

Zoning for the Town of Dix

Why have zoning? Zoning helps to establish land-use patterns that are logical and, when properly implemented, will provide adequate space for each type of land use. It protects agricultural land by directing other types of development and businesses away from rural areas, and zoning promotes cost-effective use of public services and resources. Private investment of land purchases is also protected, since permitted land uses are defined and a buyer has a sense of certainty about future development of adjoining parcels.

For Dix, zoning divides the Town into a number of different zones or districts that define particular land uses; e.g., agricultural, open space, rural residential, and commercial. Land uses are prescribed for each area, and the goal is to separate those uses that are not compatible. Zoning stipulations are based on the Land Use Plan that was developed in 2001 by a planning committee comprised of 12 Town individuals with diverse backgrounds and interests. Their charter was to produce a plan that portrayed “the appropriate use of land in the Town of Dix based on existing development patterns, environmental limitations, desired build-out appearance, and areas of protection.” Most of the district types and boundaries were identified by existing uses; thus, the number of property owners that would be somewhat adversely affected was minimized. Subsequently, the Zoning Commission was created to “fine tune” the boundaries of the originally proposed zoning districts and to provide the regulations and building guidelines associated with each district. The Zoning Ordinance draft was submitted to the Dix Town Board in December of 2003, after which the Zoning Commission was dissolved and further adjustments were made by the Town Board.

The zoning ordinance has an influence on new construction and land development planned within a particular zoning district. However, an existing structure or land use in place that didn't conform to the guidelines prescribed for a particular district when the zoning ordinance was established in January of 2007 is called a “nonconforming pre-existing use” and is “grandfathered”. Generally, this does not affect the use or sale of a property as long as the land use and/or functionality and size of a building or business operation aren't altered. However, in most cases the step to become a *conforming use* will enhance property value and appearance.

The Town has established two boards to provide direction and rule interpretation; to evaluate subdivision proposals, site plans for new development, and street changes; to issue special use permits; and to carefully scrutinize and provide use and area variances, if appropriate. These boards – Planning Board and Zoning Board of Appeals – are comprised of appointed members that are required to complete a specified number of hours of formalized training annually. Town of Dix Board members are ineligible, but the Board can act as a third party to provide another viewpoint. In most instances, the opinion by the County Planning Commission is sought and reviewed prior to a public hearing, after which a resolution on an application is affirmed.