



Greene County Planning Commission
County Meeting Room, 40 Celt Road, Stanardsville, VA 22973
Wednesday, August 20, 2025 – 6:00 PM

To participate in public meetings, please go to <https://shorturl.at/gc0HW> and follow the instructions under "connect to live video meeting."

1. Call to Order

2. Determine a Quorum

3. Pledge of Allegiance

4. Public Hearing

- a. Terra Detamore requests a special use permit for a Home Business (Vehicle Repair Garage), as required through Articles 5-1-2.6 and 22 of the Greene County Zoning Ordinance. The parcel is identified as TMP# 27-(A)-70A, located at 1183 Ford Avenue, is zoned R-1 (Residential), approximately 2.6 acres. The Greene County Future Land Use Map designates it as a “Rural Area” (SUP25-003)
- b. SUP25-003 Staff Report
- c. Maps
- d. Agency Comments
- e. Plat & Location of Garage
- f. Citizen Comments
- g. Application & Justification Letter
- h. Applicant Comments
- i. Photos
- j. Additional Photos
- k. Presentation

5. Work Session

- a. Agricultural Events, Farm Wineries, and Farm Breweries, Limited Distilleries

- b. OR24-004 Staff Report
- c. Article 16 Ag Brew Wine Original
- d. Article 16 Ag Brew Wine Redline 7/22/2025
- e. Article 16 Ag Brew Wine Clean 7/22/2025
- f. Article 22 Definitions Redline
- g. Article 22 Definitions Clean
- h. Current Uses
- i. Citizen comments
- j. FAR Research Agriculture
- k. Board of Supervisors Resolution

6. Old/New Business

7. Approval of Minutes

- a. July 16, 2025 Minutes

8. Other Planning Matters

- a. Ruckersville Advisory Committee
- b. Town of Stanardsville Information
- c. Update on Development Activity
 - Activity Development Report
- d. Next Month's Agenda

9. Adjournment



PLANNING COMMISSION

BOARD OF ZONING APPEALS

GREENE COUNTY PLANNING DEPARTMENT

Post Office Box 358

Stanardsville, Virginia 22973

www.greenecountyva.gov

planning@gcva.us

Tel: 434-985-5282
Fax: 434-985-1459

M E M O R A N D U M

TO: Members of the Planning Commission

FROM: Jim Frydl, Planning Director
Stephanie Golon, Deputy Planning Director

SUBJECT: Special use request for home business for a Vehicle Repair Garage
(SUP#25-001)

DATE: August 20, 2025

STATUS

Terra Detamore requests a special use permit for a Home Business (Vehicle Repair Garage), as required through Articles 5-1-2.6 and 22 of the Greene County Zoning Ordinance. The parcel, identified as TMP# 27-(A)-70A, located at 1183 Ford Avenue, is zoned R-1 (Residential), approximately 2.6 acres. The Greene County Future Land Use Map designates it as a "Rural Area" (SUP25-003)

ANALYSIS AND EFFECT

Under Article 22 of the Greene County Zoning Ordinance, a home business is defined as:

HOME BUSINESS: Any occupation, including without limiting the total generality of the foregoing any profession, business, trade, craft, industry, or service conducted in or from a dwelling or accessory structure for profit or compensation, provided that:

- (a) Not more than five (5) persons not residing on the premises shall be regularly employed or engaged in such occupation;
- (b) There is no display or any other exterior indication of the home business;
- (c) There is no exterior variation from the residential character of the main building or accessory structure;

- (d) Accessory structures shall be similar in facade to a single-family dwelling, private garage, shed, barn or other structure normally expected in a residential area and shall be specifically compatible in design and scale with other development in the area in which located. Any accessory structure which does not conform to the setback and yard and height regulation shall not be used for any home occupation;
- (e) There is no advertising other than a non-illuminated identification sign of not more than two square feet in area;
- (f) No exterior lighting is used except that which is normally permitted and used in connection with a dwelling;
- (g) No mechanical equipment is used other than that which is normally used for residential household purposes or for office purposes; except that, a resident may use certain equipment peculiar and customary to the practice of such occupation so long as there is no exterior indication by noise, glare, odor or vibration of the operation of such equipment;
- (h) That traffic generated by such an occupation shall not create a safety hazard or cause congestion, and any need for parking generated by the conduct of such home business shall be met off the street;
- (i) In the case of electrical interference, no equipment or process shall be used which causes visible or audible interference in any radio or television receiver, computer or other electric or electronic appliance off the premises or causes fluctuation in line voltage off premises;
- (j) Further, nothing in this definition ordinance shall restrict the number of persons engaged, cooperatively or as partners or employees, in any area of Greene County where Agriculture is permitted hereunder, in any basic rural occasional work including, without limitation be enumeration, hay-making or other harvesting of any kind whatever, woodcutting, cooperative or domestic butchering, canning, freezing, curing, preserving, storing, or engaged in the maintenance of wayside stands, where permitted hereunder, primarily for the sale of local produce or products, nor restrict the incidental dust, fumes, or smoke of cultivating, warming, scalding, rendering, cooking or any other basic agricultural process whatever.

AUTHORITY UNDER VIRGINIA CODE AND ZONING ORDINANCE

Under Virginia Code §15.2-2286 (A) (3), a governing body is authorized to grant a special use with suitable conditions. As stated in the (2006, November 29) *Zoning Law for the Virginia Zoning Official, pp. 12-1*. Greg Kamptner: Author, the following principles shall be followed and known for the decisions about a special use permit.

- Special Use Permits are legislative in nature.
- Uses allowed by special use permits are considered to have a potentially greater impact than those allowed as a matter of right.
- Must be evaluated under reasonable standards and based on zoning principles.
- Impacts from special uses are addressed through conditions and conditions must be reasonable related to impacts to be addressed. The extent of the conditions must be roughly proportional to the impacts.
- Those decisions that grant or deny special use permits are presumed correct and reviewed under the fairly debatable standard.

As stated in the Greene County Zoning Ordinance (Article 16-2) the decision to grant, to grant conditionally or to deny, the following guidelines and standards shall be considered:

- a. The use shall not tend to change the character and established pattern of development of the area or community in which it wishes to locate.
- b. The use shall be in harmony with the uses permitted by right under a Zoning Permit in the zoning district and shall not affect adversely the use of neighboring property.
- c. The requested or related conditions shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
- d. Due consideration shall be given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, school, parks, playgrounds, recreational areas; conservation of natural resources, preservation of flood-plains, and encouraging the most appropriate use of the land. (Revised 1/11/05)

COMPREHENSIVE PLAN

The parcel is located in the “rural” designation on the future land use map.

The Comprehensive Plan adopted by the Greene County Board of Supervisors provides goals for economic development. They are:

- Enhance the image of Greene County as a business-friendly location
- Promote and encourage opportunities for business-friendly policies
- Create and support entrepreneurial development Initiatives

AGENCY COMMENTS

The agencies did not identify specific impacts that would warrant conditions. However, the VDH did remind the applicant about the drain field and bathroom requirements for customer and employees, if needed.

RECOMMENDATION

Staff recommend approval with the following conditions:

- a. The home businesses shall be located in the existing, approximately 1,500 Sq. ft., one-story garage.
- b. No more than five vehicles (for repair only) may be stored outside the business structure, and all parking must be on an all-weather surface.
- c. Hours of operation shall be limited to 7:00 am-5:00 pm.

PROPOSED MOTIONS

1. In accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, I move to recommend approval of SUP#25-003, for a home business as listed in Article 5-1-2.6 of the Greene County Zoning Ordinance.
2. In accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, I move to recommend approval of SUP#25-003, for a home business as listed in Article 5-1-2.6 of the Greene County Zoning Ordinance with the following conditions:
 - a) The home businesses shall be located in the existing, approximately 1,500 Sq. ft., one-story garage.
 - b) No more than five vehicles (for repair only) may be stored outside the business structure, and all parking must be on an all-weather surface.
 - c) Hours of operation shall be limited to 7:00 am-5:00 pm.
- 3) In accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, I move to recommend denial of SUP#25-003, for a home business as listed in Article 5-1-2.6 of the Greene County Zoning Ordinance.

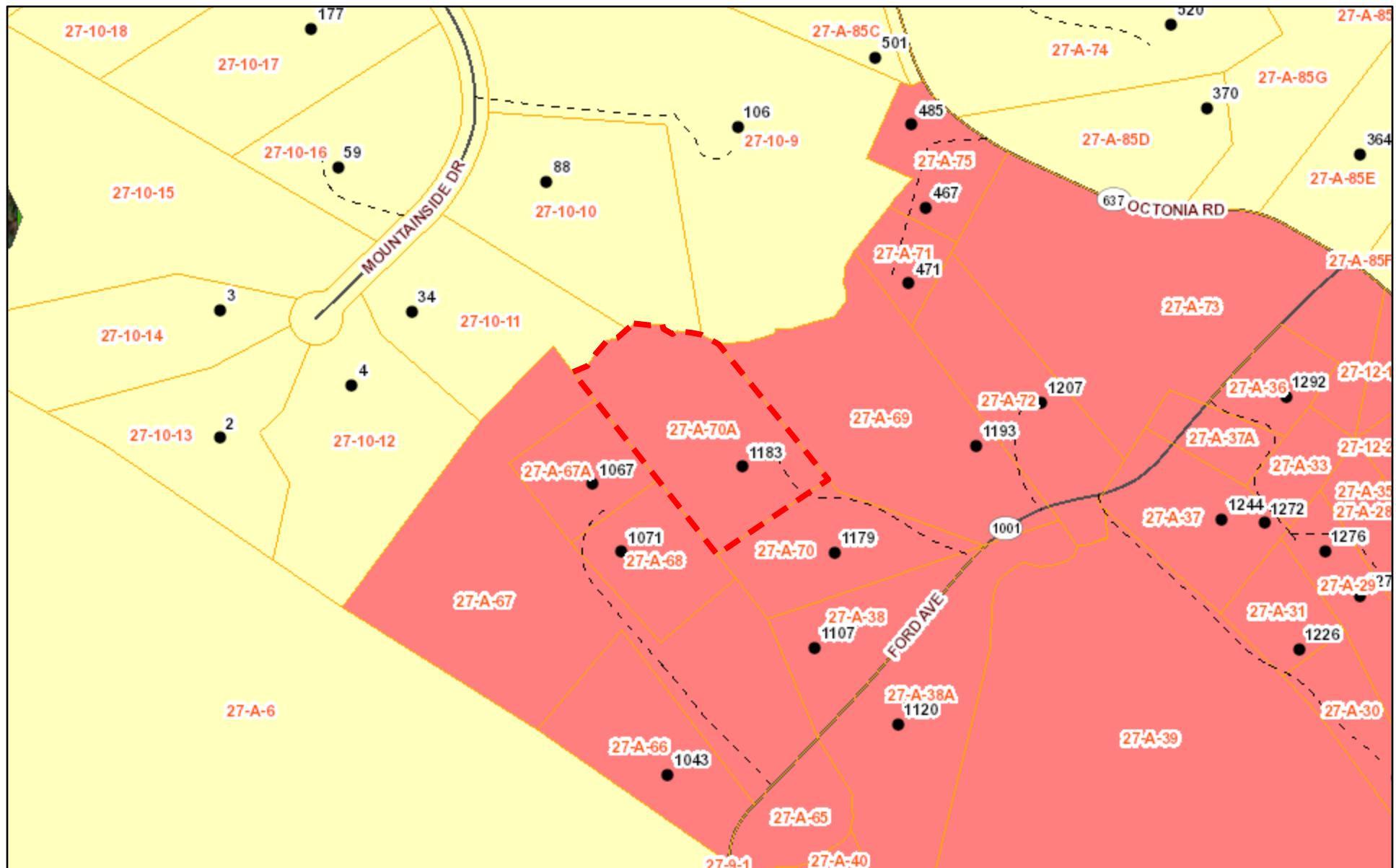
(List any reason for denial).

- 4) I move to defer action on this application until _____.
Date
(List any reason to defer).



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2024 100 ft

Greene County, VA WebGIS Parcels - Name: 27 A 70A



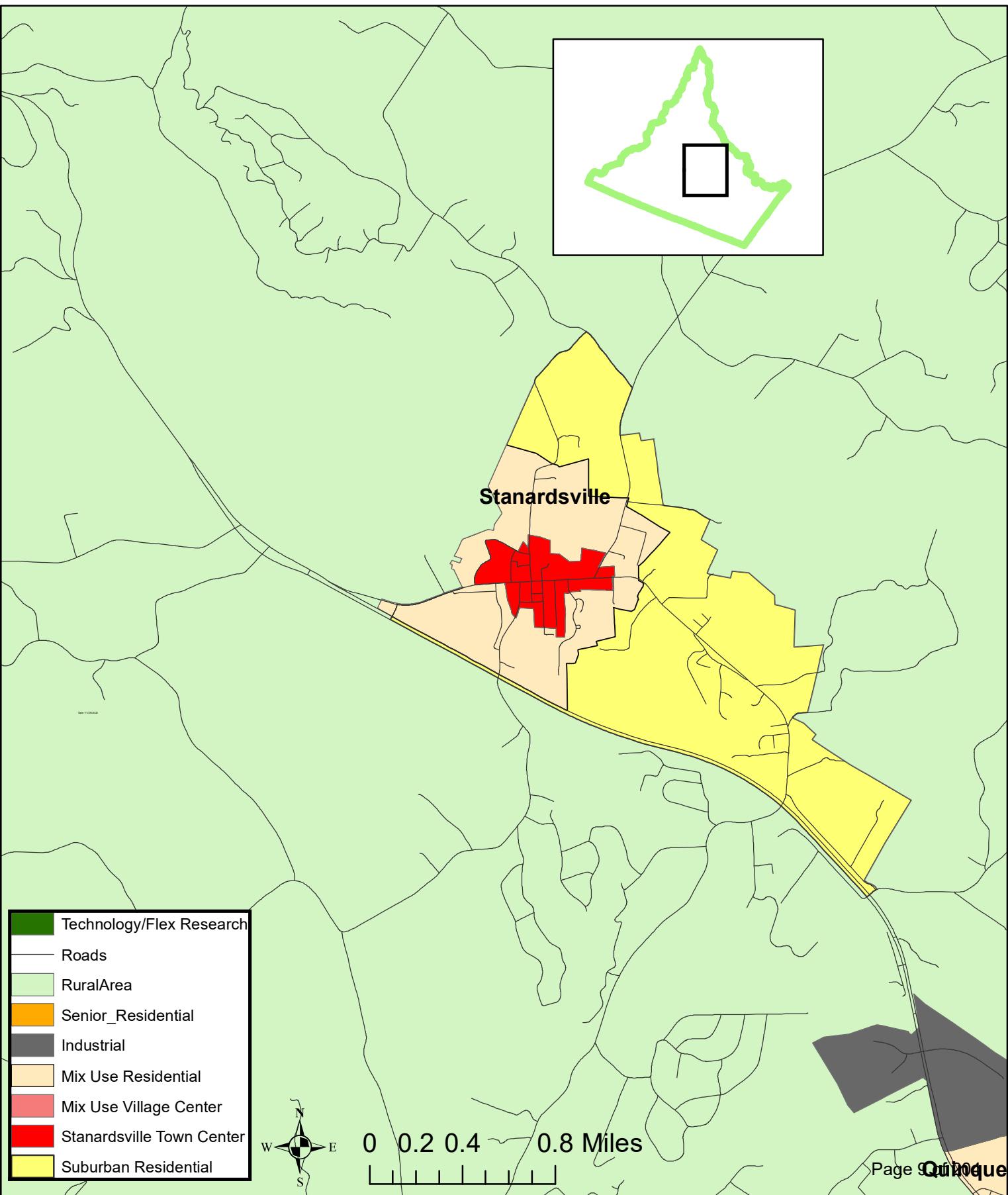
March 3, 2025

1:4,013



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Future Land Use-Growth Area: Stanardsville



Jim Frydl

From: Shawn Leake
Sent: Friday, November 1, 2024 2:15 PM
To: Jim Frydl
Subject: RE: Pre Application Request - Detamore Auto Repair

Mr. Frydl

If the vehicle repair garage is in an existing building and no land disturbance over 10,000 s.f. will occur a E&S/Stormwater site plan will not be required. If the vehicle repair garage is in a new building with land disturbance over 10,000 s.f. a E&S/Stormwater site plan will be required.

