

ARTICLE VIII- ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

ARTICLE VIII
ESTABLISHMENT AND DESIGNATION OF ZONE DISTRICTS

SECTION 800 ESTABLISHMENT OF DISTRICTS

The Town of Middlebury is hereby divided into zoning districts as hereinafter set forth and as the same may be from time to time amended:

| | |
|---------------|---|
| A | Agricultural District |
| R-R | Rural Residential District |
| B | Business District |
| I | Industrial District |
| M-H | Mobile Manufactured Home Park District (Reserved) |
| P-B | Planned Business District (Reserved) |
| FP-O | Flood-Plain Overlay District (Reserved) |
| SM-O | Solution Mining Overlay District |
| NYSL-O | New York State Land Overlay District (No district regulations – for visual reference only) |
| WCL-O | Wyoming County Land Overlay District (No district regulations – for visual reference only) |

SECTION 801 ZONING MAP

- A. There shall exist only one (1) official zoning map which shall be kept in the ~~office of the Town Clerk~~ **board room of the Town Building located at 51 Sherman Avenue in a locked frame** and it shall bear the seal of the Town of Middlebury, a certification that it is the official zoning map of the Town of Middlebury and its date of adoption. Said zoning map shall show the boundaries of the zoning districts herein established and which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Law.
- B. Said zoning map shall be on material suitable for reproduction by a dry diazo copier or equivalent process. Copies of this map which may from time to time be published and distributed would be accurate only as of the date of their print and shall bear words to that effect.
- C. Changes made in zoning district boundaries or other matters portrayed on the zoning map under the provisions set forth herein shall be permanently affixed to the zoning map promptly after the amendment has been approved by the Town board and shall convey information as to the date and nature of the change. No amendment to this Law which involves

ARTICLE VIII- ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

matters portrayed on the zoning map shall become effective until such change and entry has been made on said zoning map and has been attested by the Town Clerk.

SECTION 802 INTERPRETATION OF DISTRICT BOUNDARIES

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

- A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- B. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following the municipal limits of the Town shall be construed as following such municipal limits.
- D. Boundaries indicated as following the center lines of streams or other water bodies shall be construed to follow such center lines.
- E. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D above shall be so construed. Distance not specifically indicated on the official zoning map shall be determined by the scale of the map.
- F. When a parcel is split by districts, the boundary of the district that runs along the frontage of the property shall be considered set back two hundred (200) feet from the road right-of-way.**
- G. Where any parcel number included in Section 803 below is at variance with the official zoning map, the Board of Appeals shall interpret the district boundaries of the parcel(s) in question.**
- H. Where physical or cultural features on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through G above, the Board of Appeals shall interpret the district boundaries.

SECTION 803 ZONING DISTRICT DESCRIPTIONS

- A. AGRICULTURAL DISTRICT – The entire area of the Town of**

ARTICLE VIII- ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

Middlebury is an Agriculture District, unless otherwise noted within said District.

B. RURAL RESIDENTIAL DISTRICT – The Rural Residential Districts are comprised of the following SBL numbers:

R-R District No. 1

| | | | | |
|------------|-------------|------------|------------|-----------|
| 8-2-4 | 8-2-5.112 | 8-2-5.12 | 8-2-5.2 | 8-2-22 |
| 21-2-1.2 | 21-2-1.11 | 21-2-1.12 | 21-2-2 | 21-2-4 |
| 21-2-5 | 21-2-6.112 | 21-2-6.2 | 21-2-6.3 | 21-2-7 |
| 21-2-8.1 | 21-2-9 | 21-2-10.1 | 21-2-10.2 | 21-2-11 |
| 21-2-12.11 | 21-2-12.112 | 21-2-12.2 | 21-2-12.3 | 21-2-12.4 |
| 21-2-12.5 | 21-2-28.111 | 21-2-28.12 | 21-2-28.21 | 21-2-29 |

R-R District No. 2

| | | | | |
|----------|----------|--------|----------|----------|
| 9-1-4 | 9-1-32.2 | 9-1-33 | 9-1-34.1 | 9-1-34.2 |
| 9-1-35.1 | | | | |

R-R District No. 3

| | | | | |
|----------|-----------|--------|----------|----------|
| 9-1-11.1 | 9-1-12 | 9-1-14 | 9-1-16.1 | 9-1-17 |
| 9-1-19.2 | 9-1-19.11 | 9-1-22 | 9-1-23 | 9-1-26.2 |

R-R District No. 4

| | | | | |
|------------|-----------|-------------|-----------|------------|
| 10-1-19 | 10-1-21 | 10-1-22 | 10-1-23 | 10-1-24 |
| 10-1-25 | 10-1-26.1 | 10-1-28.113 | 10-1-28.2 | 10-1-29.11 |
| 10-1-29.12 | 10-1-30.1 | 10-1-30.2 | 10-1-31 | 10-1-32.1 |
| 10-1-33 | 10-1-34 | 10-1-35 | 10-1-39 | 10-1-40 |
| 10-1-41 | 10-1-42 | | | |

