

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of YORK

Local Law No. 6 of the year 20 19

A local law Amending Section 618 of the Zoning Ordinance of the  
(Insert Title)  
Town of York which was established by Local Law #2  
of 2018 and which Added Solar Energy Systems to  
such Zoning Ordinance

Be it enacted by the York Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of YORK as follows:

"See attached documentation"

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**TOWN OF YORK  
LOCAL LAW NO. 6 OF THE YEAR 2019**

**A Local Law Entitled “Amending Section 618 of the Zoning Ordinance of the Town of York which was established by Local Law No. 2 of 2018 and which Added Solar Energy Systems to such Zoning Ordinance.”**

**SECTION 1. PURPOSE.**

A. Authority. This Local Law is adopted pursuant to the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York in a fashion that is consistent with the Comprehensive Plan of the Town of York. This Local Law regulates the development and use of land within the Town of York.

B. To these ends, this local law and the Section that it amends is designed to:

1. Enhance and regulate the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan so that the Town may realize its potential as a place to live and work, with the most beneficial and convenient relationships among the agricultural, commercial, industrial, and residential areas within the Town and with due consideration to the character of each district and its suitability for particular uses; and
2. Protect and manage the agricultural character of the Town

**SECTION 2. CHANGE TO SECTION 618. B. Definitions.**

A. The current Section 618. B. of the Town of York Zoning Ordinance is hereby modified and amended to include the following new definitions which shall read as follows:

***Landowner* – The titled owner(s) of the real property or properties upon which a Solar Energy System is sited or located.**

***Prime Farmland* - Land, designated as “Prime Farmland” in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)’s Soil Survey Geographic (SSURGO) Database that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to produce economically sustained high yields of crops when treated and managed according to acceptable farming methods, including water management. In general, Prime Farmlands have an adequate and dependable water**

supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime Farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.

A map showing Prime Farmland within the Town of York is available at the Town Clerk's office and is made a part of these regulations as "Exhibit 1," which is styled "Town of York – Prime Farmland and Farmland of Statewide Importance."

The above map shall be subject to periodic update when the data illustrated therein (derived from the U.S. Department of Agriculture NRCS Soil Survey Geographic Database) is modified or changed from the original source data information.

***Farmland of Statewide Importance*** – Land, designated as "Farmland of Statewide Importance" in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)'s Soil Survey Geographic (SSURGO) Database that is of statewide importance for the production of food, feed, fiber, forage, and oilseed crops as determined by the appropriate state agency or agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

A map showing Farmland of Statewide Importance within the Town of York is available at the Town Clerk's office and is made a part of these regulations as "Exhibit 1," which is styled "Town of York – Prime Farmland and Farmland of Statewide Importance."

The above map shall be subject to periodic update when the data illustrated therein (derived from the U.S. Department of Agriculture NRCS Soil Survey Geographic Database) is modified or changed from the original source data information.

B. The current Section 618. B. of the Town of York Zoning Ordinance is hereby modified and amended such that the prior definition of "Solar Energy Equipment" shall be omitted in its entirety and superseded by the below new language which shall read as follows:

***Solar Energy Equipment*** - Material, hardware, inverters, or other electrical equipment and conduit that are used with Solar Panels to produce and distribute electricity.

SECTION 3. CHANGES TO SECTION 618. C. Zoning districts where allowed.

A. The current Section 618. C. (5) of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

- (5) Type 2 Solar Energy Systems are permitted in all zoning districts excepting as provided for in Section 618. C. (5) a., immediately below. All Type 2 Solar Energy Systems shall be subject to the requirements set forth in this Section, including Site Plan approval pursuant to Article XI, and are allowed only after the issuance of a Special Use Permit pursuant to Section 905. D. Applications for the installation of a Type 2 Solar Energy System shall be reviewed by the Zoning Enforcement Officer and referred, with comments, to the Town of York Planning Board (for Site Plan and Special Use Permit) for its review and action, which can include approval, approval on conditions, or denial.**

