



Bill No. 20-15
Concerning: Defining a "Farmers Market" in the
Zoning Ordinance, as a specific type of Temporary
Outdoor Activity in certain zones, and as a
Customary Accessory Use on property zoned
Institutional
Introduced: August 4, 2020
Revised: _____ Draft No. _____
Enacted: September 29, 2020
Effective: December 28, 2020
Expires: November 2, 2020
Frederick County Code, Chapter 1-19
Section(s) 8.210, 8.700 and 11.100

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

Primary Sponsor: Council Member Steve McKay

Co- Sponsors: Council Member Jerry Donald and Council Member Kai Hagen

AN ACT to: Define farmer's market, allow farmers market as a Temporary Outdoor Activity within certain zones, and include farmers market as a customary accessory use on properties zoned Institutional.

Executive: Jan H. Garcia

Date Received: October 13, 2020

Approved: _____

Date: 10/22/2020

Vetoed: _____

Date: _____

By amending:

Frederick County Code, Chapter, 1-19

Section(s) 8.210, 8.700, and 11.100

Other: _____

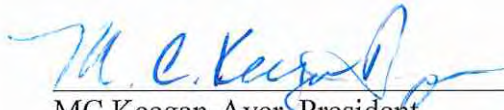
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Underlining
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Heading or defined term.
Added to existing law.
Deleted from existing law.
Existing law unaffected by bill.

Bill No. 20-15

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-19 of the Frederick County Code (Zoning) to: (1) provide for a definition of “Farmers Market”; (2) allow a farmers market as a Temporary Outdoor Activity within certain zones; and (3) include farmers market as a customary accessory use on property zoned Institutional.

NOW, THEREFORE, BE IT ENACTED, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.


MC Keegan-Ayer, President BB
County Council of Frederick County,
Maryland

ARTICLE XI: DEFINITIONS

§ 1-19-11.100 DEFINITIONS.

FARMERS MARKET. A collection of vendors located on a site, with the permission of the property owner, for the sale of agricultural and horticultural products grown by the vendors or for the sale of value-added food products, including baked, canned, or preserved foods, produced by the vendors. A farmers market may include sales of a limited amount of locally produced nonagricultural goods, such as artistic and handcrafted wares. A farmers market may include entertainment. A farmers market shall be held outdoors and may not have fixed structures. This use does not include a roadside stand, commercial, or a roadside stand, limited.

ARTICLE VIII: SPECIFIC USE REGULATIONS

§ 1-19-8.700. TEMPORARY OUTDOOR ACTIVITIES.

(C) Farmers Market. An applicant may apply for a temporary use permit for a farmers market from the Zoning Administrator. This permit shall be issued for a period up to 180 calendar days. A farmers market may operate only on weekends and shall be open to the general public. Except as provided in §1-19-8.210, a farmers market shall be permitted in the VC, MX, and GC zones, and within MXD and PUD overlays. The Zoning Administrator shall determine that the site is adequate for this temporary use according to the following:

- (1) The proposed activity is in compliance with all safety, health, and environmental standards, and is not detrimental to the surrounding area.
- (2) The site is of sufficient size to accommodate the farmers market use, including a buffer zone of at least 50 feet from all adjacent property lines.
- (3) Safe and orderly flow of traffic can be ensured.
- (4) Musical entertainment, if proposed, shall cease at dusk.

§ 1-19-8.210. ACCESSORY USES ON INSTITUTIONAL USE PROPERTY.

Customary accessory uses permitted on institutional use properties include the following: activities such as breakfast, lunches, dinners, bazaars, auctions sales, game nights, carnivals, farmers markets, and similar activities. Institutional use properties are those listed in § 1-19-5.310 under the heading “institutional,” namely, civic community center, civic service clubs, daycare center, nursery school, group homes, hospital, nursing home, places of worship, private schools, camps and retreats, and fire and rescue service.

Underlining indicates matter added to existing law.
[Single boldface brackets] indicates matter deleted from existing law.
*** - indicates existing law unaffected by bill.
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