

Amendment 8 to Council Bill No. 74 - 2025

BY: Liz Walsh

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Amendment No. 8

(This Amendment adds the language regarding shared driveway access to Section 128.0.I and Section 131.0.N of the Zoning Regulations as a requirement for all categories of Special Farm Use permits)

On page 30, in lines 16-17, strike the following language: “the Pick-Your-Own Enterprises category, and the small farm stand category,”.

On page 30, in line 24, strike the period and substitute “; AND”. On the same page, immediately following line 24, insert the following:

“(4) SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES. HOWEVER, THE DIRECTOR OF PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES AFFIDAVITS FROM ALL PERSONS WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE. IF THE USE OF A SHARED DRIVEWAY IS ALLOWED, THE PETITIONER SHALL DEMONSTRATE THAT THE USE WILL NOT RESULT IN DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR INCREASED HAZARDS TO OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND ZONING SHALL PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE PETITIONER’S RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED DRIVEWAY CAUSED BY THE USE.”.

On page 46, immediately following line 4, insert the following:

“2. Agribusiness

1 a. A Conditional Use may be granted in the RC and RR District for the following commercial
2 and industrial uses:

3 (1) Farm supply and machinery repair sales, storage and services.

4 (2) Biofuel production.

5 (3) Bulk produce storage facilities including cooperatives, except that bulk grain storage
6 is permitted as a matter of right.

7 (4) Livestock slaughtering.

8 b. These uses are subject to the following:

9 (1) The use shall be located on a parcel of at least 50 acres in the RC District only, or on a
10 parcel of any size in the RC or RR District if it is an ALPP purchased or dedicated
11 easement property.

12 (2) All facilities, structures and uses shall be at least 200 feet from parcels principally
13 used as residential lots, and the standard structure and use setbacks from adjoining farms
14 or nonresidential land uses.

15 (3) SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO
16 ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED
17 SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES. HOWEVER, THE DIRECTOR OF
18 PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES
19 AFFIDAVITS FROM ALL PERSONS WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT
20 OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE. IF THE USE OF A SHARED DRIVEWAY IS
21 ALLOWED, THE PETITIONER SHALL DEMONSTRATE THAT THE USE WILL NOT RESULT IN
22 DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR INCREASED HAZARDS TO
23 OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND ZONING SHALL
24 PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE PETITIONER'S
25 RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED
26 DRIVEWAY CAUSED BY THE USE."

On page 46, immediately following line 25, insert the following:

“F. SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER, THE DIRECTOR OF PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES AFFIDAVITS FROM ALL PERSONS WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE. IF THE USE OF A SHARED DRIVEWAY IS ALLOWED, THE PETITIONER SHALL DEMONSTRATE THAT THE USE WILL NOT RESULT IN DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR INCREASED HAZARDS TO OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND ZONING SHALL PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE PETITIONER’S RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED DRIVEWAY CAUSED BY THE USE.”

On page 47, immediately following line 31, insert the following:

“K. SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER, THE DIRECTOR OF PLANNING AND ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES AFFIDAVITS FROM ALL PERSONS WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR THE USE. IF THE USE OF A SHARED DRIVEWAY IS ALLOWED, THE PETITIONER SHALL DEMONSTRATE THAT THE USE WILL NOT RESULT IN DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR INCREASED HAZARDS TO OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND ZONING SHALL PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE PETITIONER’S RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED DRIVEWAY CAUSED BY THE USE.”

On page 50, immediately following line 31, insert the following:

1 “E. SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO
2 ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE
3 SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER, THE DIRECTOR OF PLANNING AND
4 ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES AFFIDAVITS FROM ALL PERSONS
5 WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR
6 THE USE. IF THE USE OF A SHARED DRIVEWAY IS ALLOWED, THE PETITIONER SHALL DEMONSTRATE
7 THAT THE USE WILL NOT RESULT IN DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR
8 INCREASED HAZARDS TO OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND
9 ZONING SHALL PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE
10 PETITIONER’S RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED
11 DRIVEWAY CAUSED BY THE USE.”

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13 On page 52, immediately following line 27, insert the following:

14 **“40. Produce Stands**

15 A Conditional Use may be granted in the R-20 District for a produce stand, provided that:

16 a. The use may not be located on a lot less than one acre nor larger than two acres.

17 b. The produce stand shall be the sole use on the property.

18 c. The use may include the retail sale of crops, produce, flowers, plants and seasonal displays,
19 baked goods, dairy products and bottled/package food products.

20 d. The site has frontage on and direct access to a minor arterial road as designated in the General
21 Plan.

22 E. SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES MUST BE ADEQUATE TO
23 ACCOMMODATE EXPECTED TRAFFIC. THE DRIVEWAY PROVIDING ACCESS TO THE PROPOSED SITE
24 SHALL NOT BE SHARED WITH OTHER PROPERTIES; HOWEVER, THE DIRECTOR OF PLANNING AND
25 ZONING MAY WAIVE THIS CRITERIA IF THE PETITIONER PROVIDES AFFIDAVITS FROM ALL PERSONS
26 WHO ALSO SHARE THE DRIVEWAY THAT THEY DO NOT OBJECT TO THE USE OF THE DRIVEWAY FOR
27 THE USE. IF THE USE OF A SHARED DRIVEWAY IS ALLOWED, THE PETITIONER SHALL DEMONSTRATE
28 THAT THE USE WILL NOT RESULT IN DAMAGE TO OR DETERIORATION OF THE SHARED DRIVEWAY OR

1 INCREASED HAZARDS TO OTHER USERS OF THE DRIVEWAY. THE DIRECTOR OF PLANNING AND
2 ZONING SHALL PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS TO ENSURE THE
3 PETITIONER’S RESPONSIBILITY FOR REPAIR OF ANY DAMAGE OR DETERIORATION OF THE SHARED
4 DRIVEWAY CAUSED BY THE USE.”

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