreational, educational, social, health care, or counseling services are provided.

18. Congregate Living. A communal housing arrangement that contains sleeping units where residents share kitchen or bathroom facilities or both. Examples include assisted living facilities, nursing homes, convalescent facilities, rehabilitation centers, boarding houses, dormitories, fraternity houses, and group homes.
19. Construction Trailer. A temporary trailer or structure necessary for or incidental to the development of a construction project.
20. Cultural Institutions. Organizations supporting the display, preservation, or performance of items in one or more of the arts or sciences. This classification includes libraries, museums, performing arts venues, and art galleries.
21. Day Care. Provision of non-residential, non-medical care on a less than 24-hour basis, including but not limited to nursery schools, preschools, and other care centers for children or adults.
22. Degradation of water. Pollution of water that unreasonably reduces the quality of such water. Water quality may be considered unreasonably reduced when the quality of a representative sample of water is rendered harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare.
23. Deleterious substance. Any of the following in any form, and whether or not such items have been excepted or exempted from the coverage of any federal or state environmental protection laws, or have been excepted from statutory or regulatory definitions of "industrial waste," "hazardous," "toxic," and whether or not such substances are generally characterized as waste:
- below-regulatory concern radioactive material, or any radioactive material which is not below-regulatory concern, but which is in fact not being regulated by the regulatory agency otherwise having jurisdiction over such material in the Village;
 - crude oil or natural gas drilling fluids;
 - crude oil or natural gas exploration, drilling, production or processing wastes;
 - crude oil or natural gas drilling treatment wastes (such as oils, frac fluids, produced water, brine, flowback, sediment and/or any other liquid or semi-liquid material);
 - solution mining brine or mineral brines;
 - any chemical, waste oil, waste emulsified oil, mud, or sediment that was used or produced in the drilling, development, transportation, processing or refining of crude oil or natural gas;
 - soil contaminated in the drilling, transportation, processing or refining of crude oil or natural gas;
 - drill cuttings from crude oil or natural gas wells;
 - any wastes associated with the exploration, drilling, production or treatment of crude oil or natural gas;
 - waste from the extraction or processing of ores and minerals, including slag, mud, ash, and process waste water and waste solids; and/or
 - cement kiln dust waste.
- This definition specifically intends to include some wastes that may otherwise be classified as "solid wastes which are not hazardous wastes" under 40 C.F.R. § 261.4(b). This definition does not include (i) animal manure and/or recognizable and non-recognizable food wastes, or (ii) storage of farm generated waste.
24. Deleterious substance disposal/storage facility. Any of the following:
- tanks of any construction (metal, fiberglass, concrete, etc.);
 - impoundments;
 - pits;
 - evaporation ponds; and/or
 - other facilities, in any case used for the storage or treatment of deleterious substances that:
 - are being held for initial use,
 - have been used and are being held for subsequent reuse or recycling,
 - are being held for treatment, or
 - are being held for storage.

25. Developer. An individual or group, including for-profit and non-profit organizations that construct [buildings](#), structures, or ancillary facilities.
26. Development. Any land use change, activity, or project that requires a permit and will result in changes to the physical condition, appearance, intensity of use and/or type of use of the [site](#). Development projects include but are not limited to:
- New construction
 - [Reconstruction, modification](#), renovation, or [expansion](#) of existing structures or [site improvements](#).
 - Land filling, excavation, grading, parking lot construction, or any other disturbances to the natural or existing topography or vegetation of the site.
 - Demolition of structures or site improvements.
- A project shall not be considered a development if it is one or a combination of the following:
- [Replacement in kind](#) only; or
 - Interior construction, which does not change the intensity or the type of existing usage;
 - Infrastructure maintenance only.
27. Domestic Animals. Any domesticated or tamed animal that is kept as a companion and not for commercial purposes or as a source for food.
28. Drive-Through Facilities. A retail facility or portion thereof from which business is transacted directly with customers located in a motor vehicle.
29. Dump. Land upon which household or business refuse or any [deleterious substances](#), or their residue or constituents before or after treatment, are deposited, disposed of, discharged, injected, placed, buried, or discarded without any intention of further use.
30. Dwelling. Any [building](#) that contains one or more dwelling units intended or designed to be built, used, rented, leased, let, or hired out to be occupied, or that are occupied for living purposes.
31. Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
32. Eating and Drinking Establishments. Businesses with the principal purpose to serve prepared food or beverages for consumption on or off the premises. For example, restaurants, bars, cafes or coffee shops, cafeterias, delicatessens, and ice cream parlors.
33. Expansion. An enlargement of, or addition to, an existing structure or a paved area, including driveways, parking areas, and sidewalks, or of the use.
34. Flag Lot. A parcel of land that is accessible from a public road but has less than the required road [frontage](#). A flag lot shall be described as containing two parts: (1) The “flag” shall include that portion of the [lot](#) that is the location of the principal and [accessory buildings](#). (2) The “pole” shall be considered that portion of the site that is along a public road but is narrower than the required frontage.
35. Food and Beverage Sales. [Retail sales](#) of food and beverages for off-site preparation and consumption. Typical uses include grocery and liquor stores. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as [Eating and Drinking Establishments](#).
36. Footprint. The total ground-level area occupied by a building or structure on a lot, measured as the outline of its exterior walls at ground level.
37. For-Sale Unit. A [dwelling unit](#) that is constructed to be sold to individuals or organizations.

