

**AN ORDINANCE AMENDING THE VILLAGE ZONING CODE ORDINANCE 30-1974
WITH THE ADDITION OF AGRICULTURAL ZONING DISTRICT**

WHEREAS, the Planning Commission of the Village of Brewster has reviewed a proposed modification of the Village Zoning Code with the addition of an Agricultural Zoning District, and

WHEREAS, after completing their review and deliberations, the Planning Commission of the Village of Brewster recommends that it is in the best interest of the Village that Brewster Village Council enact the proposed amendment to the Village Zoning Code with the addition of an Agricultural Zoning District, and

WHEREAS, Brewster Village Council desires to follow the Village Planning Commission recommendation and adopt an amendment to the Village Zoning Code of the Village of Brewster with the addition of language defining an Agricultural Zoning District under Chapters 153.205, 153.206, 153.207, and 153.208.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:

SECTION 1: Brewster Village Council shall amend the Village Zoning Code adopted by Ordinance 30-1974, which has been amended from time to time, by adopting language for an Agricultural Zoning District under Chapters 153.205, 153.206, 153.207, and 153.208 as provided and recommended by the Village Planning Commission.

SECTION 2: The language adopted for an Agricultural Zoning District under Chapters 153.205, 153.206, 153.207, and 153.208 shall be as follows:

A-1 – AGRICULTURAL ZONING DISTRICT

153.205 – INTENT

It is the intent of the A-1 Agricultural District to provide large tracts of land for present agricultural activity and to protect this land from urban encroachment to provide adequate future areas for agricultural activity. This District is established to promote the continuance of agriculture and farm-based uses and to provide areas for a variety of low-density single-family residential environments reflecting a rural lifestyle.

153.206 – DEFINITION

Agricultural Uses Defined “Agricultural use” means the same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

153.207 – USES

(A) Permitted Uses

1. Agriculture
2. Single-Family Residence
3. Accessory Uses

(B) Permitted Accessory Uses

1. Roadside stands, offering for sale only agricultural products grown on the premises.
2. Barn, private garage, or stable.
3. Living quarters of person employed on the premises and not otherwise used as a separate dwelling.
4. Home occupations as permitted and regulated in 153.380(K) of this zoning code.

5. Private swimming pools, to be used primarily for the enjoyment of the occupants of the principal use of the property on which it is located and subject to the provisions of 153.019(T).
6. Temporary buildings for uses incidental to construction work which buildings shall be removed upon completion or abandonment of the construction work

(C) Conditional Uses - Subject to approval by the Board of Zoning Appeals as provided in Sections 153.365, 153.366, and 153.367.

1. Kennels and animal hospitals for the raising, breeding, treatment, and boarding of dogs, or other small animals provided that all buildings and outside runs be at least two hundred (200) feet from any other lot.
2. Riding academies, provided that such buildings or stables shall be two hundred (200) feet from any other lot.
3. Cemeteries, including mausoleums and crematories
4. Transmission towers or masts and the accompanying accessory buildings, subject to the approval by any appropriate governmental permitting agency, and provided that any such tower is set back from any property line a distance not less than the height of the tower or mast plus twenty (20) feet.
5. Recreational Uses and Facilities
6. Bed & Breakfast Residence
7. Public Service Facilities
8. Public Utility facilities, including well fields, solar fields, wind turbines, and similar utility installations
9. Agribusiness
10. Agritourism

(D). Signs.

The signs permitted in the A-1 District shall be in accordance with the requirements of 153.215, 153.216, 153.217, 153.218, and 153.219

(E) Off-Street Parking and Loading.

Off-Street parking and loading spaces shall be provided in accordance with the requirements 153.330, 153.331, 153.332, 153.333, 153.334, and 153.335

153.208 - Minimum Dimensional Requirements:

Minimum Lot Frontage	250 feet
Minimum Lot Area	10 acres
Minimum Front Setback	50 feet
Minimum Rear Setback	40 feet
Minimum Side (Either) Setback	25 feet
Minimum Sum of Sides Setback	60 feet
Percentage of Lot Coverage (See Note below)	10 %
Maximum Height of dwelling	35 feet

Note: The percentage of Lot Coverage may be increased by the Planning Commission as a part of any Conditional Use Permit approved in an Agricultural Zoning District

In Chapter 153.016 – Districts and any other appropriate spot in the Zoning Code shall be amended to add an A-1 – Agricultural District to the Village Zoning Code

SECTION 3:The above replaces any previous version of this directive and supersedes any current directive which may be in conflict with this directive.

SECTION 3: This ordinance shall be in full force and effect at the earliest date provided by law.

Mayor Michael E. Schwab

ATTEST:

Village Clerk-Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on May 20, 2019

Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

Clerk K. Kris King