B. The current Section 618. C. (5) a. (i). of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

- (i). Any property which is listed on either the New York State or National Register of Historic Places.**

**For reference, see map styled “Town of York – Lands Not Excluded for Type 2 Solar, prepared October, 2019, which said map is incorporated into these amendments and the underlying regulations by reference.**

C. The current Section 618. C. (5) a. (ii). of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

- (ii). Any property located in the area that is bounded on the west by a line that runs parallel with and is 100 feet west of the west line of the Genesee Valley Greenway and is bounded on the east by the Genesee River, as such area is hereby deemed to be a scenic viewshed and which is a portion of the area that has previously been identified as a scenic viewshed pursuant to section 514 C. (6) of the Zoning Ordinance.**

**For reference, see map styled “Town of York – Lands Not Excluded for Type 2 Solar, prepared October, 2019, which said map is incorporated into these amendments and the underlying regulations by reference.**

**The above map shall be subject to periodic update when the data illustrated therein (derived from the U.S. Department of Agriculture NRCS Soil Survey Geographic Database) is modified or changed from the original source data information.**

D. The current Section 618. C. (5) a. of the Town of York Zoning Ordinance is hereby modified and amended to add a new subsection which shall be referred to as “Section 618. C. (5) a. (iii) and shall read as follows:

**(iii). Any lands that are classified or designated as Prime Farmland or Farmland of Statewide Importance. Prohibition of development of Type 2 Solar Energy Systems on Prime Farmland and Farmland of Statewide Importance is consistent with the Town of York Comprehensive Plan, specifically, Chapter 2 – Plan Objectives and Goals, section B. 5., Chapter 4 – Future Land Use Plans, section B. 1., Chapter 5 – Recommendations, section C. Farmland Protection and Support of Agricultural Industry and Chapter 6 – Implementation, section C. Farmland Protection and Support of Agricultural Industry.**

**For reference, see map styled “Town of York – Lands Not Excluded for Type 2 Solar, prepared October, 2019, which said map is incorporated into these amendments and the underlying regulations by reference.**

**The above map shall be subject to periodic update when the data illustrated therein (derived from the U.S. Department of Agriculture NRCS Soil Survey Geographic Database) is modified or changed from the original source data information.**

E. The current Section 618. C. (5) c. of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

**c. Decommissioning Plan. To ensure the proper removal of Type 2 Solar Energy Systems after such improvements are no longer reasonably operable or have been abandoned, a written Decommissioning Plan in a form acceptable to the Planning Board shall be submitted as part of the application.**

**(i). The Decommissioning Plan must specify that after the Type 2 Solar Energy System is no longer operational or has been abandoned, it shall be removed by the Applicant or any subsequent owner of the improvements and if the Applicant or subsequent owner of the improvements fails to do so, it shall be the responsibility of the Landowner upon which the Type 2 Solar Energy System is located to comply with the Decommissioning Plan.**

- (ii). The Decommissioning Plan shall state that the obligations thereunder shall attach to the real property upon which the Type 2 Solar Energy System is located and bind future owners of the real property with regard to such obligations.**
- (iii). The Decommissioning Plan shall state that failure to comply with the requirements of the Decommissioning Plan as set forth in these regulations shall permit the Town to undertake appropriate decommissioning and removal of any Solar Panels and/or Solar Energy Equipment and to append or add the cost thereof to the real property tax bill for the real property upon which the Type 2 Solar Energy System was located.**
- (iv). The Decommissioning Plan shall run to the benefit of the Town of York and shall be signed by the Applicant and the Landowner and acknowledged in a fashion so that it can be recorded in the Office of the Livingston County Clerk and indexed against the real property upon which the Type 2 Solar Energy System is located.**
- (v). The executed Decommissioning Plan shall be recorded as an irrevocable deed restriction at the Office of the Livingston County Clerk and indexed against the property upon which the Type 2 Solar Energy System is located before a building permit may be issued for the construction of such improvements. All cost of recording the Decommissioning Plan shall be borne by Applicant. The intent of the above provision is so that all future owners of such properties will be obligated to comply with the Decommissioning Plan requirements if the Applicant or then owner of the Type 2 Solar Energy System fails to do so.**
- (vi). The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution and a cost estimate detailing the projected cost of executing the Decommissioning Plan, which is to be prepared by a Professional Engineer or reputable contractor and approved by the Town Engineer. Cost estimations shall be made and provided to the Town for each year of the life expectancy of the Solar Energy System.**
- (vii). Prior to obtaining a building permit and as a condition to any Special Use Permit being issued, the Applicant must provide an irrevocable financial security bond or an irrevocable letter of credit in an amount acceptable to the Town with a rated lending institution (or other form of surety acceptable to the Town of York at its sole discretion) for the removal of the Type 2 Solar Energy System, with the Town of York as the designated assignee, which at minimum is equal to 110% of the estimated removal cost of the given year to which it applies.**