38. Frontage. The width of a lot as measured along its front boundary, or where applicable, the total of the boundary line segments that constitute the front boundary.
39. Frontage Coverage. The percentage of a lot's street-facing boundary that is occupied by a building facade, calculated by dividing the width of the building face along the street by the total width of the property frontage.
40. Fully-Shielded Light. An outdoor light fixture shielded or fabricated so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.
41. Funeral Homes. Establishments primarily engaged in the provision of services involving the care or preparation of human dead and typically provide for indoor funeral ceremonies. This definition excludes any crematory facilities or services.
42. Gas Stations. Establishments engaged in the retail sale of gasoline, diesel, or alternative fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks but excludes body and fender work or repair of heavy trucks or vehicles.
43. Glare. Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases, with intensity great enough to cause momentary blindness.
44. Grade. The average finished ground level of the land at which the perimeter of a structure meets the ground.
45. Graphics. The letters, figures, emblems, devices, and other representations comprising the visual message of a sign.
46. Half Story. The portion of a building under a sloping roof with wall plates of at least two (2) of the exterior walls being not more than three (3) feet above the floor of such a story.
47. Height. The height of a building is the vertical distance measured from the average elevation of the proposed finished grade of the ground at the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge, for gable, hip and gambrel roofs. This measurement shall exclude architectural projections such as spires, cupolas, steeples, and chimneys.
48. High Impact Industry. Industrial uses or operations that are more likely than not to generate or involve any four (4) or more of the following impacts in the Village at any time during such use or operation:
- combined surface disturbance of more than two (2) acres of land;
 - the presence, production, collection, handling, manufacture, use, storage, transfer or disposal of any deleterious substance;
 - high-frequency high-impact truck traffic;
 - an industrial use operation that, whether due to its nature or to a desire or need by the operator to employ financial resources most efficiently, or otherwise, is usually not limited to typical work days and morning to early evening hours, but rather instead is often conducted at any and all times of the day and night with either truck traffic entering or leaving the site, or other noise, vibrations or light that extends beyond the property boundaries;
 - open air industrial use;
 - open air storage;
 - flammable or explosive materials are present, used, produced, stored or disposed of;
 - a private electric power generation facility;
 - the sequestering water use of five hundred thousand (500,000) or more gallons of water;
 - construction or use of more than forty five thousand (45,000) square feet of impervious surface;
 - construction or use of a staging facility; or
 - construction of pipelines, roadways and other infrastructure to move product and materials to and from the proposed project site.
49. Home Business. Any occupation or profession, whether otherwise allowed or not, which:

