

ARTICLE III ESTABLISHMENT OF DISTRICTS AND ZONING MAP

Section 3.01 Establishment of Zoning Districts

In order to carry out the intent, purpose, and provisions of this Zoning Ordinance the Town of Allegany hereby establishes the following districts:

- R-1 Single-family Residential District
- A-F Agricultural-Forestry District
- C-1 Local Commercial District
- C-2 Highway Commercial District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- C-F Community Facilities District
- P-D Planned Development District
- F-O Floodplain Overlay District
- CO-1 Route 417 East Corridor Overlay District
- CO-2 Route 417 West Corridor Overlay District
- WE Wind Energy Overlay District

Section 3.02 Zoning Map

- (A) The locations and boundaries of the aforesaid zoning districts are hereby established on a scaled map, entitled "Town of Allegany Zoning Map." This map is hereby made a part of this Zoning Ordinance and shall have the same force and effect as if the Zoning Map together with all notations, references and other information shown thereon, were fully set forth and described herein. The Zoning Map shall show its effective date and the date of each subsequent amendment to the Map.
- (B) The Town Clerk shall be the custodian of the official Zoning Map of the Town of Allegany. The Town Clerk shall cause any amendment to the Zoning Map, which has been adopted by the Town Board, to be recorded on the official Zoning Map by appropriate revision and notation.

Section 3.03 District Boundaries

- (A) The district boundary lines shown on the Zoning Map are, unless such boundary lines are fixed by dimensions shown on the Zoning Map, intended to follow either lot or easement lines, or be parallel or perpendicular thereto, or to follow the center lines of alleys, streets, highway and railroad rights-of-way, and waterways.
- (B) Boundaries indicated as approximately following said existing lines shall be construed as following such lines, or as approximately parallel to said lines shall be construed as being

parallel to said lines. Boundaries indicated as approximately following Town boundaries shall be construed as following such boundaries.

- (C) Where the center line of a street, alley, public-way, waterway or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.
- (D) The Code Enforcement Officer shall review the Zoning Map upon request of any person and make a determination of the district boundary. The Code Enforcement Officer shall provide a copy of his determination, in writing, to the Town Clerk, who shall keep the determination with the official Zoning Map. Any person aggrieved by any decision of the Code Enforcement Officer may appeal such decision to the Zoning Board of Appeals. If the Code Enforcement Officer is unable to make a decision of the boundaries on the Zoning Map, he shall refer the matter to the Zoning Board of Appeals for interpretation.
- (E) Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstance not covered above, the Zoning Board of Appeals shall interpret the district boundaries. The Zoning Board of Appeals shall provide a written determination of its interpretation to the Town Clerk, who shall keep the determination with the official Zoning Map.

Section 3.04 Lots Located in More Than One Zoning District

If a lot is located in more than one zoning district, the regulations for the applicable zoning district shall govern that portion of the lot. In the event that the lot cannot conform to all regulations for each zoning district, the regulations for the district in which the greater part of the lot lies shall govern the entire lot.

Section 3.05 More than one Principal Use per Lot

- (A) **Detached Single-family Dwellings.** In all districts where detached single-family dwellings are permitted, a lot may be developed for one single family home and any customary accessory use(s) that are permitted in this Ordinance, provided that there shall be no more than one detached single-family dwelling on a lot. The detached single-family dwelling shall be considered as the principal use of that lot, and no other principal use shall be permitted on the same lot.
- (B) If two or more detached single-family dwellings are proposed to be located on the same lot, the lot shall be subdivided and each new lot shall meet all the requirements of this Ordinance, the Town's Land Division Regulations and other applicable Town regulations.
- (C) Other than a detached single-family dwelling, more than one structure containing a principal permitted or special permitted use may be allowed on a single lot, provided that the yard and other requirements of this Ordinance shall be met for each structure, as if they were located on individual lots.

- (D) Other than a detached single-family dwelling, where otherwise allowed in this Ordinance, a principal building may contain more than one allowable use, such as offices and retail uses, or dwelling units above retail or other commercial uses. (See definition of "Mixed-Use Building" in Article II.)