Thanks

Shawn Leake
Erosion Sediment/Stormwater
Administrator
County of Greene
40 Celt Road, P.O. Box 358
Stanardsville, VA 22973
Phone: (434) 985-5282
Fax: (434) 985-1459

From: Jim Frydl <jfrydl@gcva.us>
Sent: Friday, November 1, 2024 2:10 PM
To: John1.Winn@VDOT.Virginia.gov; Shifflett, Dylan (VDOT) <dylan.shifflett@vdot.virginia.gov>; Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>; Melissa Meador <mmeador@gcva.us>; jwhite@gcvasheriff.us; Mazurowski, Alan (VDH) <alan.mazurowski@vdh.virginia.gov>; Jonathan Crosby <jcrosby@gcva.us>; Shawn Leake <sleake@gcva.us>; Earl Keys <ekeys@gcva.us>; Cristy Snead <csnead@gcva.us>; Donna Dunivan <ddunivan@gcva.us>
Subject: RE: Pre Application Request - Detamore Auto Repair

To clarify my earlier email. I attached the GIS Zoning layer and then google maps. The zoning layer does not show the new building that would be used for the auto repair shop. Google has a newer image and I have indicated the structure (proposed garage) that will become the shop.

Sincerely,

Jim

From: Jim Frydl
Sent: Friday, November 1, 2024 1:45 PM
To: John1.Winn@VDOT.Virginia.gov; Shifflett, Dylan (VDOT) <dylan.shifflett@vdot.virginia.gov>; Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>; Melissa Meador <mmeador@gcva.us>; jwhite@gcvasheriff.us; Mazurowski, Alan (VDH) <alan.mazurowski@vdh.virginia.gov>; Jonathan Crosby <jcrosby@gcva.us>; Shawn Leake <sleake@gcva.us>; Jim Frydl <jfrydl@gcva.us>; Earl Keys <ekeys@gcva.us>; Cristy Snead <csnead@gcva.us>; Donna Dunivan <ddunivan@gcva.us>
Subject: Pre Application Request - Detamore Auto Repair

Good afternoon,

Jim Frydl

From: Mazurowski, Alan (VDH) <Alan.Mazurowski@vdh.virginia.gov>
Sent: Friday, November 1, 2024 4:39 PM
To: Jim Frydl
Subject: Re: Pre Application Request - Detamore Auto Repair

The sender (**vdh.virginia.gov**) is outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jim,

The location of the proposed shop does not interfere with existing well, septic system, or reserve drainfield area. If the shop is to have plumbing, the owners will need to have an engineer design appropriate sewage disposal. If no plumbing, a porta-john would be sufficient.

Alan



Alan Mazurowski
Environmental Health Supervisor
Onsite Septic & Private Well Programs
[Blue Ridge Health District | Virginia Department of Health](#)
Charlottesville/Albemarle Office: 434-972-4306
Greene County Office: 434-985-2262

From: Jim Frydl <jfrydl@gcva.us>
Sent: Friday, November 1, 2024 1:44 PM
To: Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>; Shifflett, Dylan (VDOT) <dylan.shifflett@vdot.virginia.gov>; Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>; Melissa Meador <mmeador@gcva.us>; jwhite@gcvasheriff.us <jwhite@gcvasheriff.us>; Mazurowski, Alan (VDH) <alan.mazurowski@vdh.virginia.gov>; Jonathan Crosby <jcrosby@gcva.us>; Shawn Leake <sleake@gcva.us>; Jim Frydl <jfrydl@gcva.us>; Earl Keys <ekeys@gcva.us>; Cristy Snead <csnead@gcva.us>; Donna Dunivan <ddunivan@gcva.us>
Subject: Pre Application Request - Detamore Auto Repair

Good afternoon,

We have a pre-application request for a Home Business for a small Vehicle Repair shop in the accessory structure (Article 5-1-2.6) at TMP 27-A-70A, 1183 Ford Ave. This use will require a special use permit and may be conditioned to address specific impacts.

<http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|22859>

Jim Frydl

From: Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>
Sent: Thursday, November 14, 2024 3:33 PM
To: Jim Frydl
Subject: Re: Pre Application Request - Detamore Auto Repair

The sender (vdot.virginia.gov) is outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jim,
The entrance seems to meet our requirements for low-volume commercial entrance, and should be ok . Do you need a letter or is this email enough?



Danny Martinez, P.E.
Assistant Resident Engineer / Charlottesville
Virginia Department of Transportation
434-422-9782
danny.martinez@VDOT.Virginia.gov

From: Jim Frydl <jfrydl@gcva.us>
Sent: Friday, November 1, 2024 2:10 PM
To: Winn, Jr., John W. L.S. (VDOT) <John1.Winn@VDOT.Virginia.gov>; Shifflett, Dylan (VDOT) <dylan.shifflett@vdot.virginia.gov>; Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>; Melissa Meador <mmeador@gcva.us>; jwhite@gcvasheriff.us <jwhite@gcvasheriff.us>; Mazurowski, Alan (VDH) <alan.mazurowski@vdh.virginia.gov>; Jonathan Crosby <jcrosby@gcva.us>; Shawn Leake <sleake@gcva.us>; Earl Keys <ekeys@gcva.us>; Cristy Snead <csnead@gcva.us>; Donna Dunivan <ddunivan@gcva.us>
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Sincerely,

Jim

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To: John1.Winn@VDOT.Virginia.gov; Shifflett, Dylan (VDOT) <dylan.shifflett@vdot.virginia.gov>; Martinez, Danny (VDOT) <Danny.Martinez@vdot.virginia.gov>; Melissa Meador <mmeador@gcva.us>; jwhite@gcvasheriff.us; Mazurowski, Alan (VDH) <alan.mazurowski@vdh.virginia.gov>; Jonathan Crosby <jcrosby@gcva.us>; Shawn Leake <sleake@gcva.us>; Jim Frydl <jfrydl@gcva.us>; Earl Keys <ekeys@gcva.us>; Cristy Snead <csnead@gcva.us>; Donna Dunivan <ddunivan@gcva.us>
Subject: Pre Application Request - Detamore Auto Repair

Good afternoon,



FAMILY DIVISION
PARCEL 2A

RECORD
MERIDIAN
PLAT CARD 4933

TMP 27 - 10 11
ALLAN G. & SHELLEY H.
ANDERSON
DEED BOOK/PAGE: 770/312
PLAT CARD 3303, 3021

TMP 27 - (A) 67
MATTIE BELLE EARLY ESTATE
DEED BOOK/PAGE: 69/134
WILL BOOK/PAGE: 27/147

TMP 27 - (A) 67A
JEFFREY L EARLEY
DEED BOOK/PAGE: 292/282

A TO B COURSES ALONG CREEK

LINE TABLE

#	BEARING	DISTANCE
A L1	N 82° 34' 21" E	29.88'
L2	N 49° 53' 40" E	27.93'
L3	N 55° 48' 50" E	31.99'
L4	N 89° 08' 52" E	20.75'
L5	N 63° 53' 21" E	41.66'
L6	S 68° 37' 30" E	31.05'
L7	S 78° 23' 30" E	23.50'
L8	S 02° 21' 37" W	8.61'
L9	S 45° 08' 10" E	19.59'
L10	N 70° 03' 10" E	9.83'
L11	S 68° 51' 01" E	28.64'

TMP 27 - (A) 68
EDITH E. THOMPSON
DEED BOOK/PAGE: 86/36

TMP 27 - (A) 67
MATTIE BELLE EARLY ESTATE

TMP 27 - (A) 38
MICHAEL COLE
DEED BOOK/PAGE: 438/347

TAX MAP PARCEL 27 - (A) 69
OWNER: TERRA L. DETAMORE
DEED BOOK/PAGE: 1459/351
PLAT: PLAT CARD 4933
1193 FORD AVENUE

TMP 27 - 10 9
RIVERS EDGE ASSOC INC LLC
DEED BOOK/PAGE: 1118/147
PLAT CARD 3021

edge

199.92'
23°13'37"

— / N 23.

(A) 68
OMPSON
GE: 86/3

200

三

10

108.55'

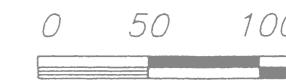
Diagram illustrating the relationship between TOTAL, IRS, EXISTING, and ENT:

- TOTAL is connected to IRS.
- IRS is connected to EXISTING.
- EXISTING is connected to ENT.

114

—

LEGEND



PLAT CARD # 5254

PARCEL 2A
617 ACRES

(10) 11
SHELLEY H.
'SON
GE: 770/312
3303, 3021

328'54" W
76' TOTAL

(A) 67A
Y L EARLEY
/PAGE: 292/282

TMP 27 - (A) 68
EDITH E. THOMPSON
DEED BOOK/PAGE: 86/36

DEFORTH-HOOK (10) 10
DEED BOOK/PAGE: 1302/90
PLAT CARD 3021

LEGEND

- IRF IRON ROD FOUND
- IRS IRON ROD SET
- OHPL— OVERHEAD WIRES
- BSL— BUILDING SETBACK

TMP 27 - (10) 9
RIVERS EDGE ASSOC INC LLC
DEED BOOK/PAGE: 1118/147
PLAT CARD 3021

TAX MAP PARCEL 27 - (A) 69
OWNER: TERRA L. DETAMORE
DEED BOOK/PAGE: 1459/351
PLAT: PLAT CARD 4933
1193 FORD AVENUE

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH RULES AND REGULATIONS OF THE COMMONWEALTH OF VIRGINIA, BOARD OF LAND SURVEYORS, EFFECTIVE JULY 1, 2010. I PERFORMED A FIELD RUN SURVEY OF THE PROPERTY SHOWN HEREON ON OCTOBER 19, 2017, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE TITLE LINES ARE AS SHOWN. A CURRENT TITLE REPORT WAS NOT FURNISHED. THIS PROPERTY APPEARS TO LIE IN ZONE "X" AND DOES NOT LIE IN ZONE "A" AS SHOWN ON F.E.M.A. FLOOD RATE INSURANCE MAPS. OTHER THAN AS SHOWN, EASEMENTS, RESTRICTIONS AND MATTERS PERTAINING TO ZONING MAY EXIST BUT EITHER WERE NOT VISIBLE OR OTHERWISE WERE NOT A REQUIREMENT OF THIS SURVEY. THIS SURVEY HAS BEEN PREPARED FOR AND IS CERTIFIED TO TERRA DETAMORE. DECLARATION IS MADE ONLY TO PURCHASER OF THE SURVEY AND HIS OR HER LENDERS. THIS DOCUMENT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

THE NEW 25' WIDE ACCESS CONNECTS TO AN EXISTING 50' WIDE ACCESS EASEMENT WHICH CONNECTS TO STATE ROUTE 1001, FORD AVENUE.

STATE ROUTE 1001
FORD AVENUE
PAVED SURFACE
TO STATE ROUTE 637
HIGH CUMBERLAND
SIGNED BY: [Signature]

Dollie a
COMMONWEALTH OF VIRGINIA
1008

PLAT CARD # 5254



RECORD
MERIDIAN
PLAT CARD 4933

FAMILY DIVISION
PARCEL 2A
2.617 ACRES

TMP 27 - (10) 11
ALLAN G. & SHELLEY H.
ANDERSON
DEED BOOK/PAGE: 770/312
PLAT CARD 3303, 3021

TMP 27 - (A) 67
MATTIE BELLE EARLY ESTATE
DEED BOOK/PAGE: 69/134
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JEFFREY L EARLEY
DEED BOOK/PAGE: 292/282

A TO B COURSES ALONG CREEK

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L8	S 02° 21' 37" W	8.61'
L9	S 45° 08' 10" E	19.59'
L10	N 70° 03' 10" E	9.83'
L11	S 68° 51' 01" E	28.64'
L12	N 30° 07' 57" E	17.13'
L13	S 63° 18' 06" E	19.40'
L14	S 46° 00' 30" E	36.68'
L15	N 53° 52' 37" E	273.93' - NEW LINE

LEGEND

- IRF IRON ROD FOUND
- IRS UTILITY POLE
- OHPL IRON ROD SET
- BSL OVERHEAD WIRES
- BSL BUILDING SETBACK

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH RULES AND REGULATIONS OF THE COMMONWEALTH OF VIRGINIA, BOARD OF LAND SURVEYORS, EFFECTIVE JULY 1, 2010. I PERFORMED A FIELD RUN SURVEY OF THE PROPERTY SHOWN HEREON ON OCTOBER 19, 2017, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE TITLE LINES ARE AS SHOWN. A CURRENT TITLE REPORT WAS NOT FURNISHED. THIS PROPERTY APPEARS TO LIE IN ZONE "X" AND DOES NOT LIE IN ZONE "A" AS SHOWN ON F.E.M.A. FLOOD RATE INSURANCE MAPS. OTHER THAN AS SHOWN, EASEMENTS, RESTRICTIONS AND MATTERS PERTAINING TO ZONING MAY EXIST BUT EITHER WERE NOT VISIBLE OR OTHERWISE WERE NOT A REQUIREMENT OF THIS SURVEY. THIS SURVEY HAS BEEN PREPARED FOR AND IS CERTIFIED TO TERRA DETAMORE. DECLARATION IS MADE ONLY TO PURCHASER OF THE SURVEY AND HIS OR HER LENDERS. THIS DOCUMENT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

THE NEW 25' WIDE ACCESS CONNECTS TO AN EXISTING 50' WIDE ACCESS EASEMENT WHICH CONNECTS TO STATE ROUTE 1001, FORD AVENUE.

STATE ROUTE 1001 0021
RECORDED IN THE OFFICE OF
THE CIRCUIT COURT ON
FEBRUARY 13, 2018 AT 12:29 PM
TO STATE ROUTE 637
BRENDA M. COMPTON, CLERK
RECORDED BY: SNC

Julian



RESIDUAL AREA LOT 2

1.496 ACRES

0 50 100 200
SCALE IN FEET

13 August 2025

Dear Planning Commission,

I'm writing in strong opposition to the application for a Special Use Permit at 1183 Ford Ave to open a Vehicle Repair Garage & Vehicle Sales Lot. My property at 34 Mountainside Dr. shares a rear-property line with 1183 Ford Ave. This application is a clear violation of Greene County Zoning (explained later).

On April 8th 2025, the Greene County Board of Supervisors denied this same application with a vote of 5-0. There are no substantive changes to this new application.

Dettamore's Behavior Since Being Denied in April:

At the 8 April BoS meeting, upon having their application denied, Mr. Eddie Dettamore (applicant's husband) verbally threatened me and my wife in the Amin building's Lobby. In the presence of numerous witnesses, Mr. Dettamore told us *"You think what I was planning was noisy, just you wait and see"*. Over the next two weeks, Mr. Dettamore:

- Spent two days building a giant reflective tarp facing my home. Photo shown here: This photo begs the question: If the Dettamores claim their property can't be seen from my home, why spend the time and expense building such a contraption?
- He ripped out all the trees he planted along the backside of his property.
- Daily, he did one or more of the following: Drove a highly modified/extremely loud ATV back and forth on the extreme edge of his property line; honked car horns for 3-5 minutes at a time; repeatedly shot various caliber guns (despite having homes in every direction); played loud music; ran loud mechanical equipment. All of this behavior was brought up & discussed in-depth on the Little Mountain Estates Community chat forum.
- Observed by several neighbors, he also repeatedly drove through our neighborhood & past my home (we're on a cul-de-sac). Sometimes late at night with his headlights off. And was observed doing a burn-out / squealing his truck tires in front of my home late at night.



I have ample photographic/video evidence of this behavior, which I'm happy to provide. But overall, it clearly demonstrates how mentally unstable, immature, and menacing Mr.

Dettamore is—despite how he publicly presents himself. It also begs the question: can they be trusted to run a quiet, clean business? And be mindful that we do not know the Dettamores; haven't had any encounters with them before their previous SUP application; and have not taunted/retaliated against them in any capacity. We did report Mr. Dettamore's behaviors to the Sheriff's Office, who documented items and advised a case with the Magistrate. But then suddenly, all behaviors stopped, Mr. Dettamore took down the tarp, and they became largely quiet. Evidently this is because they decided to re-apply for a Special Use Permit...

Noise Pollution from Proposed Garage:

Noise pollution is my dominant reason for objecting this application. We purposefully bought our country home in an Agriculturally Zoned HOA that borders R1 zoning to ensure quiet peaceful living and a quiet space to work from home. And paid top dollar for it. Our home and our entire neighborhood is directly uphill from 1183 Ford Ave, causing all sounds to be projected. It's shaped like an auditorium on the side of Little Ledge Mountain. We can clearly hear cows mooing from Octonia Rd. We can clearly hear voices of neighbors talking outdoors including from 1183 Ford Ave. On numerous previous occasions, Mr. Dettamore was casually revving a truck engine he was working on—the sound was loudly audible in every room of my house with my doors and windows shut. A full Repair Shop & Vehicle Resale lot would create a constant barrage of car doors shutting, engines revving, banging, pneumatic tools operating, and a commercial air compressor kicking on and off. All of this commercial-grade noise pollution directly inhibits the use of my home and diminishes re-sale value. This is a clear violation of the Greene County Zoning Ordinance explained below.