- a. Is customarily carried on in a [dwelling unit](#) or in a structure accessory to a dwelling unit and
 - b. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes
50. Hospital. A health care facility that provides 24-hour inpatient, outpatient, and emergency care, including the following services: medical, nursing, surgical, anesthesia, laboratory, and imaging, as well as related services.
 51. Hotel. An establishment of 17 or more rooms on a lot in which [lodging](#) is offered for not more than 30 consecutive days and may include food, drink, and other sales and services that are accessory to the lodging use and primarily intended for the convenience of guests, and may include [special outdoor events](#).
 52. Impervious Surface. Any material or surface that substantially reduces or prevents the infiltration of water into the ground, including areas covered by [buildings](#), conventionally surfaced roads and highways, driveways and parking lots, and sidewalks.
 53. Injection Well. A vertical pipe in the ground into which water, other liquids, or gases are pumped or allowed to flow.
 54. Inn. An establishment of 6 to 16 rooms on a lot in which [lodging](#) is offered for not more than 30 consecutive days and that may include food, drink, and other sales and services that are accessory to the lodging use and primarily intended for the convenience of guests and may include [special outdoor events](#).
 55. Intermittent Stream. A stream with a definite bed and banks in which there is not a permanent flow of water and which is represented as a dashed line on United States Geological Survey (USGS) 7.5 Minute Quadrangle maps.
 56. Junk Yard. An establishment that stores, keeps, buys, or sells scrap metal or resalable car parts. This definition includes scrap metal processors, auto-wrecking [yards](#), salvage yards, scrap yards, auto recycling yards, used auto parts yards, and temporary storage of automobile bodies and parts awaiting disposal as a normal part of a business operation. This definition does not include litter, trash, and other debris scattered along or upon a road, or temporary operations and outdoor storage of limited duration.
 57. Land Application Facility. A [site](#) where any [deleterious substance](#) is applied to the soil surface or injected into the upper layer of the soil.
 58. Large Scale Water Use. Any [water withdrawal](#) or sequestering water use of over one hundred thousand (100,000) gallons of water in any thirty (30) day period from [water resources](#) within the Village. Large scale water use does not include water withdrawn for agricultural use, for emergency uses such as firefighting, or for drinking, recreational, cooking, washing, or sanitary purposes and used within the Village.
 59. Light Fixture. The assembly that houses a lamp or lamps and that can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.
 60. Light Production. Production, fabrication, assembly, processing, or artistic practice conducted within an enclosed building, using hand tools, small-scale equipment, or light industrial equipment. May include classes, exhibitions, shared production facilities, accessory retail sales of products made on the premises, tasting or consumption areas, and delivery for off-site consumption. Typical examples include artist studios; maker spaces; woodworking, metalworking, and fabrication shops; commercial kitchens and catering operations; commercial bakeries; coffee roasters; breweries, distilleries, cideries, and wineries; food manufacturers; electronics assembly; printing and publishing; and apparel manufacturing.
 61. Lodge or Private Club. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls and social clubs.
 62. Lodging. Any dwelling unit or sleeping unit that one or more persons, for compensation, use or have the right

to use for a period of not more than 30 consecutive days.

Commented [29]: New definition for clarity.

63. Lot. A parcel of land occupied or capable of being occupied by at least one [building](#) and the [accessory buildings](#) or uses customarily incident to it, including such open spaces as are required by this law.
64. Lot Line. A boundary line of a [lot](#).
65. Low-Income Household. A household whose income does not exceed 80% of the most recently published Median Family Income as determined by the US Department of Housing and Urban Development, adjusted for household size. The income limits change from time to time. The most current definition can be found on the US Department of Housing and Urban Development's webpage.
66. Luminaire. A complete lighting system, including a lamp or lamps and the attendant [light fixture](#).
67. Luminous Tubing. Glass tubing with a cold cathode light or similar source such as neon.
68. Market Rate Unit. A [dwelling unit](#) that is rented or sold at rents or prices determined by the market.
69. Micro Data Center. A building or facility used primarily to house information technology equipment (servers, networking, and storage) and using less than 1 megawatt of [peak electric demand](#).
70. Modification. Rearrangement of [site](#) layout or an exterior alteration to an existing structure (including any changes to a [building](#) facade, except [replacement in kind](#)).
71. Motor Home. A [dwelling](#) designed for temporary residence mounted on a self-propelled chassis designed for travel over roads and highways.
72. Natural Gas Compression Facility. Those facilities or combinations of facilities that move natural gas from production fields or natural gas processing facilities in [pipelines](#) or into storage; the term shall include equipment for liquids separation, natural gas dehydration, and tanks for the storage of waste liquids and hydrocarbon liquids.
73. Natural Gas Processing Facility. Those facilities that separate and recover natural gas liquids (NGLs) and/or other non-methane gases and liquids from a stream of produced natural gas, using equipment for any of the following: cleaning or stripping gas, cooking and dehydration, residual refinement, treating or removing oil or condensate, removing water, separating NGLs, removing sulfur or carbon dioxide, fractionation of NGLs, or the capture of CO2 separated from natural gas streams.
74. Non-conforming Building or Structure. A [building](#) or structure existing legally at the time of enactment of this law and which does not conform to the regulations of the district or zone in which it is situated.
75. Non-conforming Use. A use of land existing legally at the time of enactment of this law and which does not conform to the regulations of the district or zone in which it is situated.
76. Non-regulated Pipeline. Those [pipelines](#) that are exempt or otherwise excluded from regulation under federal and state laws regarding pipeline construction standards or reporting requirements. Specifically includes production lines and gathering lines.
77. Outdoor Storage and Display. Outdoor storage and display of merchandise, materials, or equipment not covered by a roof, eave, or other overhang of the [principal building](#).
78. Outdoor Storage and Display, Temporary. Outdoor storage and display of merchandise, materials, or equipment for a maximum period of 72 hours per quarter of a calendar year.
79. Parking, Commercial (non-accessory). A standalone lot offering short-term or long-term parking to the

