

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: 6:00 PM – Public Hearing to Amend Section 13-200 and 13-312 of the Land Development Code pursuant to Florida Statutes Chapters 570.85 and 193.461 regarding Agritourism (Staff Recommends Approval).

REQUESTED ACTION: Staff Recommends Approval

Meeting Type: Regular Meeting **DATE OF MEETING:** 6/13/2023

CONTRACT: N/A Vendor/Entity: _____
 Effective Date: Termination Date: _____
 Managing Division / Dept: **Building & Code / Development Services**

BUDGET IMPACT: _____

FUNDING SOURCE: _____
Type: N/A **EXPENDITURE ACCOUNT:** _____

HISTORY/FACTS/ISSUES:

Previously, Sumter County has relied on the Property Appraiser determination as to whether activity occurring on a property could be considered Agritourism. The Attorney General of the state of Florida provided an Attorney General Opinion stating local government may not exclusively rely on the determination of the Property Appraiser regarding Agritourism activity. Sumter County desires to amend the Land Development Code, providing definitions and classifications to determine the existence of Agritourism on real property.

The review questions for Planners when reviewing Agritourism proposed by a property owner include the following:

1. Is the agriculture related activity consistent with a bona fide farm, livestock operation, ranch or in a working forest (so long as the property appraiser has concluded there is a bona fide operation)?
2. Are members of the general public allowed, for recreational, entertainment, or education purposes, to view or enjoy activities including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions.
3. Are the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public?

Pursuant to Section 570.85, Florida Statutes, does not limit the power and duties of a local government to address substantial offsite impacts of Agritourism activities or an emergency as provided in Chapter 252 of Florida Statutes.

Attached for the Board’s information:

Ordinance to amend Chapter 13-200 Definitions and Section 13-312 Development Classifications.

Prepared by: Kathleen Brugnoli **ProWritingAid Check**