



City of Middletown Department of Land Use

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MEMORANDUM

TO: The Planning & Zoning Commission

FROM: Marek Kozikowski, AICP, Director

A handwritten signature in blue ink, appearing to read "Marek Kozikowski".

DATE: August 6, 2021

RE: **Proposed Zoning Text Amendments- Revised
Z2021-5**

Sections 44 & 60: Year Round Farm Markets & Seasonal Farm Stands

Land Use Staff proposes the following amendments to the Middletown Zoning Code pursuant to Section 71 of the Middletown Zoning Code.

Text: Added

Text: Deleted

44.08.14 PERMANENT YEAR ROUND FARM MARKETS

may be approved by the Commission provided they meet all of the following conditions:

- 1) **Intent: The intent of a year round farm market is to promote and protect agriculture in Middletown and support the viability of local farming operations by allowing the sale of agricultural products and related items and services from active farms, while ensuring public safety and minimizing any impact on abutting properties. Products sold shall be predominately locally or regionally produced allowing for incidental items not produced regionally but will complement local farming production.**
~~The market shall be on the premises of, and accessory to, an active farm of at least 20 acres, which abuts a state highway.~~
- 2) **The market shall be on the premises of, and accessory to, an active farm of at least five (5) acres. At least 50% of the products sold each year, based on gross dollar sales, shall be grown or produced on the premises where the market is located or elsewhere in Middletown or immediately surrounding areas except in case of weather conditions due to an act of god.**
- 3) Products and services which may be sold may include dairy and food products primarily from products grown or produced on the premises or

elsewhere in Middletown or **in the region immediately surrounding areas**; farm bakery products; **farm café coffee service station**, cider, juices and soda; vegetables, fruits; flowers; seasonal farm products (such as honey, maple syrup, jams, dried fruits and candy); seasonal crafts (such as wreaths, baskets, ornaments, flower pots); pick your own ~~vegetables and fruits~~; pre-cut Christmas trees, and horticultural supplies.

- 4) Accessory uses shall include greenhouses **and other accessory structures in direct support of the agricultural use or the farm market.** ~~hay rides, farm animal petting zoo, farm and craft related seminars.~~
- 5) Buildings shall meet yard requirements of the zone.
- 6) Adequate off street parking shall be provided but in no event less than one (1) space for each 300 square feet of gross building area of the market.
- 7) The market shall be located either within an existing farm structure or a separate rural, farm-like structure compatible with the neighborhood.
- 8) **The following activities may be allowed on a minimum of twenty (20) acres of continuous land as part of a farm market subject to special exception approval:**
 - a. Hay rides;
 - b. Farm animal petting zoo;
 - c. Farm and craft related seminars;
 - d. Food trucks;
 - e. Farm festivals; and
 - f. Private events.

60.01 PERMITTED USES

60.01.03 Farming or other agriculture uses—any green house that brings the total of such ground area to 5,000 sq. ft. or more shall be a Special Exception. Seasonal farm stands shall be allowed provided they receive site plan approval and are a part of a farming operation in excess of **five (5) acres and products sold are grown or produced on the premises where the stand is located or elsewhere in Middletown and up to 25% of the products sold may be grown or produced elsewhere in the region.** ~~twenty (20) acres and sell only products grown on site.~~ Appropriate parking as determined during the site plan process shall be required.

ZONES: R-15 R-30 R-45 R-60 RPZ

60.02 SPECIAL EXCEPTION USES

60.02.38 Permanent Year Round Farm Markets

ZONES: **R-15** R-30 R-45 R-60 RPZ