**ORDINANCE 2022-0002**

**AN ORDINANCE TO AMEND LAND DEVELOPMENT**

**RELATING THE CODE OF THE TOWN OF FRANKFORD**

**LAND DEVLOPMENT ORDINANCE**

**AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWN OF FRANKFORD, SUSSEX COUNTY, DELAWARE, ARTICLE 2 AND ARTICLE 7, BY UPDATING THE LIST OF DEFINITIONS SET FORTH IN ARTICLE 2 TO INCLUDE MORE DEFINITIONS RELATED TO AGRICULTURAL USES AND RESIDENTIAL USES; AND BY REVISING PERMITED USES SET FORTH IN ARTICLE 7, TABLE 7-1, TO INCLUDE ADDITIONAL USES RELATED TO AGRICULTURE AND RESIDENTIAL**

 **WHEREAS,** as part of the Town’s efforts to welcome more businesses into Town, the Town Council determined it was necessary to review the definitions and permitted uses in the Land Development Ordinance as they apply to commercial related agricultural and residential uses; and

 **WHEREAS,** with the assistance of the Town’s land planning consultant, AECOM, an updated list of definitions including more terms related to agricultural and residential related business; and updated permitted uses related to agricultural and residential related business, was developed (hereinafter referred to as the “Proposed Changes”); and

 **WHEREAS,** the Town Council held a public hearing on September 6, 2022; and

 **WHEREAS,** the Town Council has determined the Proposed Changes are all appropriate and will be beneficial to the Town.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Frankford, in session met, a quorum pertaining at all times thereto, that the Land Development Ordinance of the Town of Frankford, be and is hereby amended as follows:

**Item 1:**

**Amend Article 2. Definitions, Section 2-1. Definitions and Word Usage by adding definitions for Agriculture Special Events Center, Commercial Guest Cottage, Farm Stand, and Farmers Market. The definitions are as follows:**

**Agriculture Special Events Center** – An area wherein buildings, structures, and land are used for, but not limited to, the indoor and outdoor showing of animals, arts and crafts, and agricultural products. An agricultural and special event center can include a farmer’s market or farm stand. No sale of animals is permissible.

**Commercial Guest Cottage** – An accessory building used solely as the temporary dwelling of guests. Cottages shall have no kitchen facilities, shall not be larger than 800 sq. ft in size, and are only permitted on parcels of no less than five acres.

**Farm Stand -** A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs, or plants. May also involve the accessory sales of other unprocessed food, home processed food products or baked goods, and homemade handicrafts. The floor area devoted to the sales of these accessory items shall not exceed 50% of the total sales area. No commercially packaged handicrafts or commercially processed or packaged foods shall be sold at a roadside stand.

**Farmers Market** – The seasonal selling or offering for sale at retail of home-grown vegetables or produce, occurring in a pre-designed area, where the vendors are generally individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale.

**Item 2:**

**Amend Article 7. Use Regulations, Table 7-1. Permitted Uses & Structures to include new permitted uses under Agriculture-Related Uses and Residential Uses. The new language to be added is underlined. The following new uses should be added to Table 7-1 as follows:**

| **Blank =Not permitted** **P =Permitted use** **CU =Conditional use, see Sec. \*\*** **D =See definition in Art. 2** |  | **Zone R** | **Zone MR** | **Zone****RPC** | **Zone****C** | **Zone****NB** | **Zone****LI** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Agriculture-Related Uses** |  |  |  |  |  |  |  |
| Agriculture Special Events Center |  |  |  |  |  | CU |  |
| Farms, customary and conventional farming operations including the raising of vegetables, flowers, and horticultural materials; not to be construed to include commercial poultry and swine production, cattle feeder lots, and fur bearing animal farms |  | P | P |  | P2 | P2 |  |
| Farms, housing or raising of livestock for commercial or non-commercial purposes |  |  |  |  |  | P2 |  |
| Farm Stand |  |  |  |  | P | CU |  |
| Farmer’s Market |  |  |  |  | P | CU |  |
| Greenhouse, commercial  | D |  |  |  | P | P2 | P |
|  |  |  |  |  |  |  |  |
| **Residential Uses** |  |  |  |  |  |  |  |
| Apartment above commercial or office uses |  |  |  |  | P | P1 |  |
| Bed & Breakfast | D | CU | CU | CU | CU | CU |  |
| Bed & Breakfast Inn |  |  |  |  |  |  |  |
| Commercial Guest Cottage |  |  |  |  |  | CU |  |
| Dwelling, Duplex  | D |  | CU | P |  | P |  |
| Dwelling, Manufactured Home | D |  |  |  |  |  |  |
| Dwelling, Multi-family | D |  | P | P |  |  |  |
| Dwelling, Single-Family Detached, including Modular  | D | P | P | P |  | P |  |
| Dwelling, Townhouse | D |  | P | P |  | P |  |
| Home-based business | D | CU | CU | CU |  | CU |  |
| Hotel, motel | D |  |  |  | P | P |  |
|  |  |  |  |  |  |  |  |

 **AND BE IT RESOLVED** that the Town Clerk be and she is hereby authorized and directed to cause a Notice which shall consist of a true copy of this Ordinance by title to be published in a newspaper of general circulation in the Town of Frankford.

 I, Greg Welsh, President of the Town Council of the Town of Frankford, do hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the Town Council at its regular meeting held on September 6, 2022, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Greg Welsh, President