

ORDINANCE NO. 846

A PROPOSAL FOR AN ORDINANCE AMENDING THE YORKTOWN ZONING ORDINANCE and MAPS to RECOGNIZE AND ESTABLISH A FARMING ZONE ("Second Amendment to the Zoning Ordinance")

Whereas, the Town of Yorktown adopted a plan of reorganization in 2011 that merged Mt. Pleasant Township into the Town's corporate boundaries; and

Whereas, because the Town did not have a Farming zone in its zoning ordinance, part of the plan of reorganization was that the township zoning would remain in place until the new reorganized Town decided to modify it; and

Whereas, having the zoning authorities apply two different zoning ordinances within the same Town is not an efficient use of the Town's resources and leads to confusion and inconsistencies; and

Whereas, the Town Council has determined that a Farming Zone should be created as a first step in making the Town's zoning ordinance applicable and consistently applied across the entire Town limits; and

Now, therefore, the following additions should be made to the Yorktown Zoning Ordinance:

1.24 This Second Amendment to the Zoning Ordinance was granted a favorable recommendation on February 7, 2024 by the Yorktown Plan Commission after holding a legally announced public hearing. This Second Amendment to the Zoning Ordinance was certified by a 7 to 0 vote. This certification is validated by Yorktown Plan Commission Resolution #2024-01.

2.1 Q. FM-Farming District. This district is established for the carrying out of agricultural activities, on land where fifty (50) percent or more of the land is under cultivation or used for dairying, pasturage, apiculture, horticulture, viticulture, animal and poultry husbandry, forestry, or similar farming activities.

3.33 FM District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The FM (Farming District) is intended to be used as follows:</p> <p>To protect and promote agricultural uses within the Town limits.</p>	<p>The permitted uses include:</p> <ul style="list-style-type: none"> Horticulture Viticulture Apiculture Pasturage Forestry Dairying Animal and poultry husbandry Other similar farming activities <p>Roadside Farm Stand: A temporary use which is primarily engaged in the sale of fresh agricultural products, locally grown on or off-site, but may include, incidental to fresh produce sale, the sale of limited prepackaged food products, poultry and non-food seasonal items. This use is to be seasonal in duration, open for the duration of the harvest season.</p> <p>The FM district also permits single family residential uses as part of a farming homestead.</p> <p>Accessory structures used in farming operations, such as barns, are also permitted.</p>	<p>The special exception uses include:</p> <ul style="list-style-type: none"> Golf courses Private Outdoor Camps Roadside stands selling products raised on site <p>CFO and CAFO, subject to all ordinances and regulations as set forth by Delaware County regarding same.</p>

3.34 FM District Development Standards

(see Exhibit A, Chart)

All language not shown as being amended in the foregoing Ordinance shall remain as written and in full force and effect. In the case of any conflicts, this Ordinance shall control. Should any conflicts or inconsistency be found between this Ordinance and its Exhibit A, this Ordinance shall control.

This Second Amendment to the Zoning Ordinance shall be in full force and effect as of the 19th day of March, 2024.

Approved by the Town Council of Yorktown this _____ day of _____, 2024.

Rick Glaub, Town Council President

ATTEST:

Lance Turner, Town Clerk/Treasurer