Commented [30]: Added to regulate data centers beyond 1 megawatt

public for a fee.

80. Peak Electric Demand. The greatest of (a) contracted utility demand, (b) total nameplate capacity of installed IT equipment, or (c) total nameplate capacity of on-site generation serving the facility. Facilities under common ownership or control on contiguous parcels, or sharing a utility interconnection, are treated as a single facility for this calculation.
81. Perennial Stream. A stream that flows continuously throughout the year in a natural or man-made channel, which is represented as a solid blue line on United States Geological Survey (USGS) 7.5 Minute Quadrangle maps.
82. Performance Guaranty. Any security that may be accepted by the Village as a guarantee that the improvements required as part of the [site plan](#) or other approval will be satisfactorily completed.
83. Personal Care Services. Provision of services directly to individuals who are physically present. Examples include personal grooming, outpatient health care, tutoring and instructional studios, fitness and weight-loss providers, and wellness practitioners. Does not include [Hospitals](#). Customer visits are moderate in frequency and typically by appointment or on a recurring schedule.
84. Pipeline. All parts of those physical facilities through which oil, gas, and liquids are transported (including pipes, valves, and other equipment and appurtenances attached to pipes and other equipment such as drip stations, vent stations, pigging facilities, valve boxes, transfer pump stations, measuring and regulating equipment, [yard](#) and station piping, and cathodic protection).
85. Planned Development Areas. A land [development](#) to be developed as a single entity for a specified number of [dwelling units](#), the plan for which does not correspond in [lot](#) size, lot coverage, [frontage](#), or setback areas to the standards set forth in these regulations.
86. Pollution. The contamination or other diminution of the physical, chemical, or biological properties of land, water, or air, including a change in taste, color, turbidity, or odor, and including a discharge of any liquid, gaseous, solid, radioactive, or other substance on land, water, or air that will, or is likely to, create a nuisance or render such land, water, or air harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare.
87. Postal Services. Establishments providing commercial postal services directly to the customer, including letter and parcel mailing, post office box rental, and related services. This classification includes facilities of the U.S. Postal Service.
88. Principal Buildings and Structures. Buildings or structures in which one or more principal uses of the [site](#) take place.
89. Principal Uses. A use that is allowed by itself on a [site in a given district](#).
90. Private Road. A roadway that is owned and maintained by a private party.
91. Professional Services. Provision of professional, administrative, technical, or creative work for delivery off-site or through remote communication. Examples include law, finance, and consulting firms; architecture, engineering, and software studios; government and administrative offices; real estate offices; marketing and travel agencies. Client presence is minimal; visits occur on an infrequent basis and are typically by appointment.
92. Public Parks and Recreation. Noncommercial parks, playgrounds, recreation facilities, and open spaces.
93. Public Place. Any thoroughfare, square, plaza, public parking lot, or similar area, whether publicly or privately owned.

Commented [31]: Defined to limit data center scale

Commented [32]: Similar question

Commented [32R2]: What about something like

The primary use of a lot that is permitted under the district regulations in a zoning law.

Commented [32R3]: Still the same problem; now defining principal as primary. Sorry, I'm just not happy with the vagueness of our use of the term principal. Maybe it's inevitable.

In any case, can we use site instead of lot? Also use site instead of property! And I don't think we need "that is permitted under the district regulations in a zoning law." That's implicit.

Commented [32R4]: Maybe this then?

A use that is authorized alone on a site in a specified use district.

Commented [32R5]: OR

A use that is allowed by itself on a site in a given district.

