

ORDINANCE NO. 2017-23

AN ORDINANCE OF THE CITY OF SOCIAL CIRCLE TO ALLOW FOR AGRITOURISM AS A CONDITIONAL USE IN THE AGRICULTURALLY ZONED DISTRICT.

WHEREAS, the Mayor and City Council of Social Circle desire to amend the current zoning ordinances regarding agritourism in agriculturally zoned districts; and

WHEREAS, the intent of this ordinance is to allow agritourism uses as a conditional use in agriculturally zoned districts while maintaining the rural character and preserving farmland and agricultural and large lot residential character areas as defined in the City of Social Circle Comprehensive plan and protecting the health, safety and welfare of the citizens. Agritourism presents a unique opportunity to combine aspects of tourism and agriculture and open space preservation to provide a number of financial, educational and social benefits to tourists, producers, and property owners, and communities. Agritourism enhances the tourism industry by increasing the volume of visitors to an area and the length of their stay. Agritourism also provides communities with the potential to increase their local tax opportunities to the public, helps preserve agricultural lands, and allows the development of businesses that cannot later be outsourced to other countries.

WHEREAS, the Mayor and City Council deem such amendment to be for the betterment and general welfare of the City of Social Circle and its inhabitants.;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Social Circle, Georgia, and it is hereby ordained by authority of same, as follows:

SECTION 1. The City of Social Circle Zoning Ordinance is hereby amended, by adding the following definition to ARTICLE III: DEFINITIONS:

Agritourism – the activities conducted on a farm, open space, or forest, and offered to the public or to invited groups for recreation, entertainment, education, active involvement in farm operation, sale of produce or other farm products, or special events. Agritourism may or may not be supplemental to an agricultural enterprise. Agritourism provides an opportunity for supplemental income to the property owner. Agritourism activities do not pose an adverse impact to rural character. Examples of Agritourism include Dinner on the Farm where paid meals are prepared for members of the public from products of the farm, Roadside Markets, Winery, Agricultural Craft and Gift Sales, Garden and Nursery Sales, and Special Events.

Rural Character- the patterns of land use and development established by the comprehensive plan in which open space, the natural landscape, and vegetation predominate over the built environment, that fosters traditional rural lifestyles, rural based economies, and opportunities to both live and work in rural areas, that provides visual landscapes that are traditionally found in rural areas and communities, that is compatible with the use of the land by wildlife and for fish and wildlife habitat, that reduces the inappropriate conversion of undeveloped land into sprawling residential or commercial development, and that generally do not require the extension of urban governmental

services, and that is consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge area.

Special Events, - a use or facility where events such as weddings, conferences, concerts, meetings, fundraisers and similar gatherings are held. A special event facility is typically rented or for paying guests. Special events have specific time frame per event, a definite number of attendees, and do not pose an adverse impact to rural character. Special events are usually of short duration.

SECTION 2. The City of Social Circle Zoning Ordinance is hereby amended, by adding the following to the list of Conditional Uses under ARTICLE IX: USE PROVISIONS, Section 900. AG Agricultural District, C. Conditional Uses:

14. Agritourism -provided that

a. The specific agritourism uses planned shall be indicated on the conditional use permit application.

b. The agritourism uses shall not require the extension of urban services that are not already in place.

c. The frequency of activities, maximum attendance, hours of operation, and traffic and parking provisions shall be included in the conditional use permit application.

d. Special Event uses require a minimum parcel size of 20 acres.

e. All agritourism uses or facilities shall be in compliance with all state regulations as required for a particular use. All agritourism operations are required to have a business license.

f. The agritourism application for conditional use permit shall be accompanied by a scaled site plan or aerial photograph which indicates property boundaries, adjacent uses, all existing and proposed buildings, access location and parking areas, existing and proposed screening and buffer plantings, and setback dimensions of all buildings and spaces to be subject to special events use from the property lines.

g. Provisions for management of traffic, noise, litter, erosion or flooding, and other potential adverse impacts of the proposed use shall be included in the application.

h. No agritourism conditional use will be approved that changes the character of the area from rural or agricultural to commercial.

SECTION 4. Unless otherwise provides herein, the penalties provided for violations of this Ordinance are set out in the general penalties sections of the Code of Ordinances of the City of Social Circle, are under the authority of the Municipal Court as established by the Code and are hereby incorporated herein as if fully set out.

SECTION 5. Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Pursuant to the Section 2.25 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Social Circle, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly

sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the City Code of Social Circle, Georgia. The goal of this authorization is to codify and number this Ordinance in the Code in such a way as to be clear and orderly.

SECTION 7. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Social Circle, Georgia.

SECTION 8. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.


SO ORDAINED this 21st day of November, 2017.


Hal W. Dally, Mayor

ATTEST:


Susan M, Roper, City Clerk

APPROVED AS TO FORM:


Anthony O. L. Powell, City Attorney
Webb, Tanner & Powell P.C.

Adopted by the City Council at a regular meeting on November 21, 2017.

 4 Council members voting in favor

 0 Council members voting against

 0 Council members abstaining