R-R District No. 5

| | | | | |
|-------------|------------|------------|---------|------------|
| 10-1-37.2 | 23-1-7.21 | 23-1-8 | 23-1-9 | 23-1-10 |
| 23-1-11 | 23-1-12.1 | 23-1-13 | 23-1-14 | 23-1-15.11 |
| 23-1-15.221 | 23-1-84.11 | 23-1-84.12 | | |

R-R District No. 6

| | | | | |
|------------|-----------|-----------|------------|------------|
| 23-1-17.2 | 23-1-19 | 23-1-20.2 | 23-1-20.11 | 23-1-21 |
| 23-1-22 | 23-1-24 | 23-1-26 | 23-1-27.21 | 23-1-28.11 |
| 23-1-29.11 | 23-1-30.1 | 23-1-31 | | |

R-R District No. 7

| | | | | |
|-----------|-------------|------------|-----------|---------|
| 23-1-32.1 | 23-1-32.221 | 23-1-33.11 | 23-1-33.2 | 23-1-34 |
|-----------|-------------|------------|-----------|---------|

ARTICLE VIII- ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

| | | | | |
|-----------|-------------|-------------|------------|-------------|
| 23-1-35 | 23-1-37.111 | 23-1-37.112 | 23-1-37.12 | 23-1-37.212 |
| 23-1-39.1 | 23-1-40 | 23-1-41 | 23-1-46 | 23-1-47 |
| 23-1-48 | 23-1-49 | 23-1-50 | 23-1-51.1 | 23-1-53 |
| 23-1-78 | 23-1-79 | 23-1-80 | | |

R-R District No. 8

| | | | | |
|-------------|------------|-----------|----------|-------------|
| 23-1-54 | 23-1-55 | 23-1-56 | 23-1-57 | 23-1-58 |
| 23-1-59.112 | 23-1-59.12 | 23-1-59.2 | 23-1-61 | 23-1-62 |
| 23-1-67.111 | 23-1-67.12 | 23-1-68 | 23-1-69 | 23-1-75.112 |
| 23-1-75.12 | 23-1-75.2 | 23-1-76 | 23-1-81 | 23-1-82 |
| 23-1-83 | 36-1-1.2 | 36-1-2.1 | 36-1-3.1 | 36-1-5 |
| 36-1-7 | 36-1-8 | | | |

R-R District No. 9

| | | | | |
|-----------|------------|------------|---------|---------|
| 36-1-11.2 | 36-1-12 | 36-1-13.1 | 36-1-14 | 36-1-15 |
| 36-1-16 | 36-1-18.11 | 36-1-18.21 | 36-1-22 | 36-1-23 |

R-R District No. 10

| | | | | |
|-------------|-------------|------------|-------------|-------------|
| 49-1-32.11 | 49-1-33.111 | 49-1-34.11 | 49-1-34.121 | 49-1-35.112 |
| 49-1-35.122 | 49-1-35.13 | 49-1-35.14 | 49-1-35.21 | 49-1-35.221 |
| 49-1-55.111 | 49-1-55.113 | 49-1-55.12 | 49-1-55.2 | 49-1-56 |
| 62-1-6.1 | | | | |

R-R District No. 11

| | | | | |
|-----------|------------|------------|------------|------------|
| 49-1-17 | 49-1-17.12 | 49-1-18.2 | 49-1-18.11 | 49-1-18.12 |
| 49-1-19 | 49-1-20.1 | 49-1-20.21 | 49-1-20.22 | 49-1-21.1 |
| 49-1-21.2 | 49-1-27 | 49-1-28 | 49-1-29.21 | 49-1-30 |
| 49-1-31 | | | | |

R-R District No. 12

| | | | | |
|-------------|-------------|------------|-----------|------------|
| 35-1-16.111 | 35-1-19.112 | 35-1-19.3 | 35-1-20 | 35-1-21.11 |
| 35-1-22.112 | 35-1-22.21 | 35-1-22.31 | 35-1-32.2 | 35-1-32.12 |
| 35-1-32.113 | 35-1-32.114 | 35-1-32.13 | 35-1-34.1 | 35-1-34.2 |
| 35-1-33 | 35-1-35 | 35-1-40 | 35-1-41 | 35-1-42.1 |
| 35-1-43 | 35-1-44 | | | |

R-R District No. 13

| | | | | |
|------------|-----------|-----------|------------|-----------|
| 34-2-6 | 34-2-7 | 34-2-8 | 34-2-11.11 | 34-2-11.2 |
| 34-2-11.12 | 34-2-12 | 34-2-13 | 34-2-14.2 | 34-2-18.1 |
| 34-2-19 | 34-2-20.2 | 34-2-21.1 | 34-2-23 | 34-2-24.1 |