94. Public Right-of-Way. Land over which the public may travel subject to restrictions by the government with jurisdiction, whether or not said government has control of the land by ownership or easement.
95. Public Safety Services. Facilities for public safety and emergency services, including police and fire protection.
96. Reconstruction. Construction of [buildings](#) or [site improvements](#) following partial or total demolition of a previous [development](#).
97. Religious Assembly. Facilities for religious worship and incidental religious education, but not including private schools.
98. Rental Unit. A [dwelling unit](#) that is used for rental purposes.
99. Replacement In Kind. Replacement of materials (for maintenance purposes) that does not have an effect on the appearance of the existing [building](#) and [site](#).
100. Research and Development. Research, development, testing, laboratory services, and controlled production conducted within an enclosed building. May create prototypes and produce limited quantities for sale. Typical examples include biotechnology and pharmaceutical research; medical device development; electronic and computer hardware research; software and IT development; scientific, analytical, and photographic testing laboratories; medical and dental laboratory services; and product development facilities.
101. Residential Development. Creation of one or more [dwellings](#).
102. Retail Sales and Services. Provision of goods or services sold directly to the consumer, generally without appointments. For example, grocery stores and pharmacies; clothing, hardware, electronics, and home goods shops; cannabis dispensaries and liquor stores; pet supply stores; auto parts and appliance stores; banks and credit unions; printing and copying centers; laundry and dry cleaning services; and minor repairs like phones, bikes, tailoring, or key cutting. Customer visits are frequent and brief, resulting in high turnover.
103. Riparian Buffer. Land on each side of a stream is left vegetated to provide riparian corridor functions. Buffers are measured horizontally from the top of the [stream bank](#) in a direction directly perpendicular to the bank and in the horizontal plane.
104. Rubbish. Appliances and furniture (or parts of the same), car parts, used building materials, waste paper, rags, scrap metal, and similar items, including machinery or vehicles not in running condition.
105. Schools. Educational institutions having a curriculum comparable to that required in the public schools of the State of New York.
106. Self-Service Storage. Provision of storage space for household or commercial goods within an enclosed [building](#) with direct public access to individual storage spaces.
107. Sign. A device for visual communication publicly displayed to identify, advertise, and/or convey information. Sign types include:
- Changeable Message Board*: A sign or portion thereof with characters, symbols, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.
 - Commercial Sign*: A sign that identifies, advertises, or directs attention to a business, or is intended to induce the purchase of goods, property, or service, including, without limitation, any sign naming a brand of goods or service and real estate signs.
 - Freestanding Sign*: A sign affixed to the ground independent of any adjacent structure.

- d. *Illuminated Sign*: A sign illuminated by artificial light or composed of [luminous tubing](#) or other artificial lighting devices.
 - e. *Marquee*: A permanent roofed structure projecting from a [building](#), usually over an entrance, attached to the building or on freestanding supports, or both.
 - f. *Portable Sign*: A sign not fastened to a structure or to the ground or pavement, readily movable from one location to another.
 - g. *Projecting Sign*: A sign protruding at an angle from a structure.
 - h. *Real Estate Sign*: A sign indicating the availability for sale, rent, or lease of the specific [lot](#), building, or portion of a building upon which the sign is posted.
 - i. *Roof Sign*: A sign placed above the upper edge of a building, wall, or parapet, or placed or painted on or above the roof covering, or on an independent structural frame on a roof, or on the side of roof or roof structures such as marquees, penthouses, elevator housing, and tanks.
 - j. *Self-Illuminated Sign*: An internally illuminated sign, canopy, or awning displaying [graphics](#), individual letters, or symbols.
 - k. *Temporary Sign*: A sign that is intended to be displayed for a limited time only.
 - l. *Window Sign*: A sign visible from a sidewalk, street, or other [public place](#) that is illuminated, painted, or affixed on glass or other window material.
108. **Sign Area**. Means the surface area of the [sign](#), including the frame, plate, or structure used to hold up any lettering or pictorial matter. In the event a sign is attached, painted, or applied to the front or face of a [building](#) or is irregular in shape, the area of the sign must be taken as the area of the smallest rectangle that can be placed over the entire sign, edges, and background, if of a different color than the predominant color surrounding the sign, except as otherwise provided herein. If a letter or letters or other pictorial matter are placed as separate units without a background board, the sign area must be calculated as the area of the smallest rectangle that encloses all the symbols. In the case of a flat or two-sided freestanding or projecting sign, the sign area is considered to be the entire surface area of one face of the sign. The sign area of signs having more than two sides is the sum of the surface area of all sides.
109. **Sign Height**. The vertical dimension from average surrounding [grade](#) to the uppermost point on the [sign](#) panel.
110. **Site**. Shall mean any [lot](#), plot, or parcel of land or combination of contiguous lots or parcels of land.
111. **Site Development**. Shall mean the improvement of a [site](#) in accordance with an approved [site plan](#) and zoning certificate (where applicable), including construction of [buildings](#) and structures and the rearrangement of the land surface.
112. **Site Improvements**. Features including, but not limited to, [principal structures](#), [accessory structures](#), planting, paving, retaining walls, drainage culverts and swales, fences and gates, lighting, site furniture, fountains, pools, bridges, dams, decks, boardwalks, pergolas, [signs](#), and any other structures, devices, or landscape materials on the [site](#).
113. **Site Plan**. A plan for the [development](#) of a [site](#) showing all existing and proposed elements, including but not limited to topography, vegetation, drainage, floodplains, marshes and waterways, open spaces, walkways, means of ingress and egress, utility services, landscaping, structures, signage, lighting, screening devices, and any other information required by the reviewing board or the [Zoning Officer](#).
114. **Sleeping Unit**. A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping, and can include provisions for living, eating, and either sanitation or kitchen facilities but not both.
115. **Small-Scale Alternative Energy Facilities**. Equipment and facilities used, designed, and intended for the generation of energy for an individual building. This may include solar panels, whether roof-mounted or not, and individual wind turbines.