**If the surety is not one which is annually renewed (such that the amount can be changed at the time of the annual renewal to reflect the increase in costs associated with removal), such bond, letter of credit or other surety shall provide for an automatic annual increase in the amount of the surety to compensate for the cost of inflation or any other anticipated increase in costs of removal so that such surety equals no less than 110% of the estimated cost of removal provided to the Town pursuant to section c. (vii). above.**

**Each year after a Type 2 Solar Energy System has been constructed, and no later than forty-five (45) days prior to the anniversary date of the issuance of the building permit for such system, the then owner/permit holder for the system shall provide the Town of York with written proof that the required financial security bond or letter of credit (or other form of surety) is still operable and valid and that such surety has been properly increased to account for inflation or any other anticipated increase in costs of removal as provided for above. Failure of Applicant or any successor owner of the Type 2 Solar Energy System to provide such annual update shall be grounds for revocation of any Special Use Permit granted pursuant to section 905. D.**

F. The current Section 618. C. (5) d. of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

**d. Special Use Permit and Site Plan Approval Standards.**

- (i). Height. Type 2 Solar Energy Systems shall adhere to the height requirements of the underlying zoning district.**
- (ii). Setbacks. Type 2 Solar Energy System setbacks shall be a minimum of 100 feet from any right-of-way line of any roadway and all adjacent property lines, excepting that such Type 2 Solar Energy Systems shall be setback a minimum of 300 feet from the zoning district boundary of any area classified as Hamlet Residential Zoning District (HR) as enumerated on the Town Zoning Map and as regulated under section 402 of the Zoning Ordinance. Further, no Type 2 Solar Energy System, or any part thereof shall be located closer than 300 feet from any Dwelling, not including Accessory Buildings that are not Accessory Dwelling Units. All such setbacks shall be measured from the Solar Panels when they are oriented at lowest tilt.**
- (iii). Lot Size. Type 2 Solar Energy Systems shall be located on lots with a minimum lot size of 25 acres.**

- (iv). Lot Coverage. Type 2 Solar Energy System shall not exceed 80% coverage of the lot on which it is installed. The coverage area shall be determined by the area enclosed by the perimeter of the Solar Energy System at minimum tilt.**
- (v). Prohibition of Development on Prime Farmland and Farmland of Statewide Importance. Development of Type 2 Solar Energy Systems is not permitted on any property that is classified or designated as Prime Farmland or Farmland of Statewide Importance.**

**For reference, see map styled "Town of York – Lands Not Excluded for Type 2 Solar, prepared October, 2019, which said map is incorporated into these amendments and the underlying regulations by reference.**