ARTICLE VIII- ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

| | | | | |
|------------|------------|------------|------------|-----------|
| 34-2-26.2 | 34-2-27 | 34-2-28 | 34-2-30 | 34-2-32 |
| 34-2-33 | 34-2-34 | 34-2-35 | 34-2-36 | 34-2-38 |
| 34-2-39.11 | 34-2-39.12 | 34-2-40 | 34-2-41 | 34-2-43 |
| 34-2-45.11 | 34-2-45.12 | 34-2-45.21 | 34-2-45.22 | 34-2-46.1 |
| 34-2-46.22 | 34-2-48 | 34-2-49 | 34-2-50 | 34-2-51 |
| 34-2-52 | 34-2-53 | | | |

R-R District No. 14

| | | | | |
|-------------|-------------|------------|-------------|-------------|
| 49-1-39.12 | 49-1-39.21 | 49-1-40 | 49-1-41 | 49-1-42.1 |
| 49-1-42.2 | 49-1-43 | 49-1-44 | 49-1-58.112 | 49-1-58.113 |
| 49-1-58.121 | 49-1-58.122 | 49-1-58.13 | 49-1-58.21 | 49-1-59 |
| 49-1-60.1 | 49-1-60.2 | 49-1-61 | | |

C. BUSINESS DISTRICT – The Business Districts are comprised of the following SBL numbers:

B District No. 1

| |
|---------|
| 61-1-13 |
|---------|

B District No. 2

| |
|---------|
| 36-1-28 |
|---------|

D. INDUSTRIAL DISTRICT – The Industrial Districts are comprised of the following SBL numbers:

I District No. 1

| | |
|-----------|------------|
| 36-1-26.1 | 36-1-29.12 |
|-----------|------------|

**E. MANUFACTURED HOME PARK DISTRICT – The Manufactured Home Park District is comprised of the following SBL numbers:
(RESERVED)**

F. PLANNED BUSINESS DISTRICT – The Planned Business District is comprised of the following SBL numbers: (RESERVED)

G. FLOOD-PLAIN OVERLAY DISTRICT – The Flood-Plain Overlay

ARTICLE VIII– ESTABLISHMENT
AND DESIGNATION OF ZONE DISTRICTS

District is comprised of the following SBL numbers: (RESERVED)

H. SOLUTION MINING OVERLAY DISTRICT – The Solution Mining Districts are comprised of the following SBL numbers:

SM-O District No. 1 (Texas Brine Corporation)

| | | | | |
|-------------|------------|-----------|------------|-------------|
| 36-1-28 | 36-1-29.12 | 49-1-46.1 | 49-1-50 | 49-1-44 |
| 49-1-51.1 | 49-1-42.1 | 49-1-52 | 49-1-26.2 | 49-1-25.121 |
| 49-1-42 | 49-1-26.12 | 49-1-27 | 49-1-55.13 | 49-1-55.112 |
| 49-1-55.113 | 62-1-6.2 | 62-1-6.21 | | |

SM-O District No. 2 (Occidental Chemical Corporation)

| | | | | |
|----------|------------|------------|------------|----------|
| 8-2-6 | 8-2-7 | 9-1-2.1 | 9-1-3 | 9-1-36.1 |
| 9-1-37 | 9-1-38 | 9-1-39 | 9-1-41 | 9-1-42 |
| 9-1-43.1 | 21-2-12.12 | 21-2-13.2 | 21-2-15 | 21-2-16 |
| 21-2-26 | 22-1-2 | 22-1-8 | 22-1-11.1 | 22-1-12 |
| 22-1-28 | 34-2-45.12 | 34-2-45.21 | 34-2-46.21 | |

I. NEW YORK STATE LAND OVERLAY DISTRICT – Land owned by the State of New York is comprised of the following SBL numbers:

NYSL-O District No. 1

| | | | | |
|-----------|---------|---------|---------|---------|
| 9-1-7 | 9-1-27 | 9-1-29 | 9-1-30 | 21-2-21 |
| 22-1-3 | 22-1-4 | 22-1-19 | 22-1-20 | 22-1-21 |
| 22-1-23.1 | 22-1-25 | 22-1-26 | 22-1-27 | 34-2-47 |
| 35-1-1 | 35-1-2 | 35-1-3 | 35-1-4 | 35-1-18 |
| 35-1-25 | 35-1-28 | 35-1-29 | 48-1-5 | 48-1-10 |
| 48-1-11 | 48-1-27 | 48-1-28 | 48-1-29 | |

J. WYOMING COUNTY LAND OVERLAY DISTRICT – Land owned by Wyoming County is comprised of the following SBL number:

WCL-O District No. 1

| |
|---------|
| 35-1-26 |
|---------|