Proposed Garage in Clear Sight from my Home:

The Applicants cleverly built their business as to not be visible from Ford Ave, or even from their home. They clearcut their property and built everything on the rear edge of the lot. Problem is that area directly borders my home and is downhill. All of my rear-facing windows, our rear screen room, and our rear deck all have a direct birds-eye view of this proposed business. We have clear view of the business, along with glare from large vehicles and vehicle windshields. Applicant repeatedly highlights that you can't see their proposed business from my home while the leaves are on trees. But they're by default also admitting that their proposed business is in view from my home for the remaining six-months of the year. Likewise, they fail to mention that every privacy-granting tree is on MY property. Their lot is clearcut. Thereby denying me the ability to expand my mowed yard without worsening the direct view of their property. This is a clear violation of the Greene County Zoning Ordinance explained below.

Applicant's Claims:

This SUP application is unchanged from the previous submission denied by the BoS on 8 Apr 2025 by 5-0 vote, with the following exceptions:

- Applicant compares their property to the former Early's Garage on Octonia Rd. Early's Garage is in entirely different zoning (Suburban Residential) and was operational before Greene County had zoning laws. Early's Garage operated just one service bay vs. the proposed 5-bay Garage AND Vehicle Re-sale Lot at 1183 Ford Ave. Further, all the bordering properties to Early's Garage are owned by the Early family. And Early's Garage is nowhere near my neighborhood, while the Dettamore's property share's backyards with my home and two of my neighbors in Little Mountain Estates. Collectively 1183 Ford Ave shares direct property lines with EIGHT different owners. Thus, any discussion of Early's Garage is unrelated to this case and is a simple distraction.
- Applicant claims Sherrif Steve Smith & BoS member Steve Catalano have since visited their property and reportedly said they don't find the (non-operating) business to be noisy. Eddie Dettamore repeatedly stated during the previous recorded application hearings that he and Sherrif Smith are "very good friends". Therefore, any statement referencing Sherrif Smith must be disregarded as a Conflict of Interest. BoS member Catalano has never been on my property to see my perspective, and its unknown what he actually told Ms. Dettamore.
- Applicant claims one of the numerous Little Mountain Estate's homeowners who signed the previous petition against this garage was somehow coerced into signing it. Two ladies in our community collected these signatures together, and both bear witness to and adamantly object to this claim. But Ms. Dettamore didn't name the person, so it can't be investigated further. This is also omitting the fact that over 20 homeowners either signed a petition or showed up in person to witness/speak against this application at the previous two hearings. The opposition to this permit is resoundingly strong.
- Applicant claimed their new business will have no effect on home values. This might be true when speaking of their home value, but not of mine. My home is currently a quiet, private residence in Agricultural Zoning bordered/protected by R1 Zoning. If this SUP is approved, my home will directly border a large commercial garage & car sale lot that is in clear visual sight six months of the year and continually generates obtrusive noise pollution. My property will be dramatically changed for the worse, and therefore my home's value will be reduced. So will the other SEVEN properties who border 1183 Ford Ave, and the nearly two-dozen nearby homes within sound pollution distance.

False Information Presented by Zoning Office During Previous Hearings:

During the March 19th 2025 & April 8th 2025 hearings on the previous application for this SUP, the Greene County Zoning Office presented FALSE information regarding this case. In both hearings, the office presented a slide showing this property is designated as Mixed-Use Residential in future land use maps. This is not true & Mr. Frydl was called out at the BoS meeting for presenting false information. Despite this occurrence, the same incorrect slide was uploaded as part of the presentation for this application. I sent a note to the County Office on Sunday Aug 10th pointing out the error and it was promptly corrected. Regardless, this

misinformation prevented the Board Members from making an accurate/informed decision. Luckily the BoS still denied this application with a vote of 5-0.

SUP Conflicts with Zoning Laws:

Overall, I'm disgusted that this application is being considered again. It's a lose-lose situation for my family. Either they open a loud garage and visually obtrusive re-sale lot that infringes on my property use and value, or they continue with another round of harassing behaviors until I'm forced to press harassment charges.

Regardless, this SUP Application is in CLEAR violation of the Greene County Zoning Ordinance:

The proposed 5-Bay Repair Garage and Vehicle Resale Lot is not a simple home-business such as a Day Care, Art Studio, Realtor's Office, bookkeeper, Law Office, etc. This is a large-scale Commercial enterprise that belongs on Commercially zoned property.

The Greene County Zoning Ordinance specifically defines Home Businesses (Article 22). For a SUP to be granted in R1 Zoning a Home Business must meet the following criteria:

- (b) There is no display or any other exterior indication of the home business.
- (c) There is no exterior variation from the residential character of the main building or accessory structure.
- (d) Accessory structures shall be similar in facade to a single-family dwelling, private garage, shed, barn or other structure normally expected in a residential area and shall be specifically compatible in design and scale with other development in the area in which located.
- (g) No mechanical equipment is used other than that which is normally used for residential household purposes or for office purposes; except that a resident may use certain equipment peculiar and customary of such occupation so long as there is no exterior indication by noise, glare, odor, or vibration of the operation of such equipment.

Greene County Zoning Ordinance (Article 16-2) further states:

- (a) The use must not tend to change the character and established pattern of development of the area or community in which it wishes to locate.
- (b) The use must be in harmony with the uses permitted by right under a Zoning Permit in the zoning district and must not affect adversely the use of neighboring property.
- (c) The requested or related conditions must be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

This application violates every Ordinance section listed above. Instead of purchasing Commercial property like other local mechanics (Sneads, Lawsons, etc.), the Dettamore's brazenly/presumptively built a massive commercial-scale business in their backyard and are now seeking a beg-for-forgiveness / after-the-fact Special Use Permit in R1 zoning. This is not a practice that should be rewarded.

Based on noise and visual/glare pollution & the clear exterior indication of the business, if approved—this is a clear violation of the Greene County Zoning Ordinance referenced above in every capacity. My home value and quiet place of residence will be ruined—along with nearly two-dozen neighboring properties, including the SEVEN other owners who share property lines with 1183 Ford Ave. If approved, this Board sets an extremely dangerous precedence, and no homeowner in Greene County will be safe from future unexpected commercial business developments ANYWHERE in the County regardless of Zoning restrictions. According to the Greene County Zoning Ordinance, this board must deny this SUP application.

Most Sincerely,
David L Brunelle
34 Mountainside Dr.
Stanardsville, VA

15 March 2025

To: Greene County Planning Commission

From: David & Kimberly Berglund, 401 Mountainside Drive, Stanardsville, VA 22973

Subject: Urgent Opposition to the Special Use Permit Application at 1183 Ford Ave, Stanardsville, VA

Dear Members of the Greene County Planning Commission and Board of Supervisors,

We are writing to you as long-time residents of Little Mountain Estates and as a disabled veteran couple who chose this community as our forever home and place of retirement. We are deeply concerned about the special use permit (SUP) application for a "Vehicle Repair Garage and Used Vehicle Resale Lot" at 1183 Ford Ave, a property zoned as R-1 (Residential).

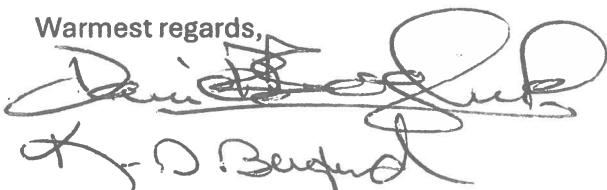
Our objections to this application are based on the following serious concerns:

- Inappropriate Zoning and Traffic Concerns:** The operation proposed is generally suitable under B-3 (Business) zoning due to the significant traffic it attracts. Our residential neighborhood is ill-equipped to handle such an increase in traffic, which would severely impact the safety and peaceful nature of our community.
- Noise and Environmental Concerns:** As a couple dealing with disabilities, peace and quiet are not just desired but necessary for our well-being. The noise from vehicle repair activities and the potential for environmental contamination would be detrimental to our health and to the natural beauty surrounding us.
- Devaluation of Property:** The establishment of a commercial vehicle repair and resale business within our residential area threatens to reduce property values significantly. It's crucial for our financial stability to protect the investment we've made in our retirement home.
- Safety and Crime:** Ford Ave has a notorious history of criminal activities, including drugs and violent incidents. Introducing a business that could potentially attract similar problems would only heighten the risks, disrupting the safety and security that we, and our neighbors, currently enjoy.
- Impact on Community Character:** We chose Little Mountain Estates for its tranquility, natural beauty, and the wildlife it supports. The proposed business stands in stark contrast to these qualities and threatens to disrupt the lifestyle that drew us to this area.

For these reasons, we strongly urge you to deny the special use permit for 1183 Ford Ave. We moved here to enjoy a peaceful, secure retirement and believe that permitting such a business would fundamentally alter the character and safety of our beloved community.

Thank you for your consideration. We trust that you will make a decision that respects the desires and needs of the residents of Little Mountain Estates.

Warmest regards,



David and Kimberly Berglund
401 Mountainside Drive
Stanardsville, VA 22973

15 March 2025

To: Greene County Planning Commission

From: The Residents of Little Mountainside Estates, Stanardsville, VA 22973

Subject: Petition Against Special Use Permit at 1183 Ford Ave, Stanardsville, VA

Dear Members of the Greene County Planning Commission and Board of Supervisors,

We, the undersigned residents of Little Mountain Estates, a community established in 2005 consisting of 26 homes in a double-ended cul-de-sac, write to express our strong opposition to the special use permit application for a "Vehicle Repair Garage and Used Vehicle Resale Lot" at 1183 Ford Ave. Our neighborhood is home to a high percentage of retired individuals, disabled veterans, government employees, and first responders. We value the peace, tranquility, and natural beauty that living on the side of Little Mountain provides, along with the abundant wildlife such as bears, deer, raccoons, foxes, and other creatures.

We are concerned that the proposed business will:

- Disturb the Natural Habitat:** The operation could disrupt local wildlife habitats, affecting the animals and natural beauty we strive to preserve.
- Increase Noise Pollution:** The continual noise from the garage would disrupt the peaceful environment essential to our community, particularly impacting our retired and disabled residents.
- Boost Traffic Levels:** Increased traffic would compromise safety and disturb the quiet nature of our secluded streets.
- Affect Community Events:** Our community gatherings and events, a core part of our neighborhood's social fabric, would likely suffer from the proximity of such a business.
- Decrease Property Values:** Introducing commercial activities in our residential area could potentially lower property values, affecting our investments.

We urge you to deny the special use permit for 1183 Ford Ave, to protect the character and tranquility of Little Mountain Estates. We believe that allowing this business would fundamentally alter the nature of our community and undermine the qualities that make our neighborhood a desirable place to live.

Thank you for considering our position. We trust that you will make a decision that preserves the peace and integrity of our community.

Sincerely,

The residents of Little Mountainside Estates.

Formal Petition on the collective opposition of our community to the proposed special use permit.

Name:

Joe & Shelly Woolridge

Address:

479 Mountainside Dr Stanardsville, VA 22973

Signature:

Joe & Shelly Woolridge

Name: Matt Price
 Address: 400 Mountainside Dr. Stanardsville, VA 22973
 Signature: DKR

Name: JEFFREY S. PROUGH
 Address: 339 Mountainside Dr Stanardsville VA 22973
 Signature: JSP

Name: ERNEST E. INZINA, Jr
 Address: 50 DEMASTERS WAY, STANARDSVILLE VA 22973
 Signature: EE Inzina Jr

Name: MARY E DELLOSPIDALE
 Address: 35 DEMASTERS Way Stanardsville, VA 22973
 Signature: Mary E Dellospidale

Name: Deanna Lester
 Address: 228 Mountainside Dr, Stanardsville, VA 22973
 Signature: Deanna Lester

Name: Christy Seelie
 Address: 177 Mountainside Dr, Stanardsville, VA 22973
 Signature: CS

Name: Georget Corrine Bonneville
 Address: 116 Mountainside Dr. Stanardsville, VA 22973
 Signature: Corrine Bonneville

Name: Paw F. Nielsen
 Address: 59 Mountainside Drive, Stanardsville VA 22973
 Signature: P.F.N.

Name: Debra W. DePough
 Address: 89 Mountainside Drive
 Signature: Debra W. DePough

Name: RICH & SHARON PONTIUS
 Address: 2 MOUNTAINSIDE DR, STANDARDSVILLE
 Signature: Richard A Pontius Sharon Pontius

Name: Melissa & Gary Cropp
 Address: 3 Mountainside Dr Stanardsville
 Signature: Melissa & Gary Cropp

Name: Timothy A. Davis
 Address: 338 MOUNTAINSIDE Drive
 Signature: Timothy A. Davis

Name: Rick Townsley
 Address: 482 Mountainside Dr.
 Signature: Rick Townsley

Name: Gail T. Unterman
 Address: 203 Mountainside Dr.
 Signature: Gail Unterman

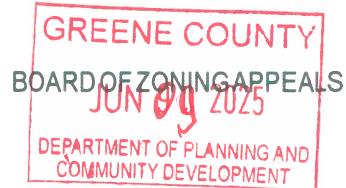
Name: Miriam & Edgardo Espinola
 Address: 4 Mountainside Dr.
 Signature: Miriam & Edgardo Espinola

Name: Gabriel & Brandi Whittaker
 Address: 308 Mountainside Drive Stanardsville
 Signature: Brandi

Name: David & Laura Brunelle
 Address: 34 Mountainside Dr.
 Signature: Standardsville, VA



PLANNING COMMISSION



GREENE COUNTY PLANNING DEPARTMENT

Post Office Box 358

Stanardsville, Virginia 22973

www.greenecountyva.gov
planning@gcva.us

0-2025-007
Case # SLIP 25-003

Date of Application 06/05/2025

Rezoning/Proffer Amendment

Special Use Permit

Ordinance Revision

Variance/Appeals to PC/BZA

Agricultural and Forestal

Special Exception

Applicant Terra Detamore

Address 1183 Ford Ave City Stanardsville State Va Zip 22973

Phone # 434-465-0185 or 434-825-0463 Fax # none Email terralynn1988@icloud.com

Owner of Record _____

Address _____ City _____ State _____ Zip _____

Phone # _____ Fax # _____ Email _____

Owner/Applicant Must Read and Sign

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge. By signing this application, I am consenting to written comments, letters, and or notifications regarding this application being provided to me or my designated contact via fax or email. This consent does not preclude such written communication from also being sent via first-class mail. I also consent to give Planning/Zoning Staff the right to enter this property to conduct inspections, if necessary.

Signature of Owner/Agent or Contract Purchaser Terra L. Detamore Date 06/05/2025

Print Name Terra L. Detamore Phone number of Signatory 434-825-0463 or 434-465-0185

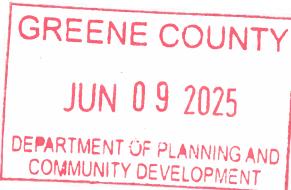
Tax Map # 27-A-70A Acreage _____ Zoning _____

Existing Use Home and personal Garage

Proposed Use Home and Garage w/ some car sales

Application Fee: \$ 500.00 Date Paid 6/6/25 Receipt # 17315 Initials CTS

Bldg. Permit Fee: \$ _____ Date Paid _____ Receipt # _____ Initials _____



TERRA DETAMORE
1183 FORD AVE.
STANARDSVILLE, VA. 22973



TO WHOM IT MAY CONCERN,

I AM WRITING THIS LETTER TO PROPOSE A SPECIAL USE PERMIT TO OPEN A MECHANICS GARAGE AT MY HOME. OUR EXSISTING GARAGE IS AT THE BACK OF OUR PROPERTY AND CANNOT BE SEEN FROM THE MAIN ROAD, WHICH IS ROUTE 1001, THE NEIGHBORS THAT CAN SEE IT CAN ONLY SEE IT THROUGH THE TREES AND WHEN LEAVES ARE ON YOU EITHER CAN'T SEE IT AT ALL OR BARELY SEE IT. MY TWO CLOSEST NEIGHBORS THAT CONNECT WITH MY PROPERTY ONLY ONE OF THEM CAN ACTUALLY SEE THE GARAGE.

WE HAVE INSTALLED A PRIVACY FENCE AROUND THE PARKING AREA IN FRONT OF THE GARAGE TO HIDE ANY UNPLEASANT VIEWS TO THE NEIGHBORS WHILE POTENTIAL CUSTOMERS VEHICLES ARE WAITNG TO BE WORKED ON OR WAITING TO BE SOLD, WE WILL NEED TO BE ABLE TO SELL CARS DUE TO CUSTOMERS POSSIBLY NOT ABLE TO PAY THEIR BILLS OR A CAR IS TOWED IN AND CUSTOMERS DECIDES NOT TO FIX IT WE WOULD THEN SELL THE CAR ,WE WOULD ALSO HAVE A FEW AFFORDABLE VEHICLES TO SELL FOR A POTENTIAL CUSTOMER WANTING TO BUY BUT THEY CANT AFFORD YOUR NORMAL CAR DEALERSHIPS BECAUSE OF THE HIGH COST OF VEHICLES TODAY.

