

THE EFFECTIVE DATE OF THIS ORDINANCE IS DECEMBER 1, 2014

ORDINANCE NO. 14-26-681

RE: Zoning Text Amendment ZT-14-03 – Commercial Roadside Stand

The Board of County Commissioners for Frederick County, Maryland (“Board”) has determined that it is in the best interests of the of citizens of Frederick County (the “County”), and will benefit the health, safety and welfare of those citizens, to amend sections of the Frederick County Zoning Ordinance (“Zoning Ordinance”) amending the Commercial Roadside Stand. The Board therefore hereby exercises its authority under Maryland Annotated Code, Land Use Article § 4-204(a) to amend the provisions of the Zoning Ordinance relating to commercial roadside stands, as more fully reflected in Exhibit 1 to this Ordinance.

The Frederick County Planning Commission held a duly advertised public hearing concerning this Ordinance on November 12, 2014.


The Board of County Commissioners held a duly advertised public hearing concerning this Ordinance on November 20, 2014. The public had an opportunity to comment on this ordinance at this public hearing.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code is hereby amended as shown on the attached Exhibit 1.

AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect December 1, 2014.

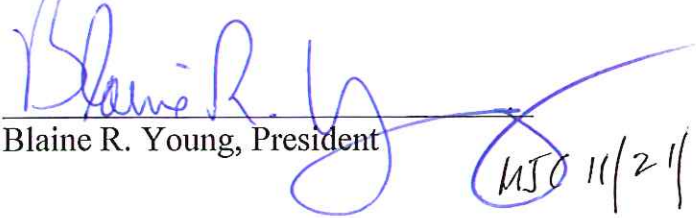
The undersigned hereby certifies that this Ordinance was approved and adopted on the 20th day of November, 2014.

ATTEST:



Michael G. Marschner
Acting County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Blaine R. Young, President

MSO 11/21/14

EXHIBIT 1

§ 1-19-8.214 CLASS 8 FARM BREWERY LICENSE HOLDER AS AN ACCESSORY USE TO A COMMERCIAL ROADSIDE STAND IN THE RC, A, R1, R3, VC, MX AND GC.

THE ZONING ADMINISTRATOR MAY APPROVE A REQUEST FOR A CLASS 8 FARM BREWERY LICENSE HOLDER TO CONDUCT LIMITED ACTIVITIES AS AN ACCESSORY USE TO A COMMERCIAL ROADSIDE STAND IN THE RC, A, R1, R3, VC, MX AND GC ZONING DISTRICTS WHERE THE FOLLOWING REQUIREMENTS ARE MET:

- A. THE HOLDER OF A CLASS 8 FARM BREWERY LICENSE UNDER THE ANNOTATED CODE OF MARYLAND MAY SELL AND DELIVER BEER IN ACCORDANCE WITH THE TERMS AND APPROVALS OF THAT LICENSE.
- B. OUTDOOR PROMOTIONAL EVENTS AND ACTIVITIES ALLOWED UNDER THE CLASS 8 FARM BREWERY LICENSE SHALL REQUIRE A TEMPORARY OUTDOOR ACTIVITY PERMIT, EXCEPT IN THE RESIDENTIAL ZONING DISTRICTS WHEREIN TEMPORARY USE PERMITS SHALL NOT BE ISSUED.

§ 1-19-11.100 DEFINITIONS.

ROADSIDE STAND, COMMERCIAL. A use, which may incorporate a structure, that offers for sale agricultural products, the majority of which are produced by the owner within the county and within the immediate neighborhood of the location of the use. This use does not include seasonal pumpkin patches, "pick your own" or "cut your own" produce or other agritourism enterprise activities conducted on a farm related to agriculture and accessory to the primary agriculture operation on the farm. **THE HOLDER OF A CLASS 8 FARM BREWERY LICENSE UNDER THE ANNOTATED CODE OF MARYLAND MAY SELL AND DELIVER BEER IN ACCORDANCE WITH THE TERMS AND APPROVALS OF THAT LICENSE AS AN ACCESSORY USE TO THE COMMERCIAL ROADSIDE STAND. OUTDOOR EVENTS OR PROMOTIONAL ACTIVITIES PERMITTED UNDER A CLASS 8 FARM BREWERY LICENSE SHALL REQUIRE A TEMPORARY OUTDOOR ACTIVITY PERMIT, EXCEPT IN THE RESIDENTIAL ZONING DISTRICTS WHEREIN TEMPORARY USE PERMITS SHALL NOT BE ISSUED.**

CAPITALS IN BOLD indicate new text.