## § 55-0119. Local land use regulation within a special groundwater protection area.

Any land use regulation enacted by any town or village located within a special groundwater protection area which includes a definition of "open space" must consider the impact of such definition on the water quality and/or recharge capabilities of the area. Any such definition of "open space" may also consider other purposes of open space, including, but not limited to, protection of habitat, farmland, forest, air quality, view shed protection and recreation. Provided however, that any definition of open space that allows for or includes recreational uses, must provide clear guidance as to which recreational uses, improvements or facilities serve the purpose of protecting water quality and/or recharge capabilities. "Land use regulation" shall mean an ordinance or local law enacted by a municipality with responsibility for zoning and includes any zoning, subdivision, special use permit or site plan regulation or any other regulation which prescribes the appropriate use of property, or scale, location and intensity of development.