

Proposed Amendment to Stafford Zoning Regulations, revised through November 17, 2016 Revised on December 8, 2016 MKB; Further revised December 21 following discussion with Commission chairman and ZEO

****All revisions are italicized in red, deletions are in blue****

Section 1.20 (Definitions)

Delete:

Farm Commercial: A tract of land used for the raising of agricultural products, livestock, poultry, or dairy products including the necessary farm buildings, but excluding the raising of fur-bearing animals and the maintaining of dog kennels. (Effective 11/15/03) (REV. 9/28/10).

Farm Non-Commercial Residential: A tract of land for the raising of non commercial agricultural products, livestock, poultry or dairy products and noncommercial animal agriculture associated with the raising of domesticated farm animals as pets, but excluding the raising of fur-bearing animals and the maintaining of dog kennels. (Effective 9/28/10).

Substitute:

Farm: See "Agriculture – Commercial" or "Agriculture – Animal Commercial."

Revise:

Agriculture – Commercial: *A tract of land used for the raising of agricultural products, including a tract where trees, plants, shrubs, vines or flowers are propagated, grown, harvested, stored or prepared for commercial purposes, and including accessory farm buildings, and including forestry but excluding the raising of fur-bearing animals and commercial dog kennels, dog training facilities, and veterinary hospitals. Commercial agriculture may include accessory wholesale, but retail only from a Temporary Farm Stand in accordance with Section 5.6.1 of these Regulations.*

Agriculture – Non-Commercial: The cultivation of the soil for the production of crops for non-commercial home consumption, *but excluding the keeping of animals except for common household pets such as but not limited to cats and dogs which are accessory to a dwelling.*

Agriculture – Animal Commercial: Animals including but not limited to horses, ~~cattle~~, ~~swine~~, sheep, goats, rabbits, poultry, fowl, dogs, cats, bees, that are bred, raised or kept for commercial purposes, *but excluding the raising of furbearing animals, swine, and commercial dog kennels, dog training facilities, horse and pony farms, riding academies, boarding stables, and veterinary hospitals.*

Agriculture – Animal Non-commercial: Farm Animals bred, raised, or kept for pets for non-commercial purpose including horses, cattle, ~~swine~~, sheep, goats, ~~rabbits~~, poultry and fowl, bees and fish ~~but~~

~~excluding common household pets such as but not limited to cats and dogs.~~ *and including common household pets such as but not limited to cats and dogs which are accessory to a dwelling, but excluding the raising of furbearing animals.*

Add:

Wholesale: The sale of products in large quantities to commercial purchasers for the subsequent retail sale of such products to the general public. Compare to “retail sale.”

Retail Sale: The sale of products to the general public in relatively small quantities for use or consumption as opposed to resale. For commercial agriculture, retail sale includes community supported agriculture.

Agritainment: Events and activities that allow for recreation, entertainment and tourism in conjunction with agriculture support and services directly associated with, and accessory to, on-going commercial agricultural activity on the lot.

Farm Stand, Temporary: An accessory use to a commercial and/or noncommercial agricultural use subject to Section 5.6.1 of these Regulations and consisting of a building or structure used by a [commercial and/or noncommercial agricultural use] for the temporary, seasonal sale of agricultural goods and services between April 15 and October 31 with the exception of the following:

Easter Plant sales – 1 week before Easter until Easter

Christmas Tree sales – 4 weeks before Christmas until Christmas-

Greenhouse: Any building consisting of a more or less translucent covering of which the main use is the growing of plants. This includes hoop houses and similar structures.

Section 3.03

Revise:

One main building lot: No building containing a residential use shall be erected, altered or maintained in the rear of any building on the same lot, and no building shall be erected, enlarged or maintained in front of a residential building, **except for agricultural purposes, including without limitations Temporary Farm Stands**, as expressly limited in Section 3.10 hereafter.

Section 3.07d Obstruction in yards:

Revise:

d. No structure shall be erected between the building line and the street line, except a wall or fence not over four (4) feet in height and not more than one-half (1/2) solid and except signs as specified in Section 3.40 of these Regulations, *except Temporary Farm Stands in accordance with these regulations.*

Section 3.10e

Revise:

e. Accessory buildings to ~~farming use~~ *commercial agriculture*, and ~~except~~ buildings housing farm animals ~~livestock~~, and poultry are permitted not less than one hundred (100) feet from a street or lot line, and not less than one hundred fifty (150) feet from the nearest existing residential building on land under separate ownership. *shall meet the setback requirements as outlined in section 4.31. This section does not apply to Temporary Farm Stands, which are governed by section 5.6 hereafter. See Section 5.02(f) re buildings housing livestock and poultry.*

f. Greenhouses as accessory buildings *to a dwelling* are limited to one structure on a residential lot. More than one greenhouse as an accessory use may be allowed ~~on a farm for a commercial agricultural use~~, but such buildings shall be accessory and incidental to the main agricultural use of the property. *The maximum number of greenhouses shall be two for each commercial agricultural use. The total area of greenhouses shall not exceed 2,500 S.F. in a Residential district.*

