

Text Amendment to the City of Stonecrest Zoning Ordinance to allow Winery/Vineyards and associated uses.

Purpose: To promote business and agritourism in the City by allowing the development of wineries and associated uses, including vineyards, tasting rooms, wholesale trade and limited retail trade.

Issues:

- (1) The City's Zoning Ordinance currently does not directly address the issue of wineries and associated uses, which have become a popular use in other parts of the state.
- (2) Any winery would have to follow associated laws related to alcohol sales and onsite consumption.
- (3) Wineries depending on their scale of operation include a wide range of land uses, including agriculture (vineyards), industry (fermentation and bottling), warehousing, retail sales, office, and event space, therefore careful consideration must be made for limitations on scale and appropriate buffers.

Definition of the use

Addition to Sec. 9.1.3 Defined Terms

Farm Winery: A winery which makes at least 40% of its annual production from agricultural produce grown in the state where the winery is located and; is located on the premises, a substantial portion of which is used for agricultural purposes, including the cultivation of grapes, berries, or fruits to be utilized in the manufacture or production of wine by the winery; or is owned and operated by persons who are engaged in the production of a substantial portion of the agricultural produce used in its annual production.

Full kitchen: A kitchen designed, intended and equipped to produce meals for sale to the general public as a major function of the business.

Winery – means an agricultural processing plant used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative offices, and warehousing. A winery may also include associated retail sales and tasting facilities of wine and related promotional items, as part of their operation.

Tasting room - means an outlet for the promotion of a winery's wine by providing samples of such wine to the public and for the sale of such wine at retail for consumption on the premises and for sale in closed packages for consumption off the premises. Samples of wine can be given free of charge or for a fee.

Where to allow the use

- Modify the Table 3.1 Overlay Use Table, under Sec. 3.1.6, by adding Wineries and associated uses under “Agriculture and forestry”, show as a Special Administrative Permit (SA) in the Arabia Mountain Conservation Overlay
- Modify Sec. 3.4.5. Principal uses and principal structures, of the Arabia Mountain Conservation Overlay District, by adding Subsection A.6. Wineries/Vineyards and associated uses (with a Special Administrative Permit)
- Modify Sec. 4.1.3 – Use Table. Insert Wineries and associated uses under “Agriculture and forestry”, show as a Special Administrative Permit (SA) under the RE and RLG zoning districts. Also show a check mark under the last column in the table for “See section 4.2”

Supplemental Use Criteria

Add Sec. 4.2.65 (number to be determined at time of adoption.) Wineries and associated uses

A. Winery must be located on the same property as the vineyard used in the production of the wine. Said property must be a minimum of 5 acres. Wineries that do not have a vineyard used in the production of wine must have a minimum of 2 acres and

B. The winery may have one tasting room on premise for purposes of on-site consumption of wine and related activities.

C. The principal entrance through which vehicles will enter the premises of the winery and Tasting Room shall be on a public road designated as a collector or arterial on the Long-Range Road Classification map in the adopted Comprehensive Plan.

D. A winery may offer samples of its wine in the tasting room for consumption on premises or in closed packages for consumption off the premises. Alcoholic beverage sales for consumption on premises shall be limited to flights of individual 1.5 oz servings of different wines produced from grapes, berries or fruits grown on site.

E. Outdoor speakers must adhere to the noise ordinance regulations.

F. A retail sales area may be included in the Tasting Room, with package wine sales. Retail sales other than wine shall be limited to items used in connection with the serving, storing, or display of wine, or written material describing wine or food or the experience of consuming the same, or items displaying the name and/or logo of the winery.

G. All buildings must have an architectural appearance of a residential or agricultural building(s).

H. All operations, activities, and special events unrelated to the growing, harvesting or processing of grapes, berries, or fruits on the property of the winery shall cease by 7 PM eastern standard time.

1. A “Special Event” is Special events facility means a building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests. The event shall consist of 100 or less people at one time.

2. For parcels that are 5 to less than 10 acres in size and located in the Residential zoning districts, the maximum number of special events is 6 per year. The maximum number of attendees at one time, excluding staff, is determined by a Special Event Permit.
3. For parcels that are 10 acres or more in size and located in the Residential zoning districts, the maximum number of special events is 6 per year. The required Special Event Permit will detail these event allowances.

I. Food service shall be limited to cheese and crackers, unless otherwise approved herein. No ovens, fryers, grills, burners, or other commercial kitchen equipment shall be utilized in the preparation of such food, unless otherwise approved herein.

J. A retail sales are may be included in the Tasting Room, with package sales limited to wine produced by the farm winery license. Retail sales other than wine shall be limited to items used in connection with the serving, storing, or display of wine, or written material describing wine or food or the experience of consuming the same, or items displaying the name and/or logo of the winery.

K. Except as otherwise provided to provide any outdoor storage, outdoor display or outdoor sales on any portion of a subject lot; provided, however, that said prohibition shall not apply to farm winery tasting rooms as defined in O.C.G.A. § 3-6-21.1(a)(3) and restaurants which desire to sell outdoors provided that outdoor sales are restricted as follows:

1. Sales shall occur only within an area of the zoned premises approved by the Community Development Director or the Director's designee.
2. Approved signage must be displayed within said area to advise patrons that alcoholic beverages cannot be removed from the outdoor dining area under any circumstances.
3. Any alcohol sold cannot be served in bottles, cans, plastic cups, or any other disposable containers, but only in glass containers.
4. Any restaurant or farm winery tasting room utilizing sidewalk right of way must comply with the regulations of the City of Stonecrest concerning such sidewalk dining facilities.
5. For the purposes of this ordinance front porch areas over which the restaurant or farm winery tasting room has control may be used in the same manner and under the same regulations as sidewalk dining facilities for up to four tables provided the porch area is approved by the Community Development Director or the Director's designee.

J. A farm winery shall obtain and have a license as set forth in O.C.G.A. § 3-6-21.1, et seq.

K. Sunday sales shall be governed by O.C.G.A. § 3-6-21.2.

L. All lounge and restaurant areas, including all tables, booths, and other areas where customers are served and including all passageways for customers, shall be sufficiently well illuminated so that they may be viewed by those inside the premises. The sale or dispensing of alcohol beverages in any back room or side room that is not open to the general public is prohibited, except that this prohibition shall not apply with respect to:

(1)

Private parties which have been scheduled in advance;

(2)

Sales to hotel, cottages, bed breakfast and/or cabins;

(3)

Private clubs; or

(4)

Special events facilities.