

**TOWN OF CAZENOVIA  
LOCAL LAW NO. B OF 2025**

**A LOCAL LAW TO AMEND CHAPTER 165 (“ZONING”) OF THE CODE OF  
THE TOWN OF CAZENOVIA WITH RESPECT TO THE DEFINITIONS OF  
“FARM AND FARMING” AND “FARM OPERATION”**

Be it enacted by the Town Board of the Town of Cazenovia as follows:

**SECTION 1. AUTHORITY**

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law §10 and New York Agriculture and Markets Law Article 25-AA.

**SECTION 2. PURPOSE & INTENT.**

The Town of Cazenovia acknowledges the importance of agriculture and agricultural production within the Town proper, as well as the rights of individuals to have the ability to grow for personal use and consumption crops and to harbor certain animals on their premises subject to reasonable regulation. To such extent, the Town of Cazenovia has previously adopted Local Laws addressing the keeping of chickens and the operation of farms and farming within the Town itself. The Town has become aware that for the benefit of all property owners within the Town, an additional clarification of the terms “farm and farming” and “farm operation” is advantageous and will provide additional guidance to residents and the opportunities for such uses. However, it is further recognized that these definitions have previously been interpreted consistently with respect to the proposed changes contained herein. To that extent, the Town finds it advantageous to adopt an amendment to the definitions contained in Chapter 165 (“Zoning”) of the Code of the Town of Cazenovia as set forth herein.

**SECTION 3. AMENDING §165-61 (“DEFINITIONS”) OF ARTICLE XVI  
 (“DEFINITIONS AND RULES OF INTERPRETATION”) OF  
 CHAPTER 165 (“ZONING”)**

§165-61 (“Definitions”) of Article XVI (“Definitions and Rules of Interpretation”) of Chapter 165 (“Zoning”) of the Code of the Town of Cazenovia is hereby amended by deleting the definitions of “Farm and Farming” and “Farm Operation” in their entirety and replacing same with the following definitions to read in their entirety:

**“FARM AND FARMING**

Any single lot or parcel of land at least seven contiguous acres in area which is used in conjunction with a farm operation and where the utilization of land and structures is for the production, preservation, nonindustrial processing, storage and sale of agricultural commodities such as crops, plants, vines, flowers, grapes, products, trees, sod, shrubs, livestock, honey, Christmas trees, compost, poultry, dairy products, animals, including commercial horse boarding operations, equine operations, timber operations and compost/biomass operations as defined by Agriculture and Markets Law (AML) §301, but not including uses of land primarily for the

disposal of offal or garbage. There are no acreage limitations for farm operations located within a State-certified County Agricultural District. Such farms also include commercial horse boarding operations, equine operations, timber operations and compost/biomass operations as defined in AML §301. A “farm” located outside of a State-certified County Agricultural District shall require the issuance of a Special Use Permit in accordance with this Chapter.

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**FARM OPERATION**

As defined in the New York Agriculture and Markets Law, Article 25-AA, §301(11), as amended, land and on-farm buildings, equipment, manure processing and handling facilities and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse boarding operation; a timber operation; compost, mulch or other biomass crops; and a commercial equine operation. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other; however, all such lands must be used for active farming in direct conjunction with the associated lands. In consideration of any approvals or interpretations relative to farm operations, the reviewing officer or body may consider the applicability of Article 25-AA, §301(11) of the New York State Agriculture and Markets Law along with the Department of Agriculture and Markets guidance with respect to such uses. A farm operation may include a farm stand, subject to the granting of site plan approval. There are no acreage limitations for farm operations located within a State-certified County Agricultural District. A “farm operation” located outside of a State-certified County Agricultural District shall require the issuance of a Special Use Permit in accordance with this Chapter.”

**SECTION 4. AMENDING §165-8 (“PERMITTED STRUCTURES AND USES”) OF ARTICLE IV (“RURAL A (RA) DISTRICT”) OF CHAPTER 165 (“ZONING”)**

§165-8 (“Permitted structures and uses”) of Article IV (“Rural A (RA) District”) of Chapter 165 (“Zoning”) of the Code of the Town of Cazenovia is hereby amended by deleting §165-8 in its entirety and replacing same with the following:

“§165-8 **Permitted structures and uses.**

In Rural A (RA) Districts, only the following structures and uses shall be permitted:

- A. Dwelling, single-family.
- B. Dwelling, two-family.
- C. Home occupation in a principal residential structure (subject to the provisions of §165-100).
- D. Residential accessory use.”

**SECTION 5. AMENDING §165-9 (“PERMITTED USES BY SPECIAL USE PERMIT”) OF ARTICLE IV (“RURAL A (RA) DISTRICT”) OF CHAPTER 165 (“ZONING”)**

§165-9 (“Permitted uses by special use permit”) of Article IV (“Rural A (RA) District”) of Chapter 165 (“Zoning”) of the Code of the Town of Cazenovia is hereby amended by adding a new Subsection “O” to read in its entirety as follow:

“O. Farm and Farming. (Unless located within a State-certified County Agricultural District)”

**SECTION 6. AMENDING §165-72 (“FARMS”) OF ARTICLE XVIII (“ADDITIONAL REGULATIONS FOR CERTAIN SPECIFIED USES”) OF CHAPTER 165 (“ZONING”)**

§165-72 (“Farms”) of Article XVIII (“Additional Regulations for Certain Specified Uses”) of Chapter 165 (“Zoning”) of the Code of the Town of Cazenovia is hereby amended by adding a new Subsection “C” to read in its entirety as follows:

“C. A farm located in the Rural A (RA) or Lake Watershed and Riparian Corridor (LW&RC) Districts shall obtain a Special Use Permit if not located in a State-Certified County Agricultural District.”

**SECTION 7. AMORTIZATION OF USE (SUNSET).**

In the event of any legal, non-conformity of property is located within the Town for a farm or farm operation not otherwise complying with existing Town regulations, such owner may continue such use for an additional period of nine (9) months from the date of adoption of this Law. Such legal, non-conforming use shall have been established by determination of the Town of Cazenovia Code Enforcement Office, the Town of Cazenovia Zoning Board of Appeals or a Court of competent jurisdiction upon examination of all administrative remedies. This provision is intended as an amortization/sunset on such uses.

**SECTION 8. VALIDITY & SEVERABILITY.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 9. EFFECTIVE DATE.**

This Local Law shall be effective upon its filing with the New York Secretary of State.