

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2019 Legislative Session

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**Reference No.:** CB-004-2019

**Draft No.:** 2

**Committee:** PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

**Date:** 03/21/2019

**Action:** FAV (A)

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### REPORT:

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Glaros, Davis, Dernoga, Hawkins and Ivey)

The Planning, Housing, and Economic Development Committee Director summarized the purpose of the legislation and informed the committee as to comments received on referral. This legislation amends the Zoning Ordinance concerning temporary permits for specific temporary uses to provide and clarify requirements for farmer's markets.

Council Member Glaros, the bill's sponsor, informed the Committee that she sponsored CB-4-2019 as a result of ongoing conversations between farmer's market operators and County agencies concerning rules that the markets are being asked to follow and the overregulation of this use. Ms. Glaros explained the uniqueness for farmer's markets in the County to meet certain regulations. The legislation is intended to differentiate between farmers and non-farmers, whether cooking is on- or off-site, and the types of tents that require certain regulations.

The Office of Law reviewed CB-4-2019 and determined that it is in proper legislative form with no legal impediments to its enactment. The Fire Chief submitted a March 13, 2019 letter to the Committee Director detailing the Fire Department's concerns with a suggestion to coordinate review and comment by the Maryland National Capital Park and Planning Commission and the Department of Permitting, Inspections and Enforcement (DPIE).

Kim Rush Lynch, of the Prince George's Soil Conservation District, submitted a letter dated March 21, 2019 to Committee Chair Glaros in support of CB-4-2019 and commented that "it relieves unnecessary burden for our farmers markets in Prince George's County which positively impacts the clients we serve at the District." Tarin Shaw, Co-Chair/Food Justice Coalition of 20743, submitted a letter dated March 19, 2019 to the Committee members in support of the legislation, specifically "these adjustments to farmers markets permitting regulations because they ease the burden on market managers like us who have minimal time and resources to meet the current regulations."

Cathie Meetre, Greenbelt Farmer's Market, and Sydney Daigle, Food Equity Council, testified in support of the legislation.

Based on review of the Fire Chief’s letter, the Committee amended the legislation with the understanding that additional amendments would be provided prior to introduction based on follow up conversations with the Fire/EMS Department and DPIE.

The amendments are as follows:

- Page 2, line 5, change “otherwise” to “other”, after “or other heated cooking surface must:”, insert “a”); line 6, insert “(A)” at the beginning of the line; line 8, insert “(B) secure a current year proof of review from the Fire/EMS Department for propane gas, if used,”; line 14, strike “all tents” and insert “tents larger than 400 square feet”.

Council Member Dernoga made a subordinate motion to amend the main motion, more specifically, to address an exemption for tents measuring below 400 square feet. Council Member Davis seconded the motion, which carried Favorably 5-0. Upon resuming discussion, the approved amendments to CB-004 merged into the main Motion to recommend Favorable with amendments.