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**FAIRVIEW TOWNSHIP, YORK COUNTY  
PENNSYLVANIA**

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**ORDINANCE NO. 2023- 04**

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**AN ORDINANCE AMENDING THE FAIRVIEW TOWNSHIP CODE OF  
ORDINANCES, CHAPTER 300, ZONING ORDINANCE AS AMENDED**

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**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of Fairview Township, York County, Pennsylvania, that Chapter 300, Zoning, of the Code of Ordinances of Fairview Township shall be amended as follows:

**SECTION 1: § 300-20, Table 5-2, Part C (Permitted Uses within the Growth Areas, Specific Accessory Uses)** shall be amended to:

- INSERT a row for “Agri-tainment/Agri-tourism” between the existing “Accessory Apartment” row and “Automated banking facility” row, which are located under the “Types of Uses” column in the chart;
- ADD an “SE” (Special Exception) in the column under “RS Single Family Residential Zoning District” for “Agri-tainment/Agri-tourism”;
- ADD a “N” under all other Growth Area Zoning Districts in the “Agri-tainment/Agri-tourism” row;
- ADD “ §300-76” in the Agri-tainment/Agri-tourism row, in the column for “Criteria and Regulations Section”

**SECTION 2: § 300-76.B (Additional supplemental standards and requirements for specific accessory uses, Agri-tainment/Agri-tourism)** shall be amended to:

- ADD - “(11) As permitted by Special Exception in the RS District subject to the following additional requirements:
  - a. Minimum lot size of ten (10) acres;
  - b. Property contains an existing agricultural operation;
  - c. Use does not include the erection or construction of any new structures for the agri-tainment/agri-tourism operation. It may utilize existing agricultural structures in compliance with the Township’s applicable building codes.
  - d. The use will occur no more than two (2) days a week with no more than thirty (30) events per year.
  - e. Hours of operation are limited to 9:00 a.m. to 9:00 p.m. April 1 through October and 9:00 a.m. to 6:00 p.m. November through March. No Sunday operations.
  - f. No more than one hundred fifty (150) guests per event plus staff.

- g. No less than fifteen (15) days prior to an event, the Owner shall submit an application for an event permit to the Township Zoning Officer to ensure compliance with the special exception approval decision. Such event permit application may be made for events scheduled to occur up to one (1) year in advance, and may include multiple scheduled events in the same application.”

**SECTION 3: Repealer.** The passage of this Ordinance amending in part the Fairview Township Zoning Ordinance, as amended, shall in no way be deemed to invalidate or repeal any provisions of said Ordinance, except as specifically provided for herein.

**SECTION 4. Severability.** Should any section of provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 5. Effective Date.** This Ordinance shall be effective five (5) days after its enactment by the Board of Supervisors of Fairview Township, York County, Pennsylvania.

ORDAINED AND ENACTED, this 24<sup>th</sup> day of April, 2023.

Attest:

Secretary

TOWNSHIP OF FAIRVIEW  
YORK COUNTY, PENNSYLVANIA

By:

Dr. Larry Cox, Chairman

Mario D. Pirritano, Vice Chairman

John W. Jones, Supervisor

Christopher L. Allen, Supervisor

Matthew J. Cox, Supervisor

(SEAL)