

ORDINANCE NO. 2016-12
AMENDING ARTICLE 4, SUPPLEMENTAL USE REGULATIONS, AND APPENDIX
A, DEFINITIONS, RELATED TO FARMERS MARKETS, OF THE NORTH
AUGUSTA DEVELOPMENT CODE, CHAPTER 18 OF THE CITY OF NORTH
AUGUSTA, SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's 2005 Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code, the North Augusta Planning Commission may recommend amendments to the Development Code for the purposes of technical clarification, error correction and to accommodate the needs of the City's citizens, provided such amendments are consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following a May 19, 2016 public hearing, reviewed and considered amendments to Section 4.35.8, Farmers and Produce Markets, of the North Augusta Development Code to eliminate minimum acreage requirements for farmers markets in commercial and industrial districts; and Appendix A, Definitions to add definitions for Farmers Market and Farmers Market, Mobile; and a motion was made to recommend said amendments to the City Council for approval. The motion to recommend approval passed on a 5-0 vote.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following sections. The section of the Code affected by each proposed amendment is identified by the section number.

A. Section 4.35.8, Farmers and Produce Markets, is amended to read:

4.35.8 Farmers and Produce Markets

Farmers markets that sell fresh produce, including fruits, vegetables, cut flowers, grains, nuts (including pecans and boiled peanuts), and eggs, cheeses, jams, jellies, preserves, salad dressings, and similar homemade or homegrown food items may be permitted in any zoning district for a period not exceeding a total of one hundred twenty (120) days in any calendar year. Farmers markets must be located on and/or accessed from an arterial or collector roadway. Produce sold may be grown on the property where the farmers market is located

or may be trucked in from area farms. All permitted farmers markets shall comply with the following criteria:

- a. No temporary structure, tent, equipment, or tractor trailer vehicle shall be located or parked within fifty (50) feet of property used for residential purposes.
- b. The site shall be a minimum of one half (1/2) acre in size in residentially zoned districts. No minimum area shall be required for sites in commercially zoned districts.
- c. An adequate temporary parking area shall be provided. The parking area need not be paved but must be maintained to control dust and mud and to minimize the transfer of mud or gravel onto the paved roadway. Necessary and adequate sediment and erosion control measures shall be provided and maintained.
- d. The hours of operation shall be limited from 7:00 a.m. to 9:00 p.m.
- e. Any lighting provided for the site area shall be designated and installed to be directed away from any neighboring residential uses.
- f. Signage shall be permitted in accordance with the provisions of §13.6, Temporary Signs, provided, however, that the duration of the signage may coincide with the temporary duration of the use. One freestanding sign may be permitted, the maximum size of which shall not exceed thirty-two (32) square feet, and wall signage may be permitted up to a maximum of fifty (50) square feet.
- g. A sketch site plan shall be submitted to the Director to ensure that the conditions contained in this section, adequate setbacks, parking and clear vision area requirements are satisfied. (Adopt. 12-1-08; Ord. 2008-18)

B. Appendix A, Definitions, is amended to add the following definitions

Farmers Market

A market conducted outdoors or in an unenclosed structure where retail sales and demonstration of community supported agricultural products, including fruits, produce, ornamental crops, eggs and other agricultural products, and homemade value added products, including baked goods, jam and jellies, pickles and relish, dried fruits, syrups and honey, are permitted. A farmers market does not include the sale and demonstration of mass-produced items, used clothing, furniture, appliances and other similar products.

Farmers Market, Mobile

An enclosed vehicle equipped with facilities for the sale of locally grown fresh produce. Mobile farmers market vendors are regulated by Article IV of the Municipal Code.

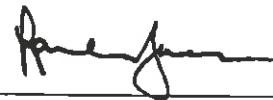
- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS
20th DAY OF June, 2016.

First Reading 6/6/14

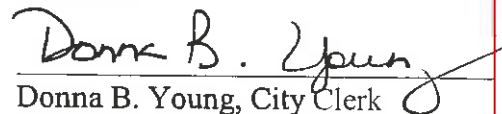
Second Reading 6/6/14

Third Reading 6/20/14



Lark W. Jones, Mayor

ATTEST:



Donna B. Young, City Clerk