Farm Stand Ordinance - Draft

Section A.

Article II, Section 2.1 of the Georgetown-Scott County Zoning Ordinance, entitled “Definitions,” is hereby amended to modify the definition of Agricultural Uses and add a definition of “Farm Stand,” to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

ARTICLE II

2.1 DEFINITIONS

- **AGRICULTURAL USES:** Agricultural use means the use of a tract of at least five (5) contiguous acres, within Scott County, for the production, storage, or sales, of agricultural or horticultural crops; including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract.
- **AGRICULTURAL POINT OF SALE.** A designated location, either permanent or temporary, on land engaged in an agricultural use, used to facilitate the sale of agricultural products. An Agricultural Point of Sale does not include a restaurant, event venue, processing facility, or general retail establishment. The Board of Adjustment has the authority to distinguish an “Agricultural Point of Sale” from a “Farm Stand”. (For the purposes of this Definition, an Agricultural Point of Sale shall not constitute development and shall not be required to obtain a development plan and is allowed in all agricultural zones.)
- **FARM STAND (Major).** A temporary or permanent structure, with or without electricity, used for the retail sale of agricultural products primarily grown, raised, or produced on the farm upon which the stand is located. A Farm Stand, both major and minor, does not include a restaurant, event venue, processing facility, or general retail establishment (For the purposes of this Definition, Farm Stands, both major and minor, meeting the requirements of Section 2.5.18 shall not constitute development and shall not be required to obtain a development plan, but the property owner must submit documentation, to the Planning Commission, that the farm stand meets said requirements if a complaint is received.)

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- **FARM STAND (MINOR).** A temporary display, used for the retail sale of agricultural products primarily grown, raised, or produced in Kentucky. A Farm Stand, both major and minor, does not include a restaurant, event venue, processing facility, or general retail establishment (For the purposes of this Definition, Farm Stands, both major and minor, meeting the requirements of Section 2.5.18 shall not constitute development and shall not be required to obtain a development plan, but the property owner must submit documentation, to the Planning Commission, that the farm stand meets said requirements if a complaint is received.)

Section B.

Article IV, Section 4.1.1 of the Georgetown-Scott County Zoning Ordinance, entitled "Agricultural (1-1"), under "1. Permitted uses" is hereby amended, to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

ARTICLE IV

ZONING DISTRICT REGULATIONS

4.1 AGRICULTURAL DISTRICTS A-1, A-1S AND A-1R

1. Permitted uses
   a. Agricultural uses including farm dwellings and storage of farm products.
   b. Accessory buildings.
   c. Residential single-family detached dwellings, in accordance with Section 2. 1.
   d. Farm Stands (Major & Minor)

Section C.

Article II, Section 2.5 of the Georgetown-Scott County Zoning Ordinance, entitled "Specific Use Regulations", is hereby amended, to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

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2.5.18 FARM STANDS

Major.

a. The Farm Stand shall be located on property actively engaged in an agricultural use, and shall be no closer than 50' to any parcel not owned by the subject property's owner;

b. Sales shall consist of agricultural products primarily grown, raised, or produced within Kentucky;

c. The enclosed floor area of the Farm Stand shall not exceed one thousand (1000) square feet, and any outdoor display area shall not exceed one thousand (1,000) square feet;

d. Off-street parking shall be provided on the subject property, no closer than 50' from the nearest parcel line not owned by the subject property's owner, exempting parcel lines abutting public right of way; and shall not interfere with the safe movement of traffic on adjacent public roads;

e. The Farm Stand shall comply with all applicable sight-distance and driveway access requirements; and

Minor.

a. The Farm Stand shall be located on property actively engaged in an agricultural use, and shall be no closer than 50' to any parcel not owned by the subject property's owner, exempting parcel lines abutting public right of way;

b. Sales shall consist of agricultural products primarily grown, raised, or produced within Kentucky;

c. The cumulative display area of the Farm Stand cannot exceed 120 sq. ft;

d. Off-street parking shall be provided on the subject property, and shall not interfere with the safe movement of traffic on adjacent public roads;

e. The Farm Stand shall comply with all applicable sight-distance and driveway access requirements; and

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