WE COMPLETELY UNDERSTAND THAT YOUR PROPERTY WILL NEED TO STAY IN A NEAT, CLEAN AND ORDERLY FASHION AT ALL TIMES. WE OURSELVES DO NOT WANT OUR PROPERTY TO LOOK JUNKY.

THERE WILL BE PROPER STORAGE CONTAINERS AND DISPOSAL FOR THE USED OILS AND PROPER STORAGE AND DISPOSAL OF USED TIRES. WE ARE VERY AWARE OF THE DAMAGE THESE ITEMS CAN DO TO OUR ENVIRONMENT AND WILL PROTECT IT AT ALL COST.

BY OPENING THIS GARAGE, IT WILL ALLOW US TO PROVIDE THE COMMUNITY WITH VERY REASONABLE AND AFFORDABLE AUTOMOTIVE PRICING, GOOD WORKMANSHIP AND A NICE HOMETOWN FEEL WE DON'T WANT OUR CUSTOMERS TO FEEL LIKE A NUMBER WE WANT THEM TO FEEL CARED FOR. OUR GARAGE WILL BE A LOW VOLUMN IMPACT ON THE NEIGHBOR HOOD AND WOULD HAVE NORMAL BUSINESS HOURS SO THAT WE ARE OPEN WHILE MOST EVERYONE ELSE IS AT WORK AND CLOSED WHILE EVERYONE IS AT HOME IN THE EVENINGS SUCH AS 8:00AM TO 4:00PM, MONDAY THRU FRIDAY.

OUR BUSINESS WILL BE OPERATED BY BUSINESS CARDS, WORD OF MOUTH AND SOCIAL MEDIA.

WE HAVE ALSO INCLUDED NEIGHBORS SIGNATURES STATING THEY DO NOT MIND US OPENING THIS BUSINESS.

THANK YOU FOR TAKING THE TIME TO CONSIDER OUR PROPOSAL.

SINCERELY,

Terra Detamne

- * WOULD LIKE TO ADD THAT WE HAVE SPOKEN TO A GENTLEMAN WHO RESIDES IN LITTLE MOUNTAIN EASTATES AND HE CAME TO OUR HOME TO SEE FOR HIS SELF AND HE INFORMED US THAT HE WAS LIED TO BY THE PEOPLE WHO GOT THIS PETITION UP AGAINST US ABOUT WHERE IT WAS LOCATED AND HOW IT LOOKED HE ALSO QAS BASICALLY HARRASED INTO SIGNING IT AND HAD TO ASK THEM TO GET OFF HIS PROPERTY AND UNFORTUNATELY HE CANT SPEAK UP FOR US AT THE MEETING BECAUSE HE FEARS BEING HARRASED BY THEM . *

HERE IS A LITTLE INFORMATION HOW WE WANT TO RESPOND TO LITTLE MOUNTAIN ESTATES CONCERNS:

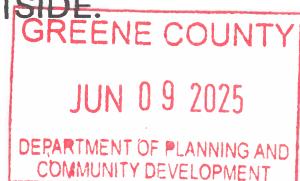
1) INAPPRPRIATE ZONING AND INCREASED TRAFFIC:

- WE UNDERSTAND THAT A BUSINESS OF THIS TYPE IS TYPICALLY ZONED IN A COMMERCIAL BUSINESS AREA BUT THIS IS ALSO WHY GREENE COUNTY HAS DESIGNED THE SPECIAL USE PERMIT APPLICATIONS. WE ARE DEFINITLEY WELL OFF THE ROAD NO ONE CAN SEE US EXCEPT FOR MY ACTUAL NEIGHBOR JOE AND ANNIE STEIN AND HAVE NO PROBLEM AT ALL WITH THIS ACTUALLY JOE STEIN SPOKE ON OUR BEHALF AT THE LAST BOS MEETING.
- HIGHER TRAFFIC WILL NOT BE AN ISSUE BECAUSE WE ARE GOING TO OFFER A PICKUP SERVICE FOR CUSTOMERS AND WE ARE BY APPOINTMENT ONLY. OUR ENTRANCE IS NOT EVEN CLOSE TO LITTLE MOUNTAIN ESTATES ENTRANCE SO WE DON'T SEE WHERE TRAFFIC WOULD BE AN ISSUE ALSO, WE ARE ON FORD AVENUE NOT OCTONIA SO THERE ARE NO DANGERS FOR CHILDREN AS LITTLE MOUNTAIN ESTATES STATED. BENNY EARLY HAD A BUSY GARAGE RIGHT ON OCTONIA FOR 20 PLUS YEARS AND THERE WAS NEVER A TRAFFIC ISSUE AND HE WAS RIGHT ON THE ROAD.

2) NOISE AND ENVIROMENTAL POLLUTION:

- THE NOISE WILL BE MINIMAL BECAUSE ALL WORK IS DONE INSIDE. OUR AIR COMPRESSOR IS VERY QUIET AND OUR BATTERY PACK TOOLS ARE QUIETER THAN AIR TOOLS OF WHICH STEVE SMITH AND STEVE CATALANA HAVE BOTH BEEN TO OUR GARAGE AND THE LISTENED TO BOTH AND AGREED THAT LITTLE MOUNTAIN ESTATES WOULD NOT BE AFFECTED BY THE NOISE.
- WE HAVE OWNED TWO PREVIOUS GARAGES SO WE KNOW EVERYTHING ABOUT HOW TO TAKE CARE OF SPILLS TO NOT TO HARM THE ENVIRONMENT, ALSO WITH ALL WORK BEING PERFORMED INSIDE THERE WON'T BE SPILLS OUTSIDE.

3) IMPACT ON PROPERTY VALUE:



- WE PURCHASED 1193 AND 1179 TEN YEARS AGO AND DIVIDED 1179 INTO TWO PROPERTIES WHICH IS WHERE WE LIVE NOW AT 1183 THIS ENTIRE PROPERTY WAS IN SHAMBLES WE HAVE FINALLY MADE THESE PROPERTIES INTO AMAZING PLACES TO LIVE WE HAVE ONLY MADE PROPERTY VALUES GO UP AROUND US. WE TAKE PRIDE IN OUR PROPERTY WE WILL DO NOTHING TO DECREASE OUR PROPERTY VALUE OR ANYONE ELSE'S. WE WERE ACTUALLY OFFERED 725,000 FOR OUR PLACE A MONTH AGO SO AGAIN DON'T SEE A DECREASE IN PROPERTY VALUE.

4) HISTORICAL CONCERNS OF CRIME:

- WE HAVE LIVED ON FORD AVE. FOR TEN YEARS AND ALSO LIVED HERE ON FORD AVE. TWO TIMES BEFORE ONCE IN THE OLD VILLAGE GREEN NE APARTMENTS AND HAD MY FIRST HOME BUILT BY TOM COMPTON ON KRYSTAL COURT AND WE HAVE NEVER ONCE EXPERIENCED VIOLENCE OR DRUG ISSUES. IF ANYTHING, BRINGING IN AN UPSCALE BUSINESS WILL ENHANCE THE AREA. WE ARE VERY OFFENDED THAT THE PEOPLE THAT SPOKE AT THE LAST MEETING STEREO TYPED US INTO ALLOWING VIOLENCE, CRIME OR DRUGS BECOME A PART OF OUR BUSINESS, WE ACTUALLY FEEL VERY DISCRIMINATED AGAINST. ALSO REMEMBER BENNY EARLY HAD HIS GARAGE FOR OVER 20 PLUS YEARS AND NEVER HAD ANY ISSUES WITH DRUGS, CRIME OR VIOLENCE HE WAS A VERY WELL RESPECTED BUSINESS MAN. THE PEOPLE OF LITTLE MTN. ESTATES HAD NO ISSUES BUYING THEIR PROPERTY WHILE BENNY EARLY HAD HIS GARAGE UP AND RUNNING AND THEY HAVE TO PASS BY HIS GARAGE EVERY DAY THE DON'T EVEN HAVE TO PASS BY OUR PROPERTY AT ALL AND YOU ONLY HAVE 3 MAYBE FOUR HOUSES IN LITTLE MOUNTAIN ESTATES THAT CAN SEE OUR GARAGE AND THAT IS BARELY THROUGH THE TREES AND WHEN ALL THE FOLAGE IS IN FULL BLOOM THE CAN'T SEE IT AT ALL.

5) CONTRADICTION TO COMMUNITY CHARACTER:

- WE LOVE OUR VIEWS AND OUR PROPERTY AND CHERISH THE WILDLIFE THAT TRAVEL THROUGH OUR PROPERTY SO WE CERTAINLY WOULD NEVER DO ANYTHING TO DAMAGE OR EFFECT THAT. WE HAVE PLANTED BUSHES, STARTING TO PLANT FRUIT TREES WE HAVE PLANTED FLOWERS ALL TO CONSTANTLY UPGRADE OUR PROPERTY WHETHER WE GET APPROVED OR NOT WE WILL ALWAYS PRESERVE OUR LAND.

I Katherine Hefright

1272 Ford Ave Stanardsville VA 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

Katherine Hefright



1 Felicia Denison F&P
1179 Ford Ave. Stanwood, VA 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

I, Anne Stine 1193 Ford Ave, Stanardsville, VA 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

Mukal Basr
1001 Ford Ave

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

I Sheila Williams

818 ford Ave

Stanardsville Va 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

Wanda Dillard

961 Ford Ave

Stanardsville, Va 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

I, Beanie Herndon, 919 Ford Ave., Staunton,
Virginia, VA 22912

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

I Morgan Nowick, 1043 Ford Ave Stanardsville
VA 22973, morgan C Nowick

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

Robert Anthony
1120 Ford Ave Standardsville Va 22973

UNDERSTAND THAT TERRA DETAMORE WOULD LIKE TO OPEN UP A
MECHANICS GARAGE ON OUR STREET (1001 FORD AVE) AND BY
SIGNING THIS I AGREE WITH THE OPENING OF THIS BUSINESS
AND DO NOT FEEL IT WILL BE A BAD IMPACT ON OUR
NEIGHBORHOOD.

August 16, 2025

Dear Planning Commission,

I want to take this opportunity to address the new concerns presented by David Brunelle in his letter dated August 13, 2025, as well as the original concerns presented at the last BOS meeting.

While Mr. Brunelle states in his August 2025 letter that the application was previously denied with no substantive changes to the new application I would like to provide the following facts:

- Prior to the previous BOS meeting no board members visited my property to validate the complaints from Little Mountain Estates. Since that time, Mr. Davis Lamb, Mr. Steve Catlano, Mr. Tim Goolsby and Sheriff Steve Smith walked my property and validated from the back of my lot that shares a property line with 34 Mountainside Dr. that they were unable to clearly see the houses in Little Mountain Estates. It was also stated that the noise seemed minimal because all the work will be done inside.
- Mr. Brunelle states that the trees along the backside of the property had been removed. This is incorrect. In fact, additional trees have been planted around the property.
- Mr. Brunelle references behaviors that he found offensive:
 - Tarp – Yes, I hung a tarp on my property facing theirs because I am human. At the last BOS meeting I was upset and felt discriminated against with the lies that were told and the derogatory remarks made against people who live on Ford Ave.
 - Driving an ATV and shooting guns, among other allegations – Yes, we had a minibike that has since been sold. Shooting guns – as a responsible property owner I validated with Greene County Sheriff's office, it is not illegal to fire weapons on my property as long as we are not shooting toward a residence, which we would never do. The additional disturbances are not illegal, and do we not have the same right to enjoy our property as homeowners, same as the residents of Little Mountain Estates.
 - Driving through the neighborhood – This is an absolute lie. I do not own a truck.
- Mr. Brunelle stated he has ample photographic/video evidence of me specifically engaging in the behaviors he outlined. I would appreciate it if he would provide this evidence.

- Mr. Brunelle's comments that I am mentally unstable, immature and menacing are insulting and discriminating. This lack of respect for me as a person has made this a personal attack and is unrelated to the request for a special use permit.
- Mr. Brunelle states that we cleverly built our business (garage) to not be seen from Ford Ave or even our own home. I am unclear what this means. The garage is positioned on the back of the lot that we own and is clearly visible from my home. The property along the road frontage of Ford Ave. is not owned by me.
- 1183 Ford Ave. does share property lines with different owners and the ones that are concerned are the ones in Little Mountain Estates. My property is not a part of Little Mountain Estates however, these property owners seem to want to enforce their HOA by-laws on my land.
- In reference to Sheriff Steve Smith, I am a lifelong resident of Greene County. There are several members of our various community emergency services and first responders who I consider friends and have known for many years. Several before they were active in their positions.
- Regarding the coerced signature, we will not be providing the name of the individual at this time. Our goal is not to create an issue for this homeowner in his community.
- Mr. Brunell states this is a lose-lose situation. His opinion appears to be solely based on his desire to dictate how I can use my property. Again, none of the behaviors he outlined are breaking laws in our community.

In conclusion, we love our community and would not propose anything that would be detrimental to our neighbors. We have spent the last 10 years improving the 3 lots we originally purchased on Ford Ave. to help revive an area that had a bad reputation for many years. 1183 Ford Ave. is our home. Little Mountain Estates has presented many false accusations against this request and my family. I hope the facts I have provided give clarity on these allegations.



Galaxy S24+



Galaxy S24+



Galaxy S24+



Galaxy S24+













GREENE COUNTY
JUN 09 2025
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT













SELLER
WILLING
Cynthia Hahn
(434) 531-5351
FOR SALE













Greene County Planning Commission August 20, 2025



SUP25-003: Description

- Terra Detamore requests a special use permit for a Home Business (Vehicle Repair Garage), as required through Articles 5-1-2.6 and 22 of the Greene County Zoning Ordinance. The parcel, identified as TMP# 27-(A)-70A, located at 1183 Ford Avenue, is zoned R-1 (Residential), approximately 2.6 acres. The Greene County Future Land Use Map designates it as a “Rural Area” (SUP25-003)