Section 3.27

Revise:

Building lines: No structure or accessory building shall be erected or altered, except in accordance with these Regulations, on any lot nearer to the street than the building line. *This section does not apply to Temporary Farm Stands, which are governed by section 5.6 hereafter.*

Section 3.35 (Parking Requirement)

Revise parking requirement for Rural residence roadside stands to include Farm Stands as follows (new language in italics):

e) ~~Rural residence roadside stands and~~ *Temporary Farm Stands* Minimum of 4

Section 4.21 (Schedule of permitted uses)

Revise as follows:

Delete: Agriculture, forestry, truck gardening, nursery, including incidental greenhouses, "P" in the AAA, AA, A, C and WM Districts.

Replace with:

Agriculture, Commercial: "P" in the AAA, AA, A, C and WM Districts; SU in the IN and HI Districts.

Agriculture, Animal Commercial: "P" in the AAA, AA, A, C, and WM Districts; SU in the IN and HI Districts.

Delete: "Livestock, Poultry farms and piggeries."

Section 4.22 (Schedule of permitted accessory uses)

Delete: "Roadside Stands for sale of agricultural and homemade products produced on the premises."

Replace with:

Temporary Farm Stands in accordance with Section 5.6.1 of these Regulations "P" for permitted use in the AAA and AA zone

Add the following accessory uses:

Agriculture, Non-Commercial: "P" in all Districts.

Agriculture, Non-Commercial Animal: "P" in all Districts, cross reference Section 5.03.

Wholesale from a Commercial Agricultural Use: "X" in the "P" in the AAA, AA, A, C and WM Districts; SU in the IN and HI Districts.

Temporary Farm Stands in accordance with Section 5.6.1 of these Regulations all District, use "P".

Agritainment in accordance with Section 5.6.2 of these Regulations in all Districts by SU.

Add to bottom of 4.22, after "P" is permitted use:

"SU" is by Special Use Permit.

Section 5.02:

Delete: "Piggeries" from subsection (f)

Delete: Subsection 5.02(f)(3)

Add Section 5.6: Accessory Uses to Commercial Principal Uses

Add:

5.6.1 Temporary Farm Stand

Temporary Farm stands are permitted by right as accessory uses to a commercial agricultural use with the following conditions:

- a. Farm Stand is located on the same site as the agricultural use or is on other land owned, leased or used by the farmer.

- b. Farm stand area shall not exceed 500 square feet, including both indoor and outdoor display areas. Stands may request approval to exceed this requirement from the Zoning Enforcement Officer for the sale of Christmas trees only. Notwithstanding the foregoing, structures shall be compatible in size and scale with neighboring uses. There shall be no additional display areas in addition to the farm stand. There shall be a maximum of one farm stand per site (property).
- c. Required setbacks are a minimum of 10 feet from any street right of way, 50 feet from any road intersection and shall comply with the required rear and side yard setbacks for the zone. Locations are to be approved by the Zoning Enforcement Officer and the Department of Public Works.
- d. Only agricultural or horticultural products may be sold.
- e. A minimum of 70% of the gross sales shall be from agricultural goods raised, grown and harvested on site or on other land owned, leased or used by the farmer, or from related products made from the raw agricultural or horticultural products grown and harvested onsite or on other land owned, leased or used by the farmer. Examples of acceptable related products include but are not limited to: wreaths, jams, jellies, baked goods, herb vinegars, cider and maple syrup.
- f. Required parking (refer to Section 3.35) does not have to be paved or improved, just accessible and useable in all weather conditions for visiting vehicles without causing erosion or sedimentation.
- g. The Planning and Zoning Commission, or its designee shall resolve concerns or complaints regarding whether the display and sale of agricultural and accessory products are in compliance with the intent of these regulations
- h. Locations of *Temporary Farm Stands* are to be registered with the ZEO, but no Zoning Permit shall be required under Section 6.11 of these Regulations.

Add:

5.6.2 Agritainment Uses. The following uses may be permitted for all lands deemed by these regulations to be a commercial agricultural use provided they meet the criteria of a Special Use Permit as determined by Planning and Zoning Commission in accordance with Section XII:

- a. Wedding and Reception Venues.
- b. Other Special Events not listed above such as bar and bat mitzvahs, anniversary parties on the grounds of the commercial agricultural use.
- c. Farm to Table Events
- d. Winery subject also to Section XI.
- e. Teaching Kitchens for Canning and other directly related Farming cooking activities to be located in an accessory building.
- f. Pick your own fruit and vegetables including but not limited to blueberries, strawberries, apples, pumpkins, and flowers.
- g. Agritainment -or an event Not Listed in this Section 5.6.2 shall be evaluated on a case by case basis.