



**TOWN OF PORT DEPOSIT
PLANNING COMMISSION
RESOLUTION 02-2022**

AMENDMENT TO ARTICLE XI SUPPLEMENTAL USE REGULATIONS, SECTION 211 FESTIVALS, EVENTS OF PUBLIC INTEREST OR SPECIAL EVENTS, OCCASIONAL OUTDOOR.

A Resolution by the Port Deposit Planning Commission recommending approval by the Mayor and Council of Port Deposit Amendments to the Port Deposit Zoning Code.

WHEREAS, Article III, Section 22 of the Port Deposit Zoning Code permits the Port Deposit Planning Commission to review and make recommendations for amendments to the Port Deposit Zoning Code; and

WHEREAS, After giving required public notice in a newspaper of general circulation, the Planning Commission conducted a public hearing on February 24, 2022 to receive public comment related to the proposed amendment to the Zoning Code; and

WHEREAS, The Planning Commission after considering all comments received during the public hearing process will provide the Council a recommendation of the proposed amendment to the Zoning Code.

NOW, THEREFORE BE IT RESOLVED THAT, the Port Deposit Planning Commission made a motion to recommend that the Mayor and Council of the Town of Port Deposit (check one) adopt as written, adopt with revisions, reject, the amendment to the Zoning Code as follows (revision/addition – **red text** and deletions ~~strike through text~~):

ARTICLE XI SUPPLEMENTAL USE REGULATIONS

Part VII Miscellaneous Use

Section 211. Occasional Festivals, Events of Public Interest or Special Events, Seasonal Business and/or Use

Occasional outdoor festivals or special events, including, but not limited to horse shows, carnivals, dog shows, arts and crafts shows, music festivals, etc., and seasonal business or use may be permitted in any district provided:

1. The proposed site shall be of sufficient size to accommodate the use without adversely affecting adjacent land uses.
2. A site plan or drawing to scale shall accompany the application for a public event or seasonal business and/or use that clearly shows the location of displays, trailers, tents, tables/chairs, stages, parking, etc., and shall accurately depict the standards of this section.

3. Outdoor activities for public events and seasonal businesses and/or uses shall be located and conducted in a manner that shall not disturb adjacent property owners or land uses, or create excessive or offensive noise, fumes, odor, lighting, or trash, etc. All outdoor activities and operations shall end by 10:00 p.m.
4. Outdoor activities for public festivals and events, events of public interest, including temporary sanitary facilities and trash receptacles, may not be located within 50 feet of a residential district and shall not block an entrance or exit of an adjoining property.
5. For events of 200 or more people, separate recycling receptacles shall be provided as required in the Cecil County Recycling Plan. Vehicular access shall be derived only from an arterial or major collector.
6. Non-recurring festivals or events shall not exceed seven (7) days in any 12 consecutive months.
7. **The number of days per week and length of time approved for an annual Seasonal ~~b~~Businesses or ~~u~~Uses permit shall be determined by the Mayor and Council. ~~not exceed a maximum six (6) months.~~**
8. Vehicular access shall be derived only from an arteria or major collector.
9. In cases where it is deemed necessary, the Mayor and council may require the applicant to post a bond to ensure compliance with the conditions of the conditional use permit.
10. If the permit application requests the Town to provide extraordinary services or equipment or it is otherwise determined that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the Town a fee sufficient to reimburse the Town for the costs of these services. These requirements shall not apply if the event has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.
11. Applications for a festival or event in Marina Park that requires park amenities (boat launch, parking, fishing, playground, etc.) to be closed to the public shall be approved by the Mayor and Council.
12. Applicant is solely responsible for compliance with all applicable provisions of applicable State, County, and Municipal law required for the use permitted.
13. Applications and permits issued pursuant to this Section are subject to terms and conditions printed on applications and permit forms approved and adopted by the Mayor and Town Council from time to time by Resolution.
14. The Mayor and Council may by Resolution add other restrictions and conditions, **including, but not limited to establishing a rental fee for use of public space,** for ~~s~~Seasonal **Business and Use permits on a case-by-case basis. ~~as deemed necessary.~~**

Planning Commission recommends Mayor and Council adopt (adopt or reject)
the proposed amendment to the Port Deposit Zoning Code.

Affirmative 4

Absent 0

Negative 0

Abstained 0

RESOLUTION 02-2022 READ THIS 24th day of February, 2022.

ATTEST/WITNESS:

Vicky Rinkerman
Vicky Rinkerman, Town Administrator

PLANNING COMMISSION
Jeff Heck
Jeff Heck, Chair