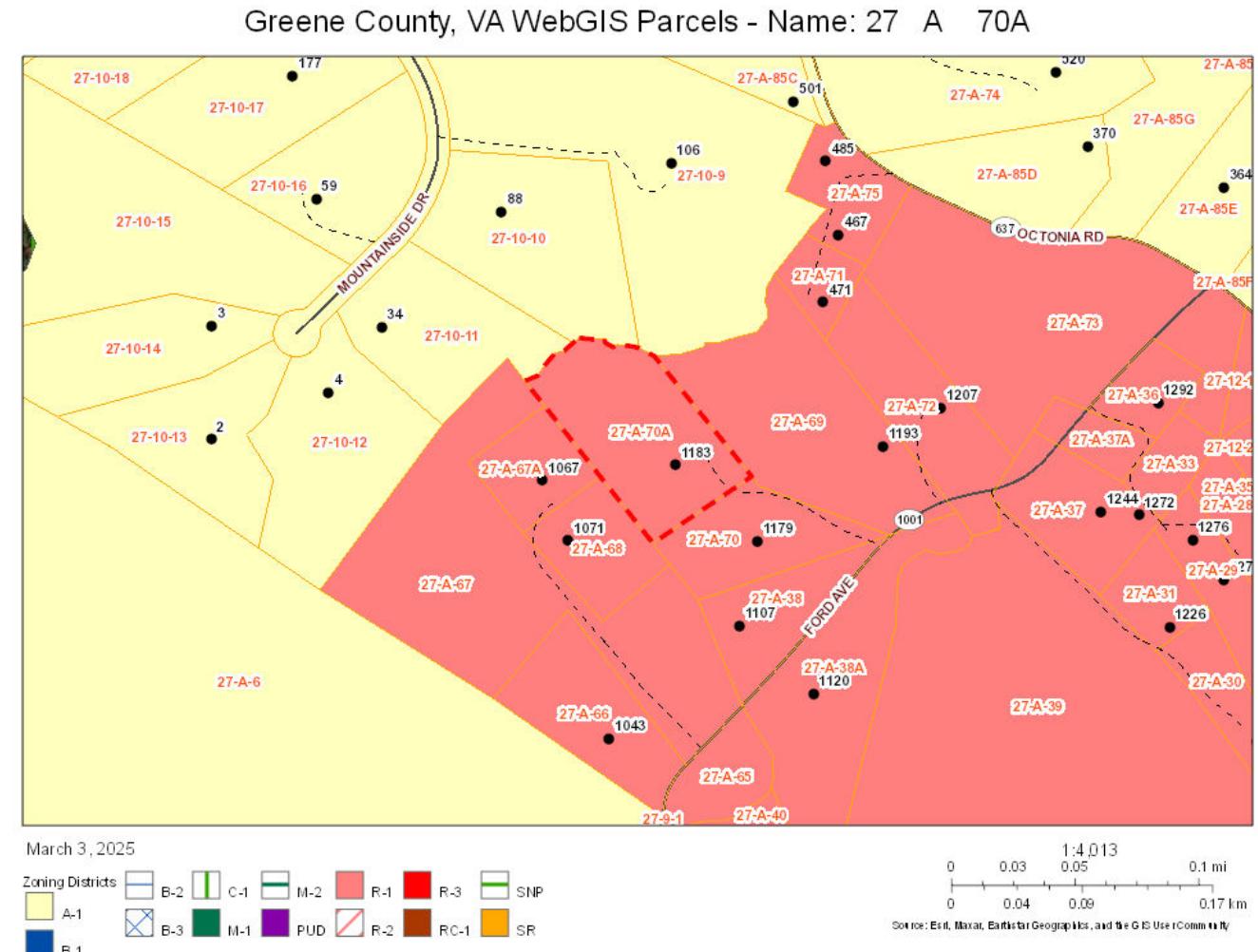
SUP25-003 :
Aerial



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2024 100 ft

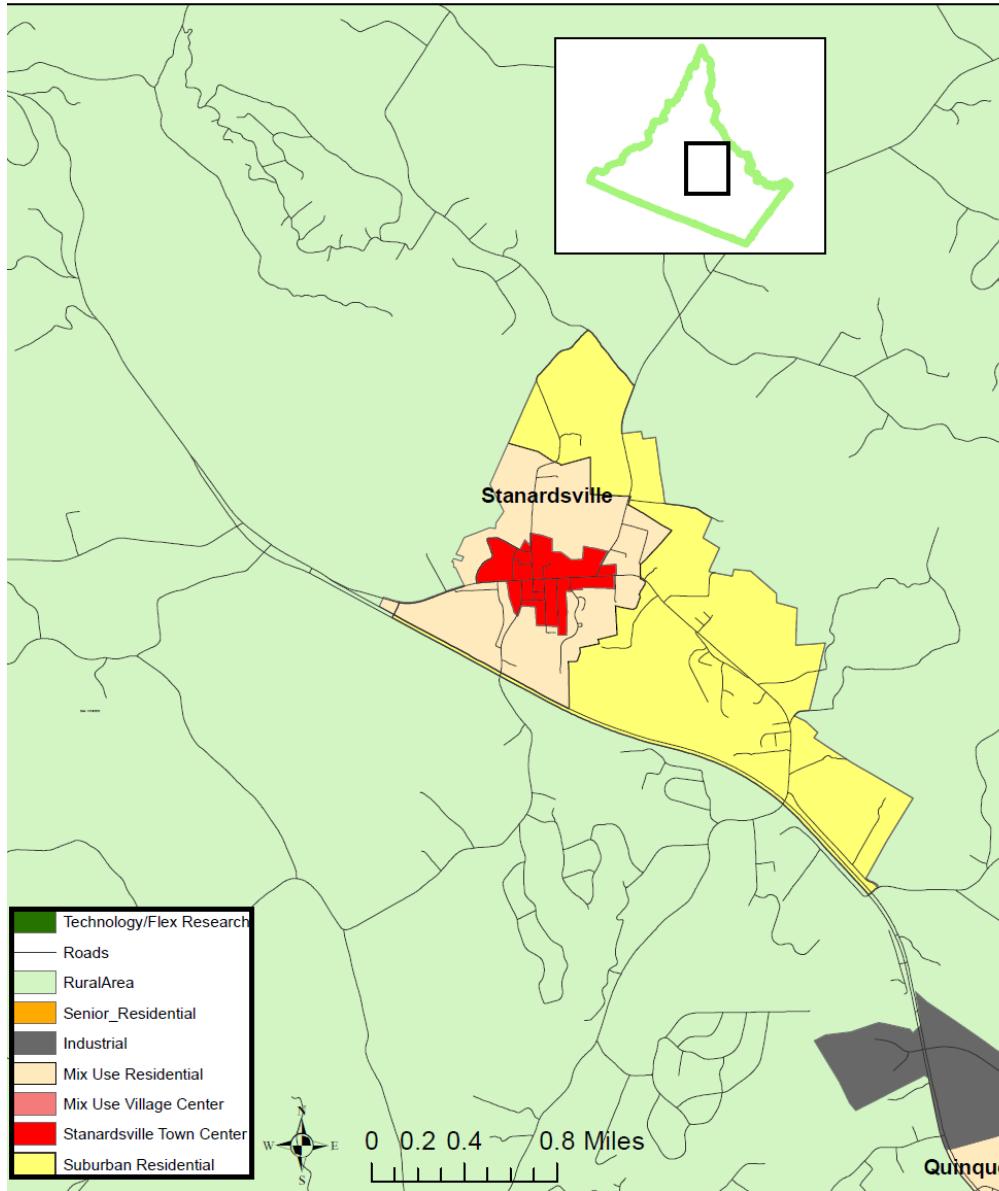


SUP25-003 : Zoning Map



SUP25-003: Future Land Use

Future Land Use-Growth Area: Stanardsville



SUP25-003: Comprehensive Plan

The current Future Land Use maps designates this parcel to be Rural and the Comprehensive Plan states that rural areas are areas that should be desirable and attractive places to live and work. The proposed use is low impact and will retain the rural character of the surrounding community.

The Comprehensive Plan adopted by the Greene County Board of Supervisors provides goals for economic development. They are:

- Enhance image of Greene County as a business-friendly location



SUP25-003 : Zoning Ordinance Authority



Each application must be evaluated on an individual basis to determine the suitability of the use and to identify impacts which must be mitigated through conditions.



Example conditions: fence or plant buffer to mitigate sound, maximum number of structures, tree cover, no outside amplification of sound, and parking requirements



Suitability factors: proximity of nearby homes, topography, available parking area, traffic conditions, comparison of impacts to by-right uses

SUP25-003 : Zoning Ordinance Authority

As stated in the Greene County Zoning Ordinance (Article 16-2) the decision to grant, to grant conditionally, or to deny, the following guidelines and standards must be considered:

- a. The use must not tend to change the character and established pattern of development of the area or community in which it wishes to locate.
- b. The use must be in harmony with the uses permitted by right under a Zoning Permit in the zoning district and must not affect adversely the use of neighboring property.
- c. The requested or related conditions must be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
- d. Due consideration must be given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, school, parks, playgrounds, recreational areas; conservation of natural resources, preservation of flood-plains, and encouraging the most appropriate use of the land.

SUP25-003 : INDEPENDENT IMPACT STUDY IMPACT ANALYSIS AND EFFECTS



The following agencies (see agency comments) were consulted regarding the indoor recreation request and did not identify additional impacts:



VDH



Virginia Department of Transportation



Building Official



E&S/Stormwater

SUP25-003 :
Recommendations

Staff recommends approval with the following conditions:

- a. The home businesses shall be located in the existing, approximately 1,500 Sq. ft., one-story garage.
- b. No more than five vehicles (for repair only) may be stored outside the business structure, and all parking must be on an all-weather surface.
- Hours of operations shall be limited to 7:00 am-5:00 pm.

Public Participation: Zoom Instructions

Phone controls for participants

- The following commands can be entered via using your phone's dial pad while in a Zoom meeting:
- *9 - Raise hand
- You will be asked to unmute yourself
- *6 - Toggle mute/unmute

Online Meeting Controls for Participants

1. Find the “Reactions” control on your toolbar and click.
2. Select “Raise Hand”
 - You will then be asked to unmute yourself



Questions and Discussion





PLANNING COMMISSION

BOARD OF ZONING APPEALS

GREENE COUNTY PLANNING DEPARTMENT

Post Office Box 358

Stanardsville, Virginia 22973

Tel: 434-985-5282
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www.greenecountyva.gov
planning@gcva.us

MEMORANDUM

TO: Members of the Planning Commission

FROM: Jim Frydl, Zoning Administrator and Planning Director
Stephanie Golon, Deputy Planning Director

SUBJECT: Work Session: Agricultural Events, Farm Wineries, and Farm Breweries, Limited Distilleries

DATE: August 20, 2025

STATUS

Section 18-1 of the Zoning Ordinance Joint provides that regulations, restrictions, zones, and boundaries established in this Ordinance may from time to time be amended, supplemented, changed, modified, or repealed by the governing body under Section 15.2-2285 of the Code of Virginia. This application is to amend various sections of the text of the Zoning Ordinance for purposes of correction, modification, and elaboration of the district and general regulations. Amendments are proposed for clarification of intent, the addition of definitions, and the correction of inconsistencies.

ANALYSIS AND EFFECT

The Board of Supervisors has requested that the language for Farm Wineries, Farm Breweries, and Events at Agricultural Operations in the zoning ordinance be reviewed to provide for increased clarity and additional regulation of events, number of vehicles and people, and amplified sound. The purpose this work session is for the Planning Commission to review comments provided by the Board of Supervisors at the joint work session held on 7/22/2025.

After 6 work sessions at Planning Commission meetings that included comments from the public and from business owners and stakeholders, the Planning Commission has the following recommendations.

Changes that have been included in the recommendations:

- Change the definition of events to only include activities that have 50 or more attendees.
- Size of the structure for the events/sales area (BOS wants to review other options 7/22/2025)
- Number of events allowed by right reduced to 30 per year (BOS wants to review other options 7/22/2025)
- Outdoor amplification allowed only by Special Use Permit (Wedding Ceremony Excluded)
- Parking regulations specific to this use
- Definition of food service at the facility
- Restroom facility requirements
- Number of participants by right limited to 150 participants
- Lighting requirements
- Calculation of space associated with events, sales or agritourism
- Addition of Limited Distilleries

The packet includes research on floor area ratio (FAR) for agricultural structures, citizen comments received, as well as both clean and redlined versions of the recommended ordinance changes.

16-21 FARM WINERIES (REVISED 6/23/15)

Each farm winery shall be subject to the following:

Table A	By right	Special Use Permit
Farm Wineries	Production, harvesting, storage, sales, tasting, agritourism activities; Agritourism or farm winery events or retail sales generating Less than or equal to 200 vehicle trips/day & occurring on sites greater than or equal to 10 acres in size. Less than or equal to 24 agritourism or farm winery events/year with less than or equal to 400 attendees at any time; Structures for agritourism or farm winery sales Less than or equal to 4,000 square feet	Structures for agritourism or farm winery sales greater than 4,000 square feet; Events greater than 400 attendees at any time

¹ The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-21-1 Uses permitted. The following uses, events and activities (hereinafter, collectively, "uses") are permitted at a farm winery:

- .1 The production and harvesting of fruit and other agricultural products and the manufacturing of wine including, but not limited to, activities related to the production of the agricultural products used in wine including, but not limited to, growing, planting and harvesting the agricultural products and the use of equipment for those activities.
- .2 The sale, tasting, including barrel tastings, or consumption of wine within the normal course of business of the farm winery.
- .3 The direct sale and shipment of wine by common carrier to consumers in accordance with Title 4.1 of the Virginia Code and the regulations of the Alcoholic Beverage Control Board.
- .4 The sale and shipment of wine to the Alcoholic Beverage Control Board, licensed wholesalers, and out-of-state purchasers in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .5 The storage, warehousing, and wholesaling of wine in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .6 The sale of wine-related items that are incidental to the sale of wine including, but not limited to, the sale of incidental gifts such as cork screws, wine glasses, and t-shirts.

16-21-2 Agritourism uses or wine sales related uses. The following uses are permitted at a farm winery, provided they are related to agritourism or wine sales:

- .1 Exhibits, museums, and historical segments related to wine or to the farm winery.
- .2 Farm winery events at which not more than four hundred (400) persons are in attendance at any time. The acreage requirements and maximum vehicle trips/day are indicated in Table A.
- .3 Guest winemakers and trade accommodations of invited guests at a farm winery owner's private residence at the farm winery.
- .4 Hayrides.
- .5 Kitchen and catering activities related to a use at the farm winery.
- .6 Picnics, either self-provided or available to be purchased at the farm winery.
- .7 Providing finger foods, soups, and appetizers for visitors.
- .8 Tours of the farm winery, including the vineyard.
- .9 Weddings and wedding receptions at which not more than four hundred (400) persons are in attendance at any time.
- .10 Other uses not expressly authorized that are agritourism uses or are wine sales related uses, which are determined by the zoning administrator to be usual and customary uses at farm wineries throughout the Commonwealth, which do not create a substantial impact on the public health, safety, or welfare, and at which not more than four hundred (400) persons are in attendance at any time.

16-21-3 Special Use Permit.

- .1 Agritourism uses or wine sales related uses; (see Table B). The following uses are permitted at a farm winery with a special use permit, provided they are related to agritourism or winery sales and in compliance with Table B:
 - a. Farm winery events.
 - b. Weddings and wedding receptions at which more than four hundred (400) persons are in attendance at any time.
 - c. Other uses not expressly authorized that are agritourism uses or wine sales related uses which are determined by the zoning administrator to be usual and customary uses at farm wineries throughout the Commonwealth.
- .2 Information and sketch plan to be submitted with application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16-2, each application for one or more uses authorized under 16-21, shall include the following:
 - a. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure or other place where music will be performed.
 - b. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning depicting: (i) all structures that would be

used for the uses; (ii) how access, on-site parking, outdoor lighting, signage and minimum yards will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-21-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- a. Zoning Certification. Each farm winery shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the farm winery.
- b. Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

16-21-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-21-6 Uses prohibited. The following uses are prohibited:

- .1 Restaurants.
- .2 Helicopter rides.

16-22 FARM STANDS, FARM SALES, AND FARMERS' MARKETS (REVISED 6/23/15)

1) **Each farm stand, farm sales, and farmers' market shall be subject to the following, as applicable:**

- a. Zoning certification. Notwithstanding any other provision of this chapter, each farm stand, farm sales, or farmers' market shall obtain approval of a zoning certification issued by the zoning administrator as provided by Article 16-1 before the use is established as provided herein:
 1. Application. Each application for a zoning certification will be sent to Virginia Department of Transportation establishing that it has approved the entrance from the public street to the proposed use and:
 - (a) A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the zoning administrator depicting: (i) all structures that would be used for the use; (ii) how access, on-site parking, outdoor lighting, signage and minimum setbacks will be provided in compliance with this section and this chapter; and (iii) how potential adverse impacts to adjoining property will be mitigated.
- b. Structure size. Structures used in conjunction with a farm stand, farm sales, or farmers' market shall comply with the following:
 1. **Farm stands.** Any permanent structure established and used for a farm stand shall not exceed one thousand five hundred (1500) square feet gross floor area.
 2. **Farmers' markets.** Any new or existing permanent structure may be used for a farmers' market without limitation to its size.
 3. **Farm Sales.** Any new or existing permanent structure used for farm sales shall not exceed four thousand (4,000) square feet gross floor area.

2) **Parking.** Notwithstanding any provision of Article 16-8, the following minimum parking requirements shall apply to a farm stand or farmers' market:

- a. Number of spaces. Each use shall provide one (1) parking space per four hundred (400) square feet of retail area.

- 3) **Location.** No parking space shall be located closer than ten (10) feet to any public street right-of-way.
- 4) **Design and improvements.** In conjunction with each request for approval of a zoning certification, the zoning administrator shall identify the applicable parking design and improvements required that are at least the minimum necessary to protect the public health, safety, and welfare by providing safe ingress and egress to and from the site, safe vehicular and pedestrian circulation on the site, and the control of dust as deemed appropriate in the context of the use. Compliance with the identified parking design and improvements shall be a condition of approval of the zoning certification.
- 5) **Setbacks:** Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-23 FARM BREWERIES (REVISED 6/23/15)

Each farm brewery shall be subject to the following:

Table B	By right	By right with Zoning Clearance	Special Use Permit
Farm Brewery	<p>Production, harvesting, storage, sales, tasting, agritourism activities;</p> <p>Agritourism or farm brewery events or retail sales generating Less than or equal to 200 vehicle trips/day & occurring on sites greater than or equal to 10 acres in size.</p> <p>Less than or equal to 24 agritourism or farm brewery events/year with Less than or equal to 400 attendees at any time;</p> <p>Structures for agritourism or farm brewery sales Less than or equal to 4,000 square feet</p>	<p>Outdoor amplified music (new establishments)</p> <p>Agritourism or farm brewery events or retail sales generating either greater than 200 vehicle trips/ day or occurring on sites less than 10 acres in size¹; greater than 24 agritourism or farm brewery events/year with less than 400 attendees at any time</p>	<p>Structures for agritourism or farm brewery sales greater than 4,000 square feet;</p> <p>Events greater than 400 attendees at any time</p>

¹ The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-23-1 Uses permitted. The following uses, events and activities (hereinafter, collectively, "uses") are

permitted at a farm brewery:

- .1 The production and harvesting of barley and other grains, hops, fruit, and other agricultural products, and the manufacturing of beer including, but not limited to, activities related to the production of the agricultural products used in beer including, but not limited to, growing, planting, and harvesting the agricultural products and the use of equipment for those activities.
- .2 The sale, tasting, or consumption of beer within the normal course of business of the farm brewery. The acreage requirements and maximum vehicle trips/day are indicated in Table B.
- .3 The direct sale and shipment of beer in accordance with Title 4.1 of the Virginia Code and the regulations of the Alcoholic Beverage Control Board.
- .4 The sale and shipment of beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .5 The storage and warehousing of beer in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .6 The sale of beer-related items that are incidental to the sale of beer including, but not limited to, the sale of incidental gifts such as bottle openers, beer glasses, and t-shirts.

