

**ARTICLE VII, SECTION 732 –FARM MARKET**

A. Dimensional requirements: Front Setback- 75 feet

Side Setback- 30 feet

Rear Setback- 30 feet

Lot Frontage- 150 feet

Lot Size- 30,000 square feet

B. Farm Markets shall comply with all applicable State and local laws and regulations, including but not limited to, New York State Uniform Fire Prevention and Building Code, New York State Health Department requirements, NYS Department of Agriculture and Markets Laws.

C. A majority of the products sold at a Farm Market shall be grown by the market owner on land owned, leased or rented as part of their farm operation. The market owner shall be responsible for tracking the origin of all products available for sale and, upon written or verbal request, be capable of providing satisfactory evidence to the Ordinance Inspection Officer (OIO).

D. Farm Markets shall be permitted to sell farm produced foods such as the following:

1. Fresh whole fruits.
2. Fresh whole vegetables.
3. Grains and Legumes.
4. Honey and Maple Syrup.
5. Eggs (only if clean and properly refrigerated at 45F or less).

E. Farm Markets shall be permitted to sell packaged food products provided the products are labeled in accordance with New York State food labeling requirements. Misrepresenting Store bought baked goods as “homemade” or “home baked” and market bought fresh produce as “homegrown” is prohibite

F. Farm Markets shall be permitted to sell perishable products, such as meat and dairy products, if the products are processed at a licensed food processing facility, prepackaged and properly labeled, and kept at required cold temperatures to prevent spoilage or contamination.

G. Farm Markets shall not sell the following food products:

1. Home-canned or jarred fruits and vegetables, pickled products, sauces, relishes and other low-acid foods (unless manufactured under a NYS Department of Agriculture & Markets-approved processing method at an inspected facility).
2. Cream, custard, pumpkin, meat or other single-crust pies, cream or cheese filled baked goods (unless prepared in an approved, inspected baking facility, packaged and properly refrigerated).
3. Any other prepared foods made with highly-perishable ingredients for immediate consumption or reheating (unless manufactured and vended under proper food processing and vending licenses).

- H. The entire area of the site traveled by motor vehicles shall be hard surfaced.
- I. All driveways shall have an unrestricted width of not less than 25 feet and shall be located not less than 25 feet from any property line, and shall be designed to avoid the necessity of any vehicle backing out into any public right-of-way.
- J. One parking space shall be provided for every 100 square feet of gross floor area, plus one parking space for each employee on the largest work shift. A parking space shall not be less than 10 x 20 feet in size.
- K. One off-street loading area shall be provided for each 4000 square feet of gross floor area. An off-street loading area shall not be less than 20 x 50 feet in size.
- L. Roadside stands operating at or near road intersections shall be located so that sight distance is not impaired.
- M. A minimum of one commercial refuse container shall be provided. The container shall be placed on a concrete slab, screened from view, and located as to permit safe and easy removal of refuse by hand or truck. Suitable trash disposal receptacles shall also be provided.
- N. No exterior light source shall be erected in excess of 25 feet above the ground and shall be placed as to eliminate the casting of direct light or glare upon adjacent properties.
- O. Fences, if erected on the site, shall comply with the fence standards found in Section 610 of this Ordinance.
- P. Signs shall comply with the sign standards found in Section 600 of this Ordinance.
- Q. Farm Markets shall be located so as to minimize visual conflicts with adjacent properties, and be constructed of materials that compliment, rather than compromise, the character of the community.
- R. Water supply and sewage disposal systems shall be reviewed and approved by the Orleans County Health Department, Town of Clarendon Water Department, and all other applicable agencies.
- S. Any Farm Market that sells or offers food products for on-site consumption shall also comply with the Restaurant provisions found in Section 718 of this Ordinance