



PLANNING & ZONING STAFF REPORT

Planning Commission October 4, 2022/ City Council October 24, 2022

GENERAL INFORMATION

Petition Number:	TMOD 22-0009
Applicant:	Planning & Zoning Department
Project Location:	City-Wide
Proposed Amendment:	To encourage the continued use of farmland for agricultural production in the Arabia Mountain Overlay. Intended for agricultural activity as well as single-family living in a detached house with a minimum lot size of 5 acre. Lots typically have access to and are served by a public water supply but do not necessarily have access to public sanitary sewer.

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. The AG-1 district is intended to encompass lands devoted to a wide range of uses, including:

- (1) Single-family subdivisions;
- (2) Agricultural; and
- (3) Closely related uses.

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.
- (4) The City of Stonecrest does not have an AG district. The RE district would be ideal but a few RE zoned parcels are located north of I-20. Arabia Mountain predominantly contains low density development defined as Rural Residential land use and consist of large lot residential properties.

History

In the early days of American history, Georgia was one of the top winemakers in the country. In fact, wine was one of the first agricultural products to make the colony profitable. While the state's full alcohol prohibition in 1907 temporarily halted its wine industry, Georgia's vineyards and wineries were revived in the 1980s and have expanded dramatically in the decades since. Today, Georgia has gained national recognition and emerged as one of the foremost wine regions of the southern United States. Georgia is the top producer of Muscadine wine in the United States, and the state's wine industry is still rapidly expanding. In the past five years, Georgia's vineyard acreage has more than tripled, and the market shows no signs of slowing down.

What is the difference between winery and vineyard

- A vineyard is a plantation that produces the grapes for the wine, whereas the winery is the building which is part of the wine production process.
- A vineyard may not have a winery associated with it, whereas a winery may purchase grapes from an outside vineyard.
- A vineyard produces grapes, whereas a winery produces wine.

Economic Feasibility

Georgia's vineyards and wineries have been an incredible boon to the state's economy since the 1980s. In total, the state's wine industry has had a \$4.1 billion total annual economic impact. Winemaking has created over 35,000 jobs for the state, totalling \$1.4 billion in annual wages. Additionally, Georgia's growing wine industry has drawn over 200,000 wine tourists to the state each year, which resulted in \$88 million of tourist expenditures. Georgia's incredible success with wine has led to an influx of growth in this area, and new vineyards and wineries are established in the state each year.

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.

Vineyard- cultivates grapes for wine, juice, and fresh fruit for local markets and consumers. Some vineyards process the grapes for consumption in-house, while others concentrate on the farming aspect, selling directly to wineries in the area.

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 “R-100”, as a *Special Land Use Permit* (SLUP) in the Arabia Mountain Conservation Overlay
- AG District would be a preferred district for such land use. Winery/Vineyard would be a permitted use under this district.
- 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 Land Use Permit)
- Modify Sec. 4.1.3 – Use Table. Insert Wineries and associated uses under “Agriculture and forestry”, show as a Special Land Use Permit (SLUP) under the R-100 zoning district.

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 15 acres.
 1. Winery must be a minimum of 40% of the building dimensions



2. Tasting must be a minimum of 35% of the building dimensions
 3. Workshop/garage must be a minimum of 25% of the building dimensions
- B. Vineyards that do not have a winery used in the production of wine must have a minimum of 15 acres. Vineyard activities shall include the following:
1. Must be a plantation that grow grapes on the property
 2. pruning the vines
 3. picking the fruit
 4. checking for insects (bugs)
 5. planting new vines
 6. repairing and making new trellises
 7. training vines to trellises
 8. pulling weeds
- C. The winery may have one tasting room (35% of tasting room) on premise for purposes of on-site consumption of wine and related activities.
- D. 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 road.
- E. 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.
- F. Outdoor speakers and other created sounds must adhere to the noise ordinance regulations. See Article 7: Noises.
- G. 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.
- H. All buildings must have an architectural appearance of a residential or agricultural building(s).
- I. 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 11:30 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 200 or less people at one time.

J. Food service shall be limited to cheese and crackers, unless otherwise approved herein. No indoor and outdoor ovens, fryers, grills, burners, or other commercial kitchen equipment shall be utilized in the preparation of food, unless otherwise approved herein by the Director of Planning & Zoning or his or her designee.

K. A retail sale may be included in the Tasting Room, with package sales limited to wine produced by the farm winery licensee.

L. 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.

M. 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 Director of the Planning & Zoning or his or her 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 Director of Planning & Zoning or his or her designee.

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

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



P. 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 alcoholic 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 or special events which have been scheduled in advance;

(2)

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

(3)

Private clubs; or

(4)

Corporate events

A winery/vineyard may request to host the following events specifying the number of times per calendar month such events would be limited:

a. Catered dinners

b. Single food truck events. Must be licensed and adhere to the Department of Public Health and State of Agriculture Department regulations

c. Seasonal events

Parking reqs:

Shall adhere to Article 6 Parking Standards