16-23-2 Agritourism uses or beer sales related uses. The following uses are permitted at a farm brewery, provided they are related to agritourism or beer sales:

- .1 Exhibits, museums, and historical segments related to beer or to the farm brewery.
- .2 Farm brewery events at which not more than four hundred (400) persons are in attendance at any time. The acreage requirements and maximum vehicle trips/day are indicated in Table B.
- .3 Guest brew masters and trade accommodations of invited guests at a farm brewery owner's private residence at the farm brewery.
- .4 Hayrides.
- .5 Kitchen and catering activities related to a use at the farm brewery.
- .6 Picnics, either self-provided or available to be purchased at the farm brewery.
- .7 Providing finger foods, soups, and appetizers for visitors.
- .8 Tours of the farm brewery, including the areas where agricultural products are grown.
- .9 Weddings and wedding receptions at which not more than four hundred (400) persons are in attendance at any time and shall be in accordance with Table B.
- .10 Other uses not expressly authorized that are agritourism uses or are beer sales related uses, which are determined by the zoning administrator to be usual and customary uses at farm breweries throughout the Commonwealth, which do not create a substantial impact on the public health, safety, or welfare, and at which not more than four hundred (400) persons are in attendance at any time and is in compliance with Table B.

16-23-3 Special Use Permit.

- .1 Agritourism uses or beer sales related uses; (see Table B). The following uses are permitted at a farm brewery with a special use permit, provided they are related to agritourism or beer sales and in compliance with Table B:
 - a. Farm brewery events.
 - b. Weddings and wedding receptions at which more than four hundred (400) persons are in attendance at any time.
 - c. Other uses not expressly authorized that are agritourism uses or beer sales related uses which are determined by the zoning administrator to be usual and customary uses at farm breweries throughout the Commonwealth.
- .2 Information and sketch plan to be submitted with application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16-2, each application shall include the following:
 - a. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height, and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure, or other place where music will be performed.
 - b. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage, and minimum setbacks will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-23-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- .1 Zoning Certification. Each farm brewery shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the farm brewery.
- .2 Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

16-23-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-23-6 Uses prohibited. The following uses are prohibited:

- a. Restaurants.
- b. Helicopter rides.

16-24 EVENTS AND ACTIVITIES AT AGRICULTURAL OPERATIONS (REVISED 6/23/15)
Each event or activity at an agricultural operation authorized below shall be subject to the following, as applicable:

16-24-1 Uses permitted. The following events, activities, and structures are permitted by right, permitted by right with approval of a zoning certification, or by special use permit as set forth in Table C, provided that these events, activities, and structures are individually and in the aggregate subordinate to the agricultural operation, and subject to the applicable requirements of this

section. This section does not apply to the agricultural operation itself, to any farm winery subject to Article 16-21 or to any farm brewery subject to Article 16-23.

Table C	By right	By right with Zoning Certification ²	Special Use Permit ³
Agricultural Operations Events and Activity ¹	Harvest-your-own activities; Agritourism, events or retail sales generating Less than or equal to 200 vehicle trips/ day & occurring on sites greater than or equal to 10 acres in size ⁴ ; Less than or equal to 24 farm tours/ year with Less than or equal to 400 attendees at any time; Less than or equal to 24 educational programs, workshops or demonstrations related to agriculture or silviculture with Less than or equal to 400 attendees at any time; Structures for farm sales Less than or equal to 4,000 square feet	Outdoor amplified music Agritourism, events or retail sales generating either greater than 200 vehicle trips/ day or occurring on sites less than 10 acres in size ⁴ ; greater than 24 farm tours per year or farm tours with less than 400 attendees at any time greater than 24 educational programs, workshops or demonstrations related to agriculture or silviculture with Less than or equal to 400 attendees at any time	Structures for farm sales greater than 4,000 square feet; Events or activities with greater than 400 attendees at any time

1. If two or more events or activities categorized as "Agritourism" or "Other Events or Activities" are being, or will be, conducted on-site simultaneously for any duration, the number of visitor VTPD and the number of attendees shall each be aggregated, and the requirements of the more restricted event or activity shall apply. For the purposes of this provision, an event or activity requiring a special use permit is more restricted than an event or activity permitted by right, either with or without a zoning certification, and an event or activity permitted by right with a zoning certification is more restricted than an event or activity permitted by right.
2. The zoning certification shall be obtained under section 16-1 and shall include the matters in subsection 1.
3. The special use permit shall be obtained under Article 16-2 and, in addition to the requirements of that section.
4. The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-24-2 Zoning certification. In reviewing a request for approval of a zoning certification, the zoning administrator's review shall include verifying that the proposed event or activity complies with the applicable minimum setback standards, Virginia Department of Transportation entrance standards, Virginia Department of Health standards, and shall ensure that on-site travelways can accommodate emergency vehicles, adequate on-site parking is provided in a location that complies with this chapter, and that all improvements comply with the applicable requirements in Article 16.

16-24-3 Special Use Permit. Information and sketch plan to be submitted with application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16, each application for one or more event or activity ("use") for which a special use permit is required under subsection (d) shall include the following:

- .1 Information. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location,

height, and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure or other place where music will be performed.

- .2 Sketch plan. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning, depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage, and minimum setbacks will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-24-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- a. Zoning Certification. Each agricultural operation shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the agricultural operation.
- b. Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

16-24-5 Setbacks and separation from dwelling units. Notwithstanding any other provision of this chapter, the following minimum front, side, and rear setback requirements shall apply to any event or activity:

- .1 Structures used for sales. The minimum setbacks for structures used for the sale of agricultural or silvicultural products shall be as follows:
 - .2 New permanent structures and temporary structures. The minimum front, side, and rear setbacks required for any new permanent structure or temporary structure shall in accordance to the primary use setbacks for each applicable zoning district. The minimum required setback may be reduced by an administrative variance upon consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.
 - .3 Existing permanent structures. If an existing permanent structure does not satisfy any minimum setback requirement under subsection (h)(1)(a), the minimum setback required shall be the distance between the existing permanent structure and the street, road, access easement, or lot line on the approval of this ordinance, and that distance shall not be thereafter reduced. An enlargement or expansion of the structure shall be no closer to a street, road, access easement or lot line than the existing structure.
 - .4 Outdoor event and activity areas. The minimum front, side, and rear setbacks for outdoor event and activity areas shall be seventy-five (75) feet. In addition, outdoor event and activity areas shall be a minimum of one hundred twenty-five (125) feet from any dwelling unit on an abutting lot not under the same ownership as the agricultural operation. These minimum standards shall not apply to any portion of the agricultural operation that is engaged in production agriculture or silviculture, even though it also is used for an agritourism activity.
 - .5 Parking areas and portable toilets. The minimum front, side, and rear setbacks for parking areas and portable toilets shall be seventy-five (75) feet. In addition, parking areas and portable toilets shall be a minimum of one hundred twenty-five (125) feet from any dwelling unit on an abutting lot not under the same ownership as the agricultural operation.

16-24-6 Prohibited. The following uses are prohibited:

- .1 Restaurants.
- .2 Helicopter rides.

16-21 FARM WINERIES (REVISED 6/23/15)

16-21 FARM WINERIES, FARM BREWERY, LIMITED DISTILLERY, AGRITOURISM EVENTS AND ACTIVITIES AT AGRICULTURAL OPERATIONS (XX-XX-2025)

Each farm winery, farm brewery, limited distillery, and activities at agricultural operations shall be subject to the following:

16-21-1 Uses permitted. The following events, activities, and structures are permitted by right with the approval of a zoning permit or by special use permit, as outlined in Table A.

Table A	By right <u>with a zoning permit</u>	Special Use Permit <u>use permit (SUP)</u>	Formatted Table
Farm Wineries	<p>Production, harvesting, storage, sales, tasting, <u>and</u> agritourism activities[†].</p> <p><u>Agritourism</u>Noise associated with outdoor wedding ceremonies, including speaking and music. This does not apply to receptions or farm winery eventscelebrations held before or after a wedding.</p> <p><u>Events or retail sales for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations generating Less than or equal to 200</u>150 vehicle trips/ per day & occurring:</p> <p><u>Occurring</u> on sites greater than or equal to 10 acres in size.</p> <p>Less than or equal to 24-30 agritourism events, farm winery events, <u>farm brewery events, farm distillery events, and activities at agricultural operations events per year</u> with less than or equal to 400<u>150</u> attendees at any time[‡].</p> <p>Structures for agritourism or, farm winery sales<u>Less events, farm brewery, limited distillery, and activities at agricultural operations with a building footprint of less than or equal to 4,000 square feet with no more than two stories above grade.</u></p>	<p><u>Structures</u>Outdoor amplified music</p> <p><u>Events or retail sales for agritourism or, farm winery sales, farm brewery, farm distillery, and activities at agricultural operations generating greater than 4,000 square feet; 200 vehicle trips per day</u></p> <p><u>Events greater than 400</u>Greater than 30 agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations events per year.</p> <p><u>Greater than 150</u> attendees at any time.</p> <p><u>Structures for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations greater than 4,000 square feet building footprint with more than two stories above grade.</u></p>	<p>Formatted: Indent: Left: 0.11"</p> <p>Formatted: Indent: Left: 0.11", Right: 0.11", Space After: 8 pt, Line spacing: Multiple 1.08 li, Widow/Orphan control, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers</p> <p>Formatted: Right: 0.11"</p> <p>Formatted: Indent: Left: 0.11"</p> <p>Formatted: Justified, Indent: Left: 0.11", Space Before: 10 pt, Tab stops: 0.35", Left + 0.5", Left + 1.04", Left + 1.39", Left + 1.74", Left + 2.08", Left</p> <p>Formatted: Font: Bold</p> <p>Formatted: Indent: Left: 0.11"</p> <p>Formatted: Indent: Left: 0.11"</p> <p>Formatted: Left, Indent: Hanging: 0.25", Space Before: 0 pt, After: 8 pt, Don't add space between paragraphs of the same style, Line spacing: Multiple 1.07 li, Tab stops: Not at 0.35" + 0.5" + 1.04" + 1.39" + 1.74" + 2.08"</p>

[†] The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-21-1-2 Uses permitted. The following uses, events, and activities (hereinafter, collectively, "uses") are permitted~~allowed~~ at a~~an~~ agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations:

1—

- a) For agricultural operations and agritourism, these events, activities, and structures are individually and in the aggregate subordinate to the agricultural operation, and subject to the applicable requirements of this section.
- b) The production and harvesting of fruit and other agricultural products and the manufacturing of wine, beer, or distilled spirits including, but not limited to, activities related to the production of the agricultural products used in wine, beer, or distilled spirits including, but not limited to, growing, planting and harvesting the agricultural products and the use of equipment for those activities.
- c) 2— The sale, tasting, including barrel tastings, or consumption of wine, beer, or distilled spirits within the normal course of business of the agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations;
- d) 3— The direct sale and shipment of wine, beer, or distilled spirits by common carrier to consumers in accordance with Title 4.1 of the Code of Virginia Code and the regulations of the Alcoholic Beverage Control Board.
- e) 4— The sale and shipment of wine, beer, or distilled spirits to the Alcoholic Beverage Control Board, licensed wholesalers, and out-of-state purchasers in accordance with Title 4.1 of the Code of Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- f) 5— The storage, warehousing, and wholesaling of wine, beer, or distilled spirits in accordance with Title 4.1 of the Code of Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- g) 6— The sale of wine, beer, or distilled spirits-related items that are incidental to the sale of wine, beer, or distilled spirits including, but not limited to, the sale of incidental gifts such as cork screws, wine, beer, or distilled spirits glasses, and T-shirts.

16.21-2 Agritourism uses or wine sales related uses. 16.21-3. The following uses are permitted at a farm winery, provided they are related to the winery, brewery, farm, distillery, agritourism or wine sales, and activities at agricultural operations.

- 1— Exhibits, museums, and historical segments related to wine or to the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- 2— Farm winery events at which not more than four hundred (400) persons are in attendance at any time. The acreage requirements and maximum vehicle trips/day are indicated in Table A.
- b) 3— By-right events include farm-to-table dinners, agricultural festivals, beverage and food pairings, livestock auctions, livestock or agricultural product shows, events promoting the sale of agricultural or silvicultural products, events promoting the sale of food products related to the agricultural operation, and fundraisers and charity events.
- c) Guest winemakers, brewers or distillers and trade accommodations of invited guests at a farm winery, agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations; owner's private residence at the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- d) 4— Hayrides.
- e) 5— Kitchen and catering activities related to a use at the farm winery, the farm winery, farm brewery, limited distillery, and activities at agricultural operations. Kitchen facilities that the health department licenses as a commercial kitchen shall be permitted.
- f) 6— Picnics, either self-provided or available (pre-packaged goods only) to be purchased at the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- 7— Providing finger foods, soups, and appetizers for visitors.

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- g) 8 Tours of the farm winery, including the vineyard, farm brewery, limited distillery, and activities at agricultural operations.
- h) 9 Weddings and wedding receptions at which not more than four hundred (400) persons are in attendance at any time.
- i) 10 Other uses not expressly authorized that are agritourism uses or are wine, beer, or spirit sales related uses, which are determined by the zoning administrator determines to be usual and customary uses (as defined in Article 22) at farm wineries, farm breweries, and limited distilleries throughout the Commonwealth, which do not create a substantial impact on the public health, safety, or welfare, and at which not more than four hundred (400) persons are in attendance at any time.
- j) Two (2) food trucks per day are permitted and shall be in accordance with Article 16-20.
- k) By-right agritourism includes, but is not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture, viewing or enjoying rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions, regardless of whether or not the participant paid to participate in the activity.

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16-21-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- a) Special Use Permit: Each agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations shall obtain approval of a special use permit under Article 16-2 before generating any outdoor amplified music at the agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations.
- b) Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.
- c) Outdoor wedding ceremonies and processions, including speaking and music, are exempt from this regulation and are permitted by right with a zoning permit. This does not apply to receptions or celebrations held before or after a wedding.

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16-21-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, and portable toilets used in whole or in part to serve any use permitted at a agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-21-6 Outdoor Lighting:

Applicable for zoning permits and special use permits:

- a) Maximum Mounting Height: 25 feet
*Height is measured from grade to the top of the lighting fixture.
- b) All outdoor lighting fixtures shall be aimed, located and maintained so as not to produce disability glare. All lighting fixtures serving these areas shall be full cut-off fixtures and shall be mounted horizontal to the ground.
- c) Spillover light from these uses shall not exceed one-half (1/2) footcandle at the property line.
- d) High intensity light beams in the form of outdoor search lights, lasers, or strobe lights shall not be permitted.
- e) Lighting used to illuminate flags, statues, signs or any other objects mounted on a pole, pedestal or platform, spotlighting or floodlighting used for architectural or landscape purposes, shall consist

of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated. Directional control shields shall be used where necessary to limit stray light. In addition, such lighting shall meet the shielding requirements.

f) Lighting shall be reduced by at least fifty (50) percent of full operational levels within one (1) hour after the close of business, unless needed for safety and security. This reduced lighting level shall be achieved by extinguishing at least fifty (50) percent of the total number of pole mounted lamps, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours, or by some combination thereof; provided, however, that this provision shall not require parking lot lighting levels to be reduced to less than 0.2 footcandles as measured horizontally at the surface on which the light pole is mounted.

g) Lighting in outdoor canopy ceilings shall be recessed, full cut-off fixtures with flat lenses. Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be illuminated.

16-21-7 Restroom Facilities:

a) Facilities shall be provided for all agritourism, farm winery, farm brewery, limited distillery, and activities at agricultural operations per the Virginia Department of Health regulations.

16-21-8 Signage:

a) All signage shall be in accordance with Article 14 of the Greene County Zoning Ordinance.

16-21-9 Parking:

a) Parking space required: One space per employee and one space per 200 square feet of event space and tasting room.

b) Parking area shall be paved or have an all-weather, dust-free surface.

c) Vehicular parking is not allowed on any public streets or within 100 feet of any residence, except for a residence located on the property of the agritourism activities.