116. Small-Scale Alternative Energy Facilities, Ground-Mounted. Equipment and facilities used, designed, and intended for the generation of energy for an individual lot, placed on the ground. This may include solar panels and individual wind turbines.
117. Small-Scale Alternative Energy Facilities, Roof-Mounted. Equipment and facilities used, designed, and intended for the generation of energy for an individual lot, placed on the roof of a structure. This may include solar panels and individual wind turbines.
118. Solid Waste Disposal. Disposal of any and all putrescible and non-putrescible materials or substances that are discarded or rejected as being spent, worthless, useless, or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, sludge from air or water treatment facilities, rubbish, tires, ashes, contained gaseous material, incinerator residue, construction and demolition debris, discarded automobiles, and offal.
119. Special Outdoor Events. Any pre-arranged outdoor gathering of 20 or more people at a commercial venue, not including paid staff. Examples include wedding receptions, cocktail hours, and family reunions.
120. Specified Anatomical Areas.
 - a. Less than completely and opaquely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
 - b. Human male genitalia in a discernible turgid state even if completely and opaquely covered.
121. Specified Sexual Activities.
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts of human masturbation, sexual intercourse, or sodomy.
 - c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.
122. Sports and Entertainment, Spectator. Provision of cultural, entertainment, athletic, and other events to spectators, often with fixed seating. For example, theaters, cinemas, concert halls, stadiums, fairgrounds, and amusement parks.
123. Sports and Recreation, Participant. Provision of sports or recreation primarily by and for participants. Spectators are incidental and on a nonrecurring basis. For example, arcades, golf courses, tennis or racquetball courts, ice or roller-skating rinks, pool halls, bowling alleys, and fitness centers.
124. Staging Facility. A vehicle storage or parking facility or location capable of use for the storage, parking, maintenance, and/or operation of more than twenty (20) high-impact trucks at one time that are used off-site in the trade, business, or other commercial or industrial activity of the owner or occupant (collectively, the “off-site activity”), which may include storing and maintaining heavy trucks within buildings, storing explosives, including blasting caps, that are used in the off-site activity, and kerosene and other volatile materials.
125. Steep Slope. Any slope of 15% grade or greater.
126. Storage and Distribution. Storage and distribution facilities without direct public access.
127. Storage Container. A container, including what is sometimes referred to as storage “pods” or “portable on-demand storage units,” any box van whether or not it has been disconnected from a chassis, and similar type shipping/cargo containers.
128. Story. That portion of a building, included between the surface of any floor and the surface of the floor or roof next above it.
129. Stream Bank. The lateral confines of a stream that contain the thread of the stream and the normal flow of the stream. The top of the stream bank is the primary edge of the ordinary high water mark, or break in

Commented [33]: New definition to address outdoor gatherings at lodging establishments.

slope, for a watercourse, which maintains the integrity of the watercourse.