- (vi). Recent Combination of Lots/Parcels. In order to prevent circumvention of the size and coverage restrictions set forth above, when considering such restrictions, the Planning Board shall consider the lot or parcel to be the smallest configuration of the physical area where the Type 2 Solar Energy System is being proposed that has existed as a separate lot or parcel (with its own Tax Identifier Map Parcel Number) in the official tax records of the Town of York within the five (5) years immediately preceding the application seeking approval for such Type 2 Solar Energy System. This provision is specifically intended to prevent and owner of land from combining lands into larger parcels that would permit siting of larger Type 2 Solar Energy Systems on what would have otherwise been a lot that permitted a smaller Type 2 Solar Energy System with coverage as restricted herein.**
- (vii). Fencing and Screening. All Type 2 Solar Energy Systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed and maintained on the entrance and perimeter of the fencing. The fencing and the system may be required to be further screened by landscaping to avoid adverse aesthetic impacts.**
- (viii). Number of Type 2 Solar Energy Systems allowed per Lot. Only one Type 2 Solar Energy System shall be allowed per Lot, regardless of Lot size.**
- (ix). Any Type 2 Solar Energy System shall be accessible for all emergency service vehicles and personnel.**
- (x). After completion of a Type 2 Solar Energy System, the Applicant shall provide a post- construction certificate from a Professional Engineer registered in New York State that the project complies with all applicable**



codes and industry practices and has been constructed and is operating according to the design plans.

- (xi). **Compliance with regulatory agencies.** The Applicant is required to obtain all necessary regulatory approvals and permits from all federal, state, county and local agencies having jurisdiction and approval powers related to the completion of a Type 2 Solar Energy System.
- (xii). **Any application under this Section shall meet substantive Site Plan requirements in Article XI that, in the judgment of the York Town Planning Board, are applicable to the system being proposed.**
- (xiii). **A single public hearing may be held for purposes of the Site Plan application and Special Use Permit application.**
- (xiv). **Prior to determination or issuance of any permit, all Type 2 Solar Energy System applications shall be subject to review pursuant to the New York State Environmental Quality Review Act (6 NYCRR 617). All applications (Site Plan and Special Use Permit) for approval of a Type 2 Solar Energy System shall be deemed to be Type I Actions for purposes of compliance with the New York State Environmental Quality Review Act (6 NYCRR 617.4 (a) (1) and (2) specifically allow the Town to classify such actions in addition to the list established by such statute) with the Town of York Planning Board and the Zoning Board of Appeals conducting a coordinated review.**
- (xv). **The development and operation of a Type 2 Solar Energy System shall not have a significant adverse impact on fish, wildlife or plant species or their critical habitats, or other significant habitats identified by the Town of York or other federal or state regulatory agencies. The York Town Planning Board may impose conditions on its approval of any Site Plan or Special Use Permit under this Article to enforce the standards referred to in this Article or to discharge its obligations under the State Environmental Quality Review Act.**
- (xvi). **Time limit on completion.** After receiving Site Plan approval and Special Use Permit approval of a Type 2 Solar Energy System, an Applicant shall obtain a Building Permit within twelve (12) months of such approvals or the approvals shall automatically terminate and be deemed null and void. Additionally, the Applicant shall complete construction of an approved (Site Plan and Special Use Permit) Type 2 Solar Energy System within twenty-four (24) months of obtaining such approvals or the approvals shall automatically terminate and be deemed null and void and be of no force an effect at law.

- (xvii). **General complaint process.** During construction, the Code Enforcement Officer can issue a stop work order at any time for any violations of a Special Use Permit approval or condition, Site Plan approval or condition or Building Permit. After construction is complete, the permit holder of a Type 2 Solar Energy System shall establish a contact person, including name and telephone number for receipt of any complaint concerning any permit, approval, maintenance, or operational requirements.
- (xviii). **Inspections.** Upon reasonable notice, the Town of York Code Enforcement Officer, or his or her designee, may enter a Lot on which a Solar Energy System has been approved for the purpose of determining compliance with any requirements or conditions of this Section or any approval given or permit issued pursuant to this Section. Twenty-four (24) hours' notice by telephone to the owner/operator or designated contact person shall be deemed reasonable notice. Furthermore, a Type 2 Solar Energy System shall be inspected by a New York State licensed Professional Engineer that has been approved by the Town of York at any time upon a determination by the Town's Code Enforcement Officer that damage to such system may have occurred, and a copy of the written inspection report shall be submitted to the Code Enforcement Officer. Any fee or expense associated with this inspection shall be borne entirely by the permit holder and shall be reimbursed to the Town of York within thirty 30 days after delivery to the permit holder of an invoice substantiating such charges. Any failure to pay such reimbursable charges may result in revocation of any Special Use Permit granted. The Town of York reserves the right to levy all such unreimbursed expenses onto the real property tax bill associated with the real property upon which the Solar Energy System is located.
- (xix). **If a Type 2 Solar Energy System is proposed to be developed on land that is or could be in agricultural production, Applicant shall demonstrate how the proposed development complies with the then current guidelines as may be established by the New York State Department of Agriculture and Markets relating to Agricultural Mitigation for Solar Energy Projects.**