16-21-10 Considerations regarding an event, sales, or agritourism space in a structure:

a) Such space shall be calculated to include conference rooms, banquet halls, ceremonial space for events, restrooms, interior hallways connecting such space, closets and storage used for the use, and the catering kitchen.

b) Spaces that will not be considered as the event or sales area are storage for farm or maintenance equipment, office space associated with farm operations, production space, and storage related to production.

16-21-11 Uses prohibited. The following uses are not permitted:

a) Restaurants.

b) Helicopter rides.

16-21-316-21-12 Special Use Permit.

1. Agritourism uses or wine sales related uses; (see Table B). The following uses are permitted at a farm winery with a special use permit, provided they are related to agritourism or winery sales and in compliance with Table B:

a. Farm winery events.

b. Weddings and wedding receptions at which more than four hundred (400) persons are in attendance at any time.

c. Other uses not expressly authorized that are agritourism uses or wine sales related uses which are determined by the zoning administrator to be usual and customary uses at farm wineries throughout the Commonwealth.

a) 2. Information and sketch plan to be submitted with the application for a special use permit.

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In addition to any information required to be submitted with an application for a special use permit under Article 16-2, each application for one or more uses authorized under 16-21, shall include the following:

a.b. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure or other place where music will be performed.

b.c. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage and minimum yards will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-21-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

a. Zoning Certification. Each farm winery shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the farm winery.

b.a. Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

16-21-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-21-6 Uses prohibited. The following uses are prohibited:

a.1 Restaurants.
a.2 Helicopter rides.

16-22 FARM STANDS, FARM SALES, AND FARMERS' MARKETS (REVISED 6/23/15XX-XX-XXX)

1) Each farm stand, farm sales, and farmers' market shall be subject to the following, as applicable:

a. Zoning certification permit. Notwithstanding any other provision of this chapter, each farm stand, farm sales, or farmers' market shall obtain approval of a zoning certification permit issued by the zoning administrator as provided by Article 16-1 before the use is established as provided herein:

1. Application. -Each application for a zoning certification permit will be sent to the Virginia Department of Transportation, establishing that it has approved the entrance from the public street to the proposed use and:

(a) A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the zoning administrator depicting: (i) all structures that would be used for the use; (ii) how access, on-site parking, outdoor lighting, signage and minimum setbacks will be provided in compliance with this section and this chapter; and (iii) how potential adverse impacts to adjoining property will be mitigated.

b. Structure size. Structures used in conjunction with a farm stand, farm sales, or farmers' market shall comply with the following:

1. **Farm stands.** Any permanent structure established and used for a farm stand shall not exceed one thousand five hundred (45001,500) square feet gross floor area.

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2. **Farmers' markets.** Any new or existing permanent structure may be used for a farmers' market without limitation to its size.

3. **Farm Sales.** Any new or existing permanent structure used for farm sales shall not exceed four thousand (4,000) square feet gross floor area.

2) **Parking.** Notwithstanding any provision of Article 16-8, the following minimum parking requirements shall apply to a farm stand or farmers' market:

- Number of spaces. Each use shall provide one (1) parking space per four hundred (400) square feet of retail area.

3) **Location.** No parking space shall be located closer than ten (10) feet to any public street right-of-way.

4) **Design and improvements.** In conjunction with each request for approval of a zoning certification permit, the zoning administrator shall identify the applicable parking design and improvements required that are at least the minimum necessary to protect the public health, safety, and welfare by providing safe ingress and egress to and from the site, safe vehicular and pedestrian circulation on the site, and the control of dust as deemed appropriate in the context of the use. Compliance with the identified parking design and improvements shall be a condition of approval of the zoning certification permit.

5) **Setbacks:** Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. ~~This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.~~

16-23—FARM BREWERIES (REVISED 6/23/15)

Each farm brewery shall be subject to the following:

Table B	By right	By right with Zoning Clearance	Special Use Permit
Farm Brewery	<p>Production, harvesting, storage, sales, tasting, agritourism activities;</p> <p>Agritourism or farm brewery events or retail sales generating Less than or equal to 200 vehicle trips/day & occurring on sites greater than or equal to 10 acres in size.</p> <p>Less than or equal to 24 agritourism or farm brewery events/year with Less than or equal to 400</p>	<p>Outdoor amplified music (new establishments)</p> <p>Agritourism or farm brewery events or retail sales generating either greater than 200 vehicle trips/ day or occurring on sites less than 10 acres in size¹; greater than 24 agritourism or farm brewery events/year with less than 400 attendees at any time</p>	<p>Structures for agritourism or farm brewery sales greater than 4,000 square feet;</p> <p>Events greater than 400 attendees at any time</p>

	<p>attendees at any time;</p> <ul style="list-style-type: none"> - Structures for agritourism or farm brewery sales Less than or equal to 4,000 square feet 		
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a) ⁴ The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-23-1 Uses permitted. The following uses, events and activities (hereinafter, collectively, "uses") are permitted at a farm brewery:

- .1 The production and harvesting of barley and other grains, hops, fruit, and other agricultural products, and the manufacturing of beer including, but not limited to, activities related to the production of the agricultural products used in beer including, but not limited to, growing, planting, and harvesting the agricultural products and the use of equipment for those activities.
- .2 The sale, tasting, or consumption of beer within the normal course of business of the farm brewery. The acreage requirements and maximum vehicle trips/day are indicated in Table B.
- .3 The direct sale and shipment of beer in accordance with Title 4.1 of the Virginia Code and the regulations of the Alcoholic Beverage Control Board.
- .4 The sale and shipment of beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .5 The storage and warehousing of beer in accordance with Title 4.1 of the Virginia Code, regulations of the Alcoholic Beverage Control Board, and federal law.
- .6 The sale of beer related items that are incidental to the sale of beer including, but not limited to, the sale of incidental gifts such as bottle openers, beer glasses, and t-shirts.

16-23-2 Agritourism uses or beer sales related uses. The following uses are permitted at a farm brewery, provided they are related to agritourism or beer sales:

- .1 Exhibits, museums, and historical segments related to beer or to the farm brewery.
- .2 Farm brewery events at which not more than four hundred (400) persons are in attendance at any time. The acreage requirements and maximum vehicle trips/day are indicated in Table B.
- .3 Guest brew masters and trade accommodations of invited guests at a farm brewery owner's private residence at the farm brewery.
- .4 Hayrides.
- .5 Kitchen and catering activities related to a use at the farm brewery.
- .6 Picnics, either self-provided or available to be purchased at the farm brewery.
- .7 Providing finger foods, soups, and appetizers for visitors.

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- .8 Tours of the farm brewery, including the areas where agricultural products are grown.
- .9 Weddings and wedding receptions at which not more than four hundred (400) persons are in attendance at any time and shall be in accordance with Table B.
- .10 Other uses not expressly authorized that are agritourism uses or are beer sales related uses, which are determined by the zoning administrator to be usual and customary uses at farm breweries throughout the Commonwealth, which do not create a substantial impact on the public health, safety, or welfare, and at which not more than four hundred (400) persons are in attendance at any time and is in compliance with Table B.

16-23-3 Special Use Permit.

- .1 Agritourism uses or beer sales related uses; (see Table B). The following uses are permitted at a farm brewery with a special use permit, provided they are related to agritourism or beer sales and in compliance with Table B:
 - a. Farm brewery events.
 - b. Weddings and wedding receptions at which more than four hundred (400) persons are in attendance at any time.
 - c. Other uses not expressly authorized that are agritourism uses or beer sales related uses which are determined by the zoning administrator to be usual and customary uses at farm breweries throughout the Commonwealth.
- .2 Information and sketch plan to be submitted with application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16-2, each application shall include the following:
 - a. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height, and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure, or other place where music will be performed.
 - b. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage, and minimum setbacks will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-23-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- .1 Zoning Certification. Each farm brewery shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the farm brewery.
- .2 Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

5) 16-23-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a farm winery, agritourism or farm brewery, farm distillery, and activities at agricultural operations, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction. ▲

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16-23-6 Uses prohibited. The following uses are prohibited:

- a. Restaurants;
- b. Helicopter rides;

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16-24 EVENTS AND ACTIVITIES AT AGRICULTURAL OPERATIONS (REVISED 6/23/15)

— Each event or activity at an agricultural operation authorized below shall be subject to the following, as applicable:

16-24-1 Uses permitted. The following events, activities, and structures are permitted by right, permitted by right with approval of a zoning certification, or by special use permit as set forth in Table C, provided that these events, activities, and structures are individually and in the aggregate subordinate to the agricultural operation, and subject to the applicable requirements of this section. This section does not apply to the agricultural operation itself, to any farm winery subject to Article 16-21 or to any farm brewery subject to Article 16-23.

Table C	By right	By right with Zoning Certification ²	Special Use Permit ³
Agricultural Operations Events and Activity ⁴	<p>Harvest your own activities;</p> <ul style="list-style-type: none">- Agritourism, events or retail sales generating Less than or equal to 200 vehicle trips/ day & occurring on sites greater than or equal to 10 acres in size⁴;- Less than or equal to 24 farm tours/ year with Less than or equal to 400 attendees at any time;- Less than or equal to 24 educational programs, workshops or demonstrations related to agriculture or silviculture with Less than or equal to 400 attendees at any time;- Structures for farm sales Less than or equal to 4,000 square feet	<p>Outdoor amplified music</p> <ul style="list-style-type: none">- Agritourism, events or retail sales generating either greater than 200 vehicle trips/ day or occurring on sites less than 10 acres in size⁴;- greater than 24 farm tours per year or farm tours with less than 400 attendees at any time- greater than 24 educational programs, workshops or demonstrations related to agriculture or silviculture with Less than or equal to 400 attendees at any time	<p>Structures for farm sales greater than 4,000 square feet;</p> <ul style="list-style-type: none">- Events or activities with greater than 400 attendees at any time

1. If two or more events or activities categorized as "Agritourism" or "Other Events or Activities" are being, or will be, conducted on site simultaneously for any duration, the number of visitor VTPD and the number of attendees shall each be aggregated, and the requirements of the more restricted event or activity shall apply. For the purposes of this provision, an event or activity requiring a special use permit is more restricted than an event or activity permitted by right, either with or without a zoning certification, and an event or activity permitted by right with a zoning certification is more restricted than an event or activity permitted by right.
2. The zoning certification shall be obtained under section 16-1 and shall include the matters in subsection 1.
3. The special use permit shall be obtained under Article 16-2 and, in addition to the requirements of that section.
4. The area requirement may be one or more abutting parcels under the same ownership which the agricultural operation and event or activity is located.

16-24-2 Zoning certification. In reviewing a request for approval of a zoning certification, the zoning administrator's review shall include verifying that the proposed event or activity complies with the

applicable minimum setback standards, Virginia Department of Transportation entrance standards, Virginia Department of Health standards, and shall ensure that on-site travelways can accommodate emergency vehicles, adequate on-site parking is provided in a location that complies with this chapter, and that all improvements comply with the applicable requirements in Article 16.

16-24-3 Special Use Permit. Information and sketch plan to be submitted with application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16, each application for one or more event or activity ("use") for which a special use permit is required under subsection (d) shall include the following:

- .1 Information. Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height, and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure or other place where music will be performed.
- .2 Sketch plan. A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning, depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage, and minimum setbacks will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-24-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- a. Zoning Certification. Each agricultural operation shall obtain approval of a zoning certification under Article 16-1 prior to generating any outdoor amplified music at the agricultural operation.
- b. Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.

16-24-5 Setbacks and separation from dwelling units. Notwithstanding any other provision of this chapter, the following minimum front, side, and rear setback requirements shall apply to any event or activity:

- .1 Structures used for sales. The minimum setbacks for structures used for the sale of agricultural or silvicultural products shall be as follows:
 - .2 New permanent structures and temporary structures. The minimum front, side, and rear setbacks required for any new permanent structure or temporary structure shall in accordance to the primary use setbacks for each applicable zoning district. The minimum required setback may be reduced by an administrative variance upon consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.
 - .3 Existing permanent structures. If an existing permanent structure does not satisfy any minimum setback requirement under subsection (h)(1)(a), the minimum setback required shall be the distance between the existing permanent structure and the street, road, access easement, or lot line on the approval of this ordinance, and that distance shall not be thereafter reduced. An enlargement or expansion of the structure shall be no closer to a street, road, access easement or lot line than the existing structure.
- .4 Outdoor event and activity areas. The minimum front, side, and rear setbacks for outdoor event and activity areas shall be seventy-five (75) feet. In addition, outdoor event and activity areas shall be a minimum of one hundred twenty-five (125) feet from any dwelling unit on an abutting lot not under the same ownership as the agricultural operation. These minimum standards shall not apply to any portion of the agricultural operation that is engaged in production agriculture or silviculture, even though it also is used for an agritourism activity.

.5—Parking areas and portable toilets. The minimum front, side, and rear setbacks for parking areas and portable toilets shall be seventy-five (75) feet. In addition, parking areas and portable toilets shall be a minimum of one hundred twenty-five (125) feet from any dwelling unit on an abutting lot not under the same ownership as the agricultural operation.

16-24-6 Prohibited. The following uses are prohibited:

- .1—Restaurants.
- .2—Helicopter rides.

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16-21 FARM WINERIES, FARM BREWERY, LIMITED DISTILLERY, AGRITOURISM EVENTS AND ACTIVITIES AT AGRICULTURAL OPERATIONS (XX-XX-2025)

Each farm winery, farm brewery, limited distillery, and activities at agricultural operations shall be subject to the following:

16-21-1 Uses permitted. The following events, activities, and structures are permitted by right with the approval of a zoning permit or by special use permit, as outlined in Table A.

Table A	By right with a zoning permit	Special use permit (SUP)
	<p>Production, harvesting, storage, sales, tasting, and agritourism activities.</p> <p>Noise associated with outdoor wedding ceremonies, including speaking and music. This does not apply to receptions or celebrations held before or after a wedding ceremony.</p> <p>Occurring on sites greater than or equal to 10 acres in size.</p> <p>Less than or equal to 30 agritourism events, farm winery events, farm brewery events, farm distillery events, and activities at agricultural operations events per year with less than or equal to 150 attendees at any time.</p> <p>Structures for agritourism, farm winery events, farm brewery, limited distillery, and activities at agricultural operations with a building footprint of less than or equal to 4,000 square feet with no more than two stories above grade.</p>	<p>Outdoor amplified music associated with outdoor events</p> <p>Greater than 30 agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations events per year,</p> <p>Greater than 150 attendees at any time.</p> <p>Structures for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations greater than 4,000 square feet building footprint with more than two stories above grade.</p>

16-21-2 Uses permitted. The following uses, events, and activities (hereinafter, collectively, "uses") are allowed at an agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations:

- a) For agricultural operations and agritourism, these events, activities, and structures are individually and in the aggregate subordinate to the agricultural operation, and subject to the applicable requirements of this section.
- b) The production and harvesting of fruit and other agricultural products and the manufacturing of wine beer, or distilled spirits including, but not limited to, activities related to the production of the agricultural products used in wine, beer, or distilled spirits including, but not limited to, growing, planting and harvesting the agricultural products and the use of equipment for those activities.
- c) The sale, tasting, including barrel tastings, or consumption of wine, beer, or distilled spirits within the normal course of business of the agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations:

- d) The direct sale and shipment of wine, beer, or distilled spirits by common carrier to consumers under the Code of Virginia and the regulations of the Alcoholic Beverage Control Board.
- e) The sale and shipment of wine, beer, or distilled spirits to the Alcoholic Beverage Control Board, licensed wholesalers, and out-of-state purchasers in accordance with the Code of Virginia, regulations of the Alcoholic Beverage Control Board, and federal law.
- f) The storage, warehousing, and wholesaling of wine, beer, or distilled spirits in accordance with the Code of Virginia, regulations of the Alcoholic Beverage Control Board, and federal law.
- g) The sale of wine, beer, or distilled spirits-related items that are incidental to the sale of wine, beer, or distilled spirits including, but not limited to, the sale of incidental gifts such as cork screws, wine, beer, or distilled spirits glasses, and T-shirts.

16-21-3. The following uses are permitted provided they are related to the winery, brewery, farm, distillery, agritourism, and activities at agricultural operations.

