

RESOLUTION NO. MC25-03

REQUEST FOR MUNICIPAL CODE AMENDMENTS THROUGHOUT CHAPTER 94, TABLE 94-64.1 - TEMPORARY USES AND SECTION 94-64 (D) (3), PERTAINING TO FARMER'S MARKETS.

WHEREAS, it is the desire of the Planning Commission to have zoning regulations in the Branson Municipal Code that are clear and concise for understanding and interpretation; and

WHEREAS, it is the desire of the Planning Commission to ensure the Unified Development Code is current and user friendly; and

WHEREAS, the Planning Commission has determined that amendments to the Branson Municipal Code are reasonable and necessary; and.

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of amendments to the Unified Development Code; and

WHEREAS, a Public Hearing was held before the Branson Planning Commission on February 4, 2025 at 6:00 PM in the City Council Chambers located at 110 W. Maddux Street, Branson, Missouri.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: The Planning Commission hereby recommends approval of Municipal Code Amendments to Chapter 94, Table 94-64.1 - Temporary Uses and Section 94-64 (d) (3), regarding farmer's markets as referenced herein as Exhibit 'A'.

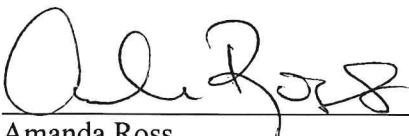
Section 2: This resolution shall be in full force and effect after its passage and approval.

ADOPTED, by the Planning Commission of the City of Branson, Missouri, this 4th day of February, 2025



Gary Groman
Chairperson

ATTEST:



Amanda Ross
Director of Planning and Development

AN ORDINANCE AMENDING SECTION 94, TABLE 94-64.1 - TEMPORARY USES AND SECTION 94-64 (D) (3), OF THE BRANSON MUNICIPAL CODE PERTAINING TO FARMER'S MARKETS.

WHEREAS, after City Staff considering, and review of the proposed regulations, the City of Branson desires to amend the regulation on farmer's markets within the City of Branson; and

WHEREAS, the Board of Aldermen is authorized by Section 79.110 of the Revised Statutes of Missouri to enact ordinances expedient for the good government of the City of Branson and to benefit the trade, commerce, and health of Branson inhabitants and guests; and

WHEREAS, the Board of Aldermen is authorized by Section 79.450, RSMo. to make all ordinances, not inconsistent with the laws of the state, expedient for maintaining the peace, good government, and welfare of the City and its trade and commerce; and

WHEREAS, the Board of Aldermen finds that the following farmer's market regulations benefit the trade, commerce, and health of Branson inhabitants and guests, and are expedient for maintaining the peace, good government, and welfare of the City and its trade and commerce; and

WHEREAS, it is the desire of the Planning Commission and the Board of Aldermen to have zoning regulations and a Unified Development Code in the Branson Municipal Code that are clear and concise for understanding and interpretation; and

WHEREAS, the language of this Bill has been submitted to the Planning Commission, which, after conducting a public hearing on the same, which was properly noticed, has recommended that the Board of Aldermen amend the Zoning Code of the City of Branson as provided herein; and

WHEREAS, a Public Hearing was held by the Planning Commission at City Hall in Branson, Missouri at 6:00 PM on February 4, 2025; and

WHEREAS, the Planning Commission has recommended approval of the request; and

WHEREAS, a Public Hearing was held by the Board of Aldermen at City Hall in Branson, Missouri at 6:00 PM on February 25, 2025; and

WHEREAS, the Board of Aldermen has determined that the amendments to the Branson Municipal Code are reasonable and necessary; and

WHEREAS, the Board of Aldermen wish to revise Chapter 94, Table 94-64.1 - Temporary Uses and Section 94-64 (d) (3), to modify the regulation for farmer's markets within the City; and

WHEREAS,

the Board of Aldermen has conducted a Public Hearing on this matter in compliance with Chapter 89 RSMo.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Branson Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 2: That Chapter 94 - Zoning; Article IV. - Uses; Sec. 94-64 - Temporary Use Standards, Table 94-64.1 - Temporary Uses, and Section 94-64 -Subsection (d) - Supplemental Temporary Use Standards, (3) – Farmer’s Market, of the Branson Municipal Code is hereby amended to read as follows:

**CHAPTER 94 – ZONING
ARTICLE IV. – USES
SECTION 94-64 – TEMPORARY USE STANDARDS**

Sec. 94-64. Temporary use standards.

Table 94-64.1: Temporary Uses

T = Temporary Use Permit

Use Type	LDR, CON, A	MDR	HDR	NC	MU	CC	Down town	ENT	Busin ess	Indust rial	Occurrence per Parcel per Year	Days per Occurrence	Use Stand.
Farmer's Market	<u>T</u> <u>(A) only</u>			T	T	T	T	T			52	1 consecutive	94-64(d)(3)

(3) Farmer's market.

a. ~~Number of vendors—Limited to a maximum of 25 agricultural vendors, and up to five nonagricultural vendors; only one nonagricultural vendor is allowed for every five vendors of agricultural products.~~

Vendor Types- Nonagricultural vendors are permitted. The majority of vendors must be agricultural vendors.

b. *Operating hours*—Shall only operate, including any setup or breakdown activities, a total of 12 hours per day between the hours of 7:00 a.m. and 10:00 p.m.

c. *Maximum area*—Shall not occupy an area larger than 20,000 square feet, and shall meet the zone district required setbacks and off-street parking.

d. *Operating rules*—Each farmer's market shall have an established set of operating rules addressing the governance structure of the market, hours of operation, maintenance, insurance, security requirements and responsibilities, and appointment of a market manager who directs the operation of all vendors.

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Section 4: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 5: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified with in this Ordinance.

Read, this first time on this _____ day of _____, 20__.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this _____ day of _____, 20__.

Larry D. Milton
Mayor

ATTEST:

APPROVED AS TO FORM:

Hillary Briand
City Clerk

City Attorney