G. The current Section 618. D. (6) of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

- (6) Payment in Lieu of Tax Agreement.** The owners or developers and Landowners of the property upon which a Type 2 Solar Energy Systems is to be developed shall be required to enter into a contract with the Town for payments in lieu of taxes pursuant to Real Property Tax Law §487 9.(a). Upon the owner or developer providing written notification to the Town of its intent to construct a Type 2 Solar Energy System, the Town Assessor or the Town Attorney on behalf of the taxing

**jurisdiction shall notify such owner or developer in writing within sixty (60) days of its intent to require a contract for payments in lieu of taxes.**

- a. In no event shall such payment in lieu of tax agreement operate for a period of more than fifteen (15) years, commencing in each instance from the date on which the benefits of such exemption first become available and effective under Real Property Tax Law §487.**
- b. In no event shall such payment in lieu of tax agreement require annual payments in an amount that would exceed the amount that would otherwise be payable but for the exemption under Real Property Tax Law §487.**
- c. The payment in lieu of tax agreement shall run to the benefit of the Town of York and be executed by the Applicant/developer as well as the Landowner(s) of the real property upon which the Solar Energy System is to be located and such signatures shall be notarized in a format that allows the payment in lieu of tax agreement to be recorded at the Office of the Livingston County Clerk. Such payment in lieu of tax agreement shall, prior to commencement of construction, be recorded at the office of the Livingston County Clerk as a lien on the property upon which and indexed against the property upon which the Solar Energy System is to be constructed. The intent of the above provisions is so that should the Applicant/developer or owner of the Solar Energy System default with regard to such payment in lieu of tax agreement, that such obligation will become the responsibility of the then owner of the property upon which the Solar Energy System is sited and that failure to satisfy the terms of such agreement will permit the Town of York to enforce such agreement as against the owner of the real property and the real property.**
- d. At its sole discretion, the York Town Board may refer an application for a Type 2 Solar Energy System to one or more private consultants to assist such Board in negotiating, drafting and/or reviewing the required payment in lieu of tax agreement. Such consultants may include a professional engineer, attorney, planning consultant or other specialist. All expenses incurred by the Town for this purpose shall be reimbursed to the Town by the Applicant within thirty (30) days of the Town issuing a detailed invoice to Applicant requesting reimbursement for the same. At its discretion and at any time during the application process, the Town Board may require that Applicant furnish a deposit in an amount that it deems initially sufficient to be used for reimbursement of such expenses. Any such deposit shall be held in a non-interest bearing account and shall be used to reimburse the Town for expenses that have been incurred as a result of such consultants. Should such deposit be depleted prior to final approval of the required payment in lieu of tax agreement, the Town Board may require that additional monies be deposited with the Town before further processing of the payment in lieu of tax agreement will continue. The Town Board may suspend indefinitely the**

**negotiation and drafting and review of the payment in lieu of tax agreement as a result of the failure of Applicant to timely remit a required deposit or to promptly reimburse the Town for expenses relating to such consultants. Any such suspension shall supersede any Town of New York State law, rule or regulation relating to the timing of issuance of approvals for such payment in lieu of tax agreements.**

