

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING SECTIONS 13.02.00, 13.03.00 AND 13.04.00 OF THE WALTON COUNTY LAND DEVELOPMENT CODE; ESTABLISHING A PROCESS FOR REGULATING FARMERS MARKETS AS TEMPORARY USES WITHIN THE WALTON COUNTY SCENIC CORRIDORS; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Board recognizes that community farmers markets are a distinct part of American culture and a unique feature of many Florida towns and cities; and

WHEREAS, the Walton County Board of County Commissioners (the Board) does not currently have provisions classifying and authorizing farmers markets and the regulation thereof; and

WHEREAS, the Board finds that it is in the best interest of the health, safety, and welfare of citizens to establish regulations for the operation of temporary farmers markets;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, that the Walton County Land Development Code be amended by adopting the following:

Section 1. Authority, Purpose and Intent.

This ordinance is adopted for the purpose of ensuring that the operation of the Farmers' Market is consistent with the protection of health, safety, and welfare in Walton County.

Section 2. Sections 13.02.00 and 13.03.00 of the Walton County Land Development Code are amended as follows (deletions are ~~strike through~~; additions are underlined):

13.02.00 THE ROUTE 30A SCENIC CORRIDOR

J. Farmers Markets as Temporary Uses

Farmers Markets as temporary uses shall be permitted provided the following provisions and conditions are met:

A. Permit Requirements:

1. All market locations shall be approved by the Walton County Planning and Development Services appointed designee. All applications must be submitted and approved a minimum of one (1) month preceding the proposed opening date of the market.
2. No farmers market shall be permitted to operate without the approval of the Walton County Planning and Development Services through the Outdoor Event Review process and receiving an annual Farmers Market permit from the Planning and Development Services appointed designee.

B. Location:

Farmers markets shall only be permitted in commercial centers of approved development projects that contain event or common areas.

13.03.00 The U.S. 98 and U.S. 331 Scenic Corridor Design Standards:

O. *Temporary Structures for Promotional Purposes.* Temporary structures, specifically tents, are allowed only for certified nonprofit organizations and must be approved for a temporary structure permit as outlined in Section 6.00.00 of this code. The tent or temporary structure shall be placed only for a maximum time period of 72 hours. A nonprofit organization shall only be granted a maximum of two temporary structure permits within a calendar year. Temporary tents are allowed for Farmers Markets as part of the site plan development through the permitting process.

P. *Farmers Markets as Temporary Uses*

For the purposes of this ordinance a “Farmers Market” in the U.S. 98 and U.S. 331 Scenic Corridor shall be defined as: A cultural activity where a common facility or area is utilized and local farmers/growers gather on a regular, recurring basis to sell a variety of fresh fruits, vegetables, produce, baked goods, food products, fresh-cut flowers, and plants from independent stands directly to consumers, and consisting of no less than five (5) individual vendors. Items shall not be for resale. Up to 10% of non-food product vendors are allowed.

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1. All market locations shall be approved by the Walton County Planning and Development Services appointed designee. All applications must be submitted and approved a minimum of one (1) month preceding the proposed opening date of the market.
2. No farmers market shall be permitted to operate without the approval of the Walton County Planning and Development Services through the Outdoor Event Review process and receiving an annual Farmers Market permit from the Planning and Development Services appointed designee. Farmer’s market permits shall be non-transferable and will be required on an annual basis for each farmer’s market location. No additional activities are permitted under this temporary use permit.

B. Location:

1. In order to preserve the aesthetic values of the scenic corridors and vistas as viewed from the U.S. Highway 98/331, Farmers Markets shall only be permitted in commercial centers of approved development projects that contain event or common areas.
2. Site plan approval will be required by the Design Review Board for requests that are closer than 150 feet from the FDOT ROW or to utilize parking lots that front the Scenic Corridor as the location for all or part of the Farmers Market.

C. Operation:

1. Each market may only operate 2 days per week per location between the hours of 7 a.m. and 7 p.m. for 4 hours per day. Set-up time shall be limited to one (1) hour before operating time and clean-up shall be limited to one (1) hour after closing time.

D. Signage:

1. Signage is allowed on an approved reader board on an existing monument sign.
2. One temporary sign as described in Exhibit 8 of Chapter 13 shall be allowed.

E. Tents

1. Tents shall be white and be 10' by 10' size.

Section 3. Conflict.

Those portions of ordinances, whose subject matter is in the Land Development Code, which are in conflict, are hereby repealed.

Section 4. Severability.

In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Codification.

Section 13.02.00 and 13.03.00 of the Land Development Code, shall be codified as indicated in Section 2 above.

Section 6. Effective Date.

This ordinance shall become effective when filed with the Secretary of State.

PASSED AND DULY ADOPTED in regular session, by the BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA, on Jan. 14th, 2018.

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ATTEST:

Alex Alford
Alex Alford, Clerk of Court



BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

By: *Bill Chapman*
W.N. "Bill" Chapman, Chair



Reviewed for form and sufficiency:

Sidney Noyes
Sidney Noyes, County Attorney



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