

Proposed Text Amendments

Title 19

Section 18

1. Agricultural Lands that have been out of Production for 5 or More Years
 - a. Legislative Intent. This Section is intended to:
 - i. Provide methods to re-designate lands zoned as Agriculture but have not been used for agricultural production for 5 or more years.
 - ii. Provide an administrative process for the re-designation without requiring an amendment to the zoning maps.
 - iii. Ensure that the proposed designation does not negatively impact the neighboring land uses.
 - iv. Ensure that proper infrastructure is in place or proposed to be in place to support the proposed designation.
 - b. Applicability
 - i. Lands must be currently zoned as “AG”, but lands cannot have been used for agricultural purposes for 5 or more years.
 - ii. The requested Land Use must be a Rural Land Use, unless allowed in other sections of this code.
 - iii. Minimum lot size will be the minimum lot size of the requested Land Use.
 - c. Public Notice
 - i. Notice of the proposed Land Use change mailed under YCC Title 16B shall be sent to owners of property within 300 feet of the proposed use.
 - d. Information Requirements
 - i. In addition to the requirements of chapter 19.31 and the application procedures in YCC Title 16B, the application shall include the following information:
 1. Information on the last year that the property was used for agricultural purposes.
 2. The last agricultural use.
 3. Reasons for not currently using the land for agricultural purposes.
 - e. Approval Requirements
 - i. Findings
 1. The proposed property currently has a land use designation of “AG”.
 2. The Property has not been used for agricultural purposes for 5 or more years.
 3. The proposed use does not limit the current use of adjoining properties.
 4. There is sufficient infrastructure to support the proposed use.

- ii. Review Criteria. In making such findings the Reviewing Official shall consider the following criteria, based on evidence provided by the applicant.
 - 1. Compatibility with the current uses of adjoining properties.
 - 2. Capacity on operation of the roadways serving the subject property.
 - 3. Adequate water supply for the proposed use.
 - 4. Adequate sewerage disposal for the proposed use.
 - 5. Suitability of the land for the proposed use.
 - 6. Whether a hazard to life, limb, or property, because of the proposed use is created which or which might be reasonably be created as a result of the proposed use, and what measures would mitigate any such hazards.
 - 7. What restrictions should or should not be imposed to secure the purpose of this section and to protect the public and surrounding property owners.

f. Ownership

- i. No approval shall be issued for a premise, except with written consent of the owner or owners.

g. Restriction upon operations

- i. Reasonable restrictions upon the operations may be imposed that are calculated to secure the for the purposed of the Section, the Comprehensive Plan, and this Title. Such restrictions may relate to any activity anticipated from the proposed use. Examples would be; hours of operation, traffic volume; setbacks; etc.

2. Transportation Related Businesses in Rural Zones

a. Legislative Intent. This Section is intended to:

- i. Provide methods for the approval of Transportation Related Businesses in the Rural Zoning Districts.
- ii. Provide an administrative process for the approval of Transportation Related Businesses with the Rural Zoning districts
- iii. Ensure that the approval of Transportation Related Businesses does not have a negative impact on the adjacent land uses.
- iv. Ensure that the proper infrastructure is in place or proposed to be in place to support the proposed use.

b. Applicability

- i. Permit Required
- ii. Transportation businesses that do not require parking of vehicles on the property, such as dispatch operations.
- iii. Transportation businesses that require the parking of vehicles, such as brokerages.
- iv. Storage of vehicles used seasonally, whether agriculture related or not.