130. Street Line. A [lot line](#) dividing a lot or other area from a street.
131. Structure. Anything that is built or constructed.
132. Swimming Pool. Any structure, basin, chamber, or tank that is intended for swimming, diving, recreational bathing, or wading and that contains, is designed to contain, or is capable of containing 24 inches or more of water at any point. This includes in-ground, above-ground, and on-ground pools; blow up (air supported) pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.
133. Telecommunications Facility. Any equipment used in connection with the provision of one-way wireless communications services, including radio and television broadcasting and one-way paging, and/or two-way wireless communication services, radio communications services, regulated by the Federal Communications Commission in accordance with the Telecommunications Act of 1996 and other federal laws. A telecommunications facility may include monopole, guyed, or latticework tower(s), antenna(ae), switching stations, principal and accessory telecommunications equipment, and supporting and accessory masts, wires, structures, and [buildings](#). See [Utilities, Minor](#)
134. Tiny House. A [dwelling](#) that is 400 square feet (37 square meters) in floor area, excluding lofts (NYS Building Code, Appendix Q)
135. Traffic Impact Study. A report analyzing anticipated roadway conditions with and without an applicant's [development](#), which may also include a parking study and overall access management plan for the development [site](#).
136. Truck Stop. A facility for the parking, refueling, and/or minor repair of heavy trucks.
137. Underground Injection. Subsurface emplacement of fluids by well injection.
138. Underground Natural Gas Storage. Subsurface storage, including in depleted gas or oil reservoirs and salt caverns, of natural gas that has been transferred from its original location for the primary purpose of load balancing the production of natural gas. Includes compression and dehydration facilities, and [pipelines](#).
139. Utilities, Major. Generating plants, electrical substations, above-ground electrical transmission lines, lone switching buildings, refuse collection, transfer recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities.
140. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and [telecommunications facilities](#), as defined herein.
141. Vehicle & Equipment Repair. Service, repair, or maintenance of vehicles such as automobiles, trucks, motorcycles, [motor homes](#), recreational vehicles, boats, or ships, including the sale, installation, and servicing of related equipment and parts within an enclosed building. Typical examples include auto repair shops, body and fender shops, wheel and brake shops, equipment and small engine repair, and motorcycle and recreational vehicle service.
142. Vehicle & Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, ships, personal watercraft (such as canoes, kayaks, and jet-skis), and similar equipment, including storage and incidental maintenance.
143. Vehicle Storage. Storage of operative or inoperative vehicles, boats, or ships. This classification includes storage of towed vehicles, impound yards, and storage lots for automobiles, trucks, buses, and recreational vehicles, but

does not include vehicle dismantling.

144. Veterinary Services. Medical care and treatment of domestic animals. Typical uses include pet clinics and animal hospitals.
145. Water, Water Resources. All streams, ditches, lakes, ponds, marshes, vernal pools, watercourses, waterways, wells, springs, drainage systems, and all other bodies or accumulations of water, surface or underground, intermittent or perennial, that are contained in, flow through, or border upon the Village or any portion thereof.
146. Water Withdrawal. Removal or capture of water from [water resources](#) within the Village.
147. Wetlands. Lands, including submerged lands, saturated by water at a frequency and duration sufficient to support vegetation adapted for life in saturated soil conditions. For the purpose of this law, wetlands are limited to those lands that are categorized as wetlands by either the New York State Department of Environmental Conservation (DEC) or the National Wetlands Inventory (NWI) or have been documented and mapped as part of an officially adopted community wetlands inventory.
148. Yard. The space on a [lot](#) not occupied by a [principal building](#).
 - a. *Front Yard*. An open unoccupied space on the same lot with a building situated between the [street line](#) and a line connecting the parts of the building setting back from the nearest such street line and extending to the sidelines of the lot.
 - b. *Rear Yard*. An open, unoccupied space on the same lot with the building between the rear line of the lot and extending through from one side yard to the other.
 - c. *Side Yard*. An open, unoccupied space between the [principal buildings](#) and a side [lot line](#) and extending through from the front yard to the rear lot line.
149. Zoning Officer. The administrative official charged by the Village of Trumansburg Board of Trustees with the responsibility for administering this law, regardless of the title of that person.