- e. No building permit may be issued for any approved Type 2 Solar Energy System until such time as a payment in lieu of tax agreement has been executed by all parties.**

**SECTION 4. CHANGES TO SECTION 618. D. General regulations.**

A. The current Section 618. D. of the Town of York Zoning Ordinance is hereby modified and amended such to include a new section 618. D. (7) which shall read as follows:

- (7) Community Benefit Contribution. The Town encourages owners, developers and/or landowners of the property upon which a Type 2 Solar Energy Systems is to be developed, to implement an appropriate community benefit contribution. Such a contribution is not mandatory, nor will failure to do so negatively impact an application or the granting of any approvals.**

**SECTION 5. CHANGES TO SECTION 618. E. Abandonment and Decommissioning.**

A. The current Section 618. E. (3) of the Town of York Zoning Ordinance is hereby modified and amended such that the prior language shall be omitted in its entirety and superseded by the below new language which shall read as follows:

- (3) Removal. All Solar Energy Systems (and related infrastructure) shall be dismantled and removed from a Lot and the Lot restored to its pre-development condition where the Special Use Permit or Site Plan approval has been revoked by the Town of York Planning Board, or if the Solar Energy System has been deemed by the Code Enforcement Officer to be inoperative or abandoned for a period of more than 90 days. In such an instance involving a Type 2 Solar Energy System, removal and restoration shall occur pursuant to the Decommissioning Plan associated with the Type 2 Solar Energy System.**
  - a. Removal and restoration shall commence within 60 days after written notice has been provided to the permit holder or owner of the Solar Energy System and the Landowner and removal and restoration shall be completed within 120 days of such notice.**
  - b. All such costs of removal shall be the responsibility of the permit holder, owner of the Solar Energy System and/or the Landowner. If the permit**

**holder, owner of the Solar Energy System or Landowner do not dismantle and remove said Solar Energy System and properly restore the site as required herein, the Town Board may, after a hearing at which the permit holder Solar Energy System owner and Landowner shall be given an opportunity to be heard and present evidence, dismantle and remove said facility and levy all related expenses associated with the removal and restoration onto the real property tax bill associated with the property upon which the Solar Energy System was located, regardless of who the permit holder is/was.**

**SECTION 6. SEVERABILITY.**

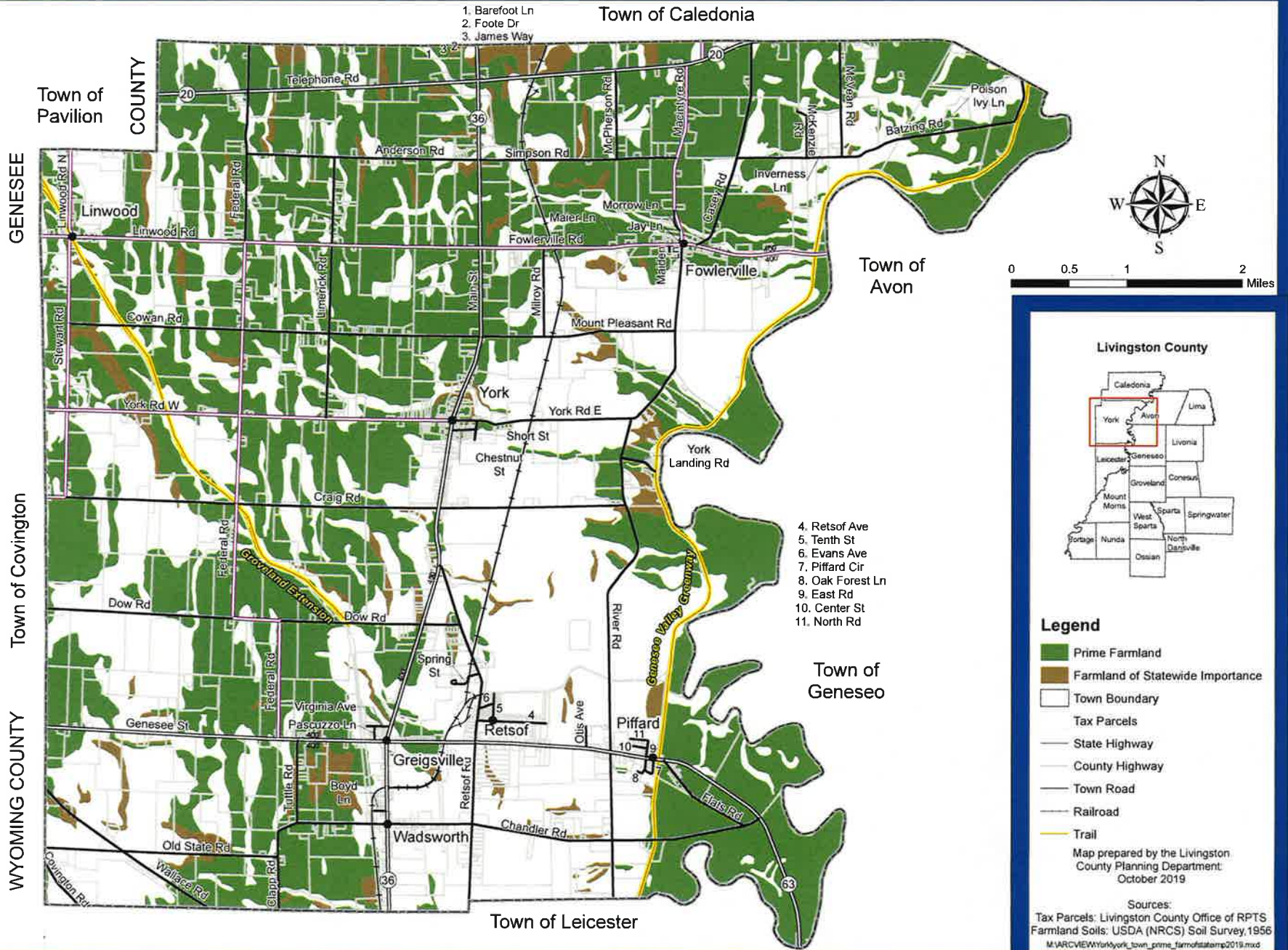
If any section, subsection, phrase, sentence or other portion of this Article is for any reason held invalid, void, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 7. EFFECTIVE DATE.**

This Local Law shall take effect immediately upon filing with the Secretary of State of New York.

# Town of York

## Prime Farmland and Farmland of Statewide Importance: 2019



# Town of York

Lands Not Excluded for Type 2 Solar

Livingston County



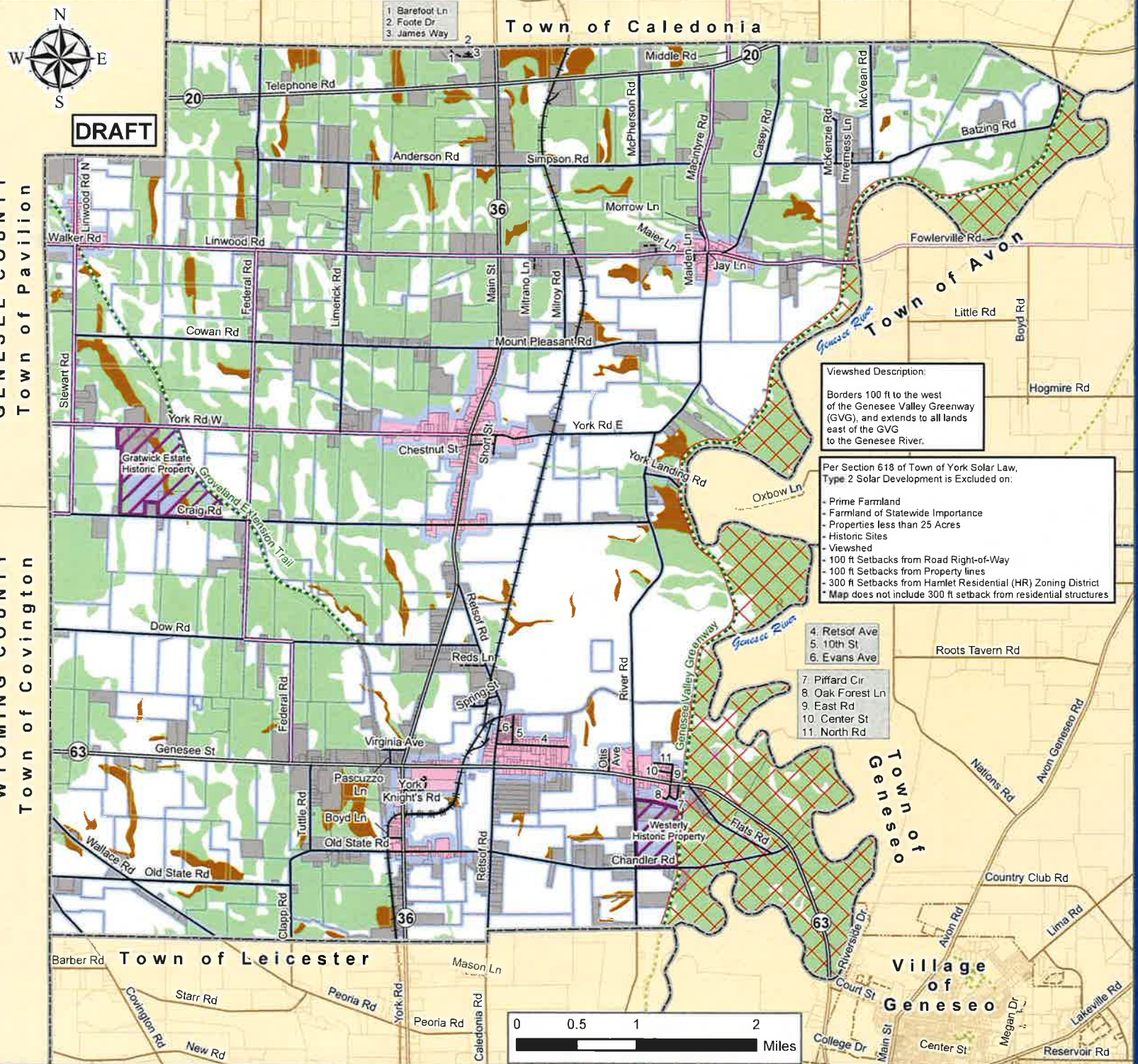
**Land Where Type 2 Development NOT Excluded**

- Prime Farmland
- Farmland of statewide importance
- Viewshed
- Historic Sites
- Setback Areas
- Tax Parcels: Less than 25 Acres
- Town Boundary
- Village Boundaries
- Tax Parcels
- State Highway
- County Highway
- Town Road
- Private Road
- Seasonal Road
- Railroads
- Trails

Sources:

Tax Parcels: Livingston County Office of RPTS  
 Historic Properties: NYSHPO  
 Farmland Soils: USDA (NRCS) Soil Survey 1956

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**DRAFT**

**Viewshed Description:**  
 Borders 100 ft to the west of the Genesee Valley Greenway (GVG), and extends to all lands east of the GVG to the Genesee River.

Per Section 618 of Town of York Solar Law, Type 2 Solar Development is Excluded on:

- Prime Farmland
- Farmland of Statewide Importance
- Properties less than 25 Acres
- Historic Sites
- Viewshed
- 100 ft Setbacks from Road Right-of-Way
- 100 ft Setbacks from Property lines
- 300 ft Setbacks from Hamlet Residential (HR) Zoning District
- \* Map does not include 300 ft setback from residential structures

4. Retsof Ave
5. 10th St
6. Evans Ave
7. Piffard Cir
8. Oak Forest Ln
9. East Rd
10. Center St
11. North Rd