- c. Public Notice
 - i. Notice of the proposed Land Use change mailed under YCC Title 16B shall be sent to owners of property within 300 feet of the proposed use.
- d. Information Requirements
 - i. In addition to the requirements of chapter 19.31 and the application procedures in YCC Title 16B, the application shall include the following information:
 - 1. Information on the vehicle trips per day that would be generated as a result of this proposed use.
 - 2. The size of the parking lot, if applicable, including the layout and number of parking spaces.
 - 3. Circulation Plan, including locations of ingress and egress.
- e. Approval Requirements
 - i. Findings
 - 1. The current Land Use Designation.
 - 2. The proposed use does not limit the current use of adjoining properties.
 - 3. There is sufficient infrastructure to support the proposed use.
 - ii. Review Criteria. In making such findings the Reviewing Official shall consider the following criteria, based on evidence provided by the applicant.
 - 1. Compatibility with the current uses of adjoining properties.
 - 2. Capacity on operation of the roadways serving the subject property.
 - 3. Adequate water supply for the proposed use.
 - 4. Adequate sewerage disposal for the proposed use.
 - 5. Suitability of the land for the proposed use.
 - 6. Whether a hazard to life, limb or property, because of the proposed use is created which or which might be reasonably be created as a result of the proposed use, and what measures would mitigate any such hazards.
 - 7. What restrictions should or should not be imposed to secure the purpose of this section and to protect the public and surrounding property owners.
- f. Ownership
 - i. No approval shall be issued for a premise, except with written consent of the owner or owners.
- g. Restriction upon operations
 - i. Reasonable restrictions upon the operations may be imposed that are calculated to secure the for the purposed of the Section, the Comprehensive Plan, and this Title. Such restrictions may relate to any activity anticipated from the proposed use. Examples are, hours of operation, traffic volume; setbacks; etc.

3. Other Businesses and Manufacturing in Rural Zones

- a. Legislative Intent. This Section is intended to:
 - i. Provide methods for the approval of businesses and manufacturing in the Rural Zoning Districts. These uses may include, but is not limited to; Agricultural support, cement or concrete production, explosives/ammunition production, building products, grain mill products, slaughterhouses, sawmills, wood working, agricultural implements, building and trade, convenience stores, heavy construction equipment & storage, vehicle maintenance and repair.
 - ii. Provide an administrative process for the approval of businesses and manufacturing in the Rural Zoning Districts.
 - iii. Ensure that the approval of businesses or manufacturing does not have a negative impact on the adjacent land uses.
 - iv. Ensure that proper infrastructure is in place or proposed to be in place to support the proposed use.
- b. Applicability
 - i. Permit Required
 - 1. A conditional Use Permit shall be required for the proposed use, in addition to all applicable Federal, State, and other required Local permits for the proposed use.
 - 2. Operation of the proposed use is not allowed until such site has obtained all applicable permits
- c. Public Notice
 - i. Notice of the proposed Land Use change mailed under YCC Title 16B shall be sent to owners of property within 300 feet of the proposed use.
- d. Information Requirements
 - i. In addition to the requirements of chapter 19.31 and the application procedures in YCC Title 16B, the application shall include the following information:
 - 1. A narrative detailing the reasons for locating the proposed business at this location, including reasons why it could not be located within an Urban Zoning District.
 - 2. Water usage requirements.
 - 3. Information of the vehicle trips that would be generated daily as a result of this proposal.
- e. Approval Requirements
 - i. Findings
 - 1. The Land Use Designation.
 - 2. That there are sufficient reasons that the proposed business cannot be located within an Urban Zoning District.
 - 3. The proposed use does not limit the current use of adjoining properties.
 - 4. There is sufficient infrastructure to support the proposed use.
 - ii. Review Criteria. In making such findings the Reviewing Official shall consider the following criteria, based on evidence provided by the applicant.

1. Compatibility with the current uses of adjoining properties.
2. Capacity on operation of the roadways serving the subject property.
3. Adequate water supply for the proposed use.
4. Adequate sewerage disposal for the proposed use.
5. Suitability of the land for the proposed use.
6. Whether a hazard to life, limb or property, because of the proposed use is created which or which might be reasonably be created as a result of the proposed use, and what measures would mitigate any such hazards.
7. What restrictions should or should not be imposed to secure the purpose of this section and to protect the public and surrounding property owners.

f. Ownership

- i. No approval shall be issued for a premise, except with written consent of the owner or owners.

g. Restriction upon operations

- i. Reasonable restrictions upon the operations may be imposed that are calculated to secure the for the purposed of the Section, the Comprehensive Plan, and this Title. Such restrictions may relate to any activity anticipated from the proposed use. Examples would be; hours of operation, traffic volume, setbacks, etc.