- a) Exhibits, museums, and historical segments related to the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- b) By-right events include farm-to-table dinners, agricultural festivals, beverage and food pairings, livestock auctions, livestock or agricultural product shows, events promoting the sale of agricultural or silvicultural products, events promoting the sale of food products related to the agricultural operation, and fundraisers and charity events.
- c) Guest winemakers, brewers or distillers and trade accommodations of guests at an agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations: owner's private residence at the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- d) Hayrides.
- e) Kitchen and catering activities related to the farm winery, farm brewery, limited distillery, and activities at agricultural operations. Kitchen facilities that the health department licenses as a commercial kitchen shall not be permitted.
- f) Picnics, either self-provided or available (pre-packaged goods only) to be purchased at the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- g) Tours of the farm winery, farm brewery, limited distillery, and activities at agricultural operations.
- h) Weddings and wedding receptions
- i) Other uses not expressly authorized that are agritourism uses or are wine, beer, or spirit sales related uses, which the zoning administrator determines to be usual and customary uses (as defined in Article 22) at farm wineries, farm breweries, and limited distilleries throughout the Commonwealth, which do not create a substantial impact on the public health, safety, or welfare,
- j) Two (2) food trucks per day are permitted and shall be in accordance with Article 16-20.
- k) By-right agritourism includes, but is not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture, viewing or enjoying rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions, regardless of whether or not the participant paid to participate in the activity.

16-21-4 Sound from outdoor amplified music. Sound generated by outdoor amplified music shall be subject to the following:

- a) Special Use Permit: Each agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations shall obtain approval of a special use permit under Article 16-2 before generating any outdoor amplified music at the agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations.
- b) Sound amplification shall be limited in the time range of 10:00 am to 10:00 pm EST.
- c) Outdoor wedding ceremonies and processions, including speaking and music, are exempt from this regulation and are permitted by right with a zoning permit. This does not apply to receptions or celebrations held before or after a wedding ceremony.

16-21-5 Setbacks: Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, and portable toilets used in whole or in part to serve any use permitted at a agritourism or farm winery, farm brewery, limited distillery, and activities at agricultural operations, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

16-21-6 Outdoor Lighting:

Applicable for zoning permits and special use permits:

- a) Maximum Mounting Height: 25 feet
*Height is measured from grade to the top of the lighting fixture.
- b) All outdoor lighting fixtures shall be aimed, located and maintained so as not to produce disability glare. All lighting fixtures serving these areas shall be full cut-off fixtures and shall be mounted horizontal to the ground.
- c) Spillover light from these uses shall not exceed one-half (1/2) footcandle at the property line.
- d) High intensity light beams in the form of outdoor search lights, lasers, or strobe lights shall not be permitted.
- e) Lighting used to illuminate flags, statues, signs or any other objects mounted on a pole, pedestal or platform, spotlighting or floodlighting used for architectural or landscape purposes, shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated. Directional control shields shall be used where necessary to limit stray light. In addition, such lighting shall meet the shielding requirements.
- f) Lighting shall be reduced by at least fifty (50) percent of full operational levels within one (1) hour after the close of business, unless needed for safety and security. This reduced lighting level shall be achieved by extinguishing at least fifty (50) percent of the total number of pole mounted lamps, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours, or by some combination thereof; provided, however, that this provision shall not require parking lot lighting levels to be reduced to less than 0.2 footcandles as measured horizontally at the surface on which the light pole is mounted.
- g) Lighting in outdoor canopy ceilings shall be recessed, full cut-off fixtures with flat lenses. Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be illuminated.

16-21-7 Restroom Facilities:

- a) Facilities shall be provided for all agritourism, farm winery, farm brewery, limited distillery, and activities at agricultural operations per the Virginia Department of Health regulations.

16-21-8 Signage:

- a) All signage shall be in accordance with Article 14 of the Greene County Zoning Ordinance.

16-21-9 Parking:

- a) Parking space required: One space per employee and one space per 200 square feet of event space and tasting room.
- b) Parking area shall be paved or have an all-weather, dust-free surface.
- c) Vehicular parking is not allowed on any public streets or within 100 feet of any residence, except for a residence located on the property of the agritourism activities.

16-21-10 Considerations regarding an event, sales, or agritourism space in a structure:

- a) Such space shall be calculated to include conference rooms, banquet halls, ceremonial space for events, restrooms, interior hallways connecting such space, closets and storage used for the use, and the catering kitchen,
- b) Spaces that will not be considered as the event or sales area are storage for farm or maintenance equipment, office space associated with farm operations, production space, and storage related to production.

16-21-11 Uses prohibited. The following uses are not permitted:

- a) Restaurants.
- b) Helicopter rides.

16-21-12 Special Use Permit.

- a) Information and sketch plan to be submitted with the application for a special use permit. In addition to any information required to be submitted with an application for a special use permit under Article 16-2, each application for one or more uses authorized under 16-21 shall include the following:
- b) Information pertaining to the following: (i) the proposed uses; (ii) the maximum number of persons who will attend each use at any given time; (iii) the frequency and duration of the uses; (iv) the provision of on-site parking; (v) the location, height and lumens of outdoor lighting for each use; and (vi) the location of any stage, structure or other place where music will be performed.
- c) A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the director of planning depicting: (i) all structures that would be used for the uses; (ii) how access, on-site parking, outdoor lighting, signage and minimum yards will be provided in compliance with this chapter; and (iii) how potential adverse impacts to abutting lots will be mitigated so they are not substantial.

16-22 FARM STANDS, FARM SALES, AND FARMERS' MARKETS (XX-XX-XXX)

1) Each farm stand, farm sales, and farmers' market shall be subject to the following, as applicable:

- a. Zoning permit. Notwithstanding any other provision of this chapter, each farm stand, farm sales, or farmers' market shall obtain approval of a zoning permit issued by the zoning administrator as provided by Article 16-1 before the use is established as provided herein:
 - 1. Application. Each application for a zoning permit will be sent to the Virginia Department of Transportation, establishing that it has approved the entrance from the public street to the proposed use and:
 - (a) A sketch plan, which shall be a schematic drawing of the site with notes in a form and of a scale approved by the zoning administrator depicting: (i) all structures that would be used for the use; (ii) how access, on-site parking, outdoor lighting, signage and minimum setbacks will be provided in compliance with this section and this chapter; and (iii) how potential adverse impacts to adjoining property will be mitigated.
- b. Structure size. Structures used in conjunction with a farm stand, farm sales, or farmers' market shall comply with the following:
 - 1. **Farm stands.** Any permanent structure established and used for a farm stand shall not exceed one thousand five hundred (1,500) square feet gross floor area.

2. **Farmers' markets.** Any new or existing permanent structure may be used for a farmers' market without limitation to its size.
3. **Farm Sales.** Any new or existing permanent structure used for farm sales shall not exceed four thousand (4,000) square feet gross floor area.

2) **Parking.** Notwithstanding any provision of Article 16-8, the following minimum parking requirements shall apply to a farm stand or farmers' market:

- a. Number of spaces. Each use shall provide one (1) parking space per four hundred (400) square feet of retail area.

3) **Location.** No parking space shall be located closer than ten (10) feet to any public street right-of-way.

4) **Design and improvements.** In conjunction with each request for approval of a zoning permit, the zoning administrator shall identify the applicable parking design and improvements required that are at least the minimum necessary to protect the public health, safety, and welfare by providing safe ingress and egress to and from the site, safe vehicular and pedestrian circulation on the site, and the control of dust as deemed appropriate in the context of the use. Compliance with the identified parking design and improvements shall be a condition of approval of the zoning permit.

5) **Setbacks:** Notwithstanding any other provision of this Article, the minimum front, side, and rear setback requirements shall be in accordance with each applicable zoning district's primary structure setback. This shall apply to all structures, to all tents, off-street parking areas and portable toilets used in whole or in part to serve any use permitted at a agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations, provided that the zoning administrator may reduce the minimum required setback may be reduced by administrative variance upon finding that consideration of the following: (i) there is no detriment to the abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent has been provided by the owner of the abutting lot consenting to the reduction.

ARTICLE 22 DEFINITIONS:

APPROVED ON 6/23/2015 ASSOCIATED WITH AGRICULTURAL USES

Agricultural products: Any livestock, aquaculture, poultry, horticultural, floricultural, viticulture, silvicultural, or other farm crops. (Revised 6/23/15)

Agriculture: An agricultural operation, the keeping of livestock or poultry, or both, regardless of whether the keeping of livestock or poultry qualifies as an agricultural operation. The term includes accessory processing facilities for agricultural products grown or raised solely on the farm on which the agriculture is located, such as fruit packing plants and dairies. The term does not include any facilities permitted only by special use permit. (Revised 6/23/15)

Agricultural operation: Any operation devoted to the bona fide production of crops, or animals, or fowl, including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. This term includes aquaculture and plant nurseries. (Revised 6/23/15)

Agricultural operation event: a planned private, public, or social occasion that receives greater than 50 visitors per day (25 vehicles in and out of the site). An event conducted at, and subordinate to, an agricultural operation is comprised of: (i) agritourism-related events such as tastings not conducted in the daily course of agritourism, farm sales, or the sale of agricultural products or food products; farm-to-table dinners; agricultural festivals; and auctions or livestock shows pertaining to livestock, animals, or other agricultural products not grown or raised at that agricultural operation; (ii) events that promote the sale of agricultural or silvicultural products; (iii) events that promote the sale of food products; (iv) events that are usual and customary at Virginia agricultural operations; and (v) fundraisers and charity events. (Revised 6/23/15)

Agritourism: Any activity carried out at a farm winery, farm brewery, or an agricultural operation, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions, regardless of whether or not the participant paid to participate in the activity. These rural activities also include, but are not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture. (Revised 6/23/15)

FarmLimitedDistillery, is a distillery licensed under the Code of Virginia.

Farm brewery: An establishment located on one or more lots in Greene County licensed as a limited brewery under Virginia Code § 4.1-208.the Code of Virginia (Revised 6/23/15)

Farm brewery event: a planned private, public, or social occasion that receives greater than 50 visitor vehicle trips per day (25 vehicles in and out of the site). An event conducted at a farm brewery on one or more days where the purpose is agritourism or to promote beer sales including, but not limited to, gatherings not otherwise expressly authorized as a use under zoning districts C-1 and A-1, including, but not limited to, beer festivals; receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brew masters' dinners where beer is paired with food; agritourism promotions; and fundraisers and charity events. (Revised 6/23/15)

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Farm sales: The sale of agricultural products, value-added products and accessory merchandise on a farm, either outdoors or within a temporary or permanent structure, where the vendor selling the products and merchandise is engaged in production agriculture on the farm on which the farm sales use is located. (Revised 6/23/15)

Farm tour: An event organized by an agricultural operations or by a third party, to which the public is invited to visit agricultural operations, and which may include educational programs, workshops, or demonstrations related to agriculture or silviculture. (Revised 6/23/15)

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Farmers' market: The sale of agricultural products, value-added products, and accessory merchandise either outdoors or within a temporary or permanent structure by two (2) or more vendors in the conservation (C-1) and agricultural (A-1) district or by one or more vendors in any other zoning district where the use is allowed, where each vendor selling the products and merchandise is engaged in production agriculture, regardless of whether it is on or not on the lot on which the farmers' market is located. (Revised 6/23/15)

Farm winery: An establishment located on one or more lots in Greene County licensed as a farm winery under [Virginia Code § 4.1-207](#).[the Code of Virginia](#). (Revised 6/23/15)

Farm winery event: [a planned private, public, or social occasion that receives greater than 50 visitor vehicle trips per day](#) [\(25 vehicles in and out of the site\)](#).[An event](#) conducted at a farm winery on one or more days where the purpose is agritourism or to promote wine sales including, but not limited to, wine fairs; receptions where wine is sold or served; wine club meetings and activities; wine tasting educational seminars; wine tasting luncheons, business meetings, and corporate luncheons with a focus on selling wines; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; winemakers' dinners where wine is paired with food; agritourism promotions; and fundraisers and charity events. (Revised 6/23/15)

Farm stand: The sale of local agricultural products and value-added products, either outdoors or within a temporary or permanent structure, where the vendor selling the products is engaged in production agriculture in Greene County, but not on the lot on which the farm stand is located. (Revised 6/23/15)

Devoted to the bona fide production of crops, animals, or fowl: As used in the definition of “agricultural operation,” any lot on which the production of one or more agricultural products is a primary use (“agricultural production”) and the agricultural production is engaged in good faith and not merely to enable the lot to be eligible to host events and activities at an agricultural operation. The Zoning Administrator determines whether the agricultural production is a primary use and engaged in good faith and may consider the following factors: (i) whether the lot is subject to use value assessment because it is real estate devoted agriculture, horticulture, or silviculture; (ii) the acreage in agricultural production; (iii) the proportion of the lot's acreage in agricultural production; (iv) the crops, animals, or fowl being produced; (v) the acreage of the lot and of the site; (vi) the owner's federal tax forms including Form 1040F (Farm Expense and Income), Form 4385 (Farm Rental Income and Expenses), Form 1040E (Cash Rent for Agricultural Land), Form 1040C (Business Profit and Loss), or Form 1120 (Corporate Partnership); (vii) receipts showing gross sales over the most recent three-year period or evidence of the value of agricultural products that would have been sold but for a natural disaster; (viii) the proportion of the owner's total income derived from agricultural production on the site; (ix) evidence of participation in a federal farm subsidy program; (x) evidence of operating under a conservation farm management plan prepared by a professional; (xi) the proportion of capital investment in the site devoted to the production of agricultural products, operating, and labor expenses; (xii) Greene County-level United States

Department of Agriculture Census of Agriculture data; and (xiii) any other relevant factors. (Revised 6/23/15)

Production agriculture or production silviculture: The bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge. (Revised 6/23/15)

Substantial impact: An impact that may arise from an event or activity at a farm winery, farm brewery, or agricultural operation that has a significant adverse effect on: (i) an abutting lot or the neighborhood, including an impact on any owner, occupant, or agricultural or silvicultural activity; or (ii) any private or public road, natural resource, cultural resource, or historical resource. A substantial impact may result from a wide variety of factors including, but not limited to, the generation of traffic, noise, dust, artificial outdoor light, trash, stormwater runoff, and excessive soil compaction; the failure to provide adequate traffic controls and sanitation facilities; the cumulative effects of large numbers of events and activities occurring simultaneously, particularly when they are in close proximity to one another or require travel on the same public or private roads; and events and activities that are incompatible with existing production agriculture. (Revised 6/23/15)

Usual and customary use, event or activity: A use, event, or activity at a farm winery, farm brewery, or agricultural operation that is both ordinary and commonly practiced or engaged in at farm wineries, farm breweries, or agricultural operations, as applicable, within the Commonwealth, as determined by objective evidence. (Revised 6/23/15)

ARTICLE 22 DEFINITIONS:

APPROVED ON 6/23/2015 ASSOCIATED WITH AGRICULTURAL USES

Agricultural products: Any livestock, aquaculture, poultry, horticultural, floricultural, viticulture, silvicultural, or other farm crops. (Revised 6/23/15)

Agriculture: An agricultural operation, the keeping of livestock or poultry, or both, regardless of whether the keeping of livestock or poultry qualifies as an agricultural operation. The term includes accessory processing facilities for agricultural products grown or raised solely on the farm on which the agriculture is located, such as fruit packing plants and dairies. The term does not include any facilities permitted only by special use permit. (Revised 6/23/15)

Agricultural operation: Any operation devoted to the bona fide production of crops, or animals, or fowl, including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. This term includes aquaculture and plant nurseries. (Revised 6/23/15)

Agricultural operation event: a planned private, public, or social occasion that receives greater than 50 visitors per day (25 vehicles in and out of the site). conducted at, and subordinate to, an agricultural operation is comprised of: (i) agritourism-related events such as tastings not conducted in the daily course of agritourism, farm sales, or the sale of agricultural products or food products; farm-to-table dinners; agricultural festivals; and auctions or livestock shows pertaining to livestock, animals, or other agricultural products not grown or raised at that agricultural operation; (ii) events that promote the sale of agricultural or silvicultural products; (iii) events that promote the sale of food products; (iv) events that are usual and customary at Virginia agricultural operations; and (v) fundraisers and charity events. (Revised 6/23/15)

Agritourism: Any activity carried out at a farm winery, farm brewery, or an agricultural operation, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions, regardless of whether or not the participant paid to participate in the activity. These rural activities also include, but are not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture. (Revised 6/23/15)

Limited Distillery is a distillery licensed under the Code of Virginia.

Farm brewery: An establishment located on one or more lots in Greene County licensed as a limited brewery under the Code of Virginia (Revised)

Farm brewery event: a planned private, public, or social occasion that receives greater than 50 visitor vehicle trips per day (25 vehicles in and out of the site). conducted at a farm brewery on one or more days where the purpose is agritourism or to promote beer sales including, but not limited to, gatherings not otherwise expressly authorized as a use under zoning districts C-1 and A-1, including, but not limited to, beer festivals; receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brew masters' dinners where beer is paired with food; agritourism promotions; and fundraisers and charity events. (Revised)

Farm sales: The sale of agricultural products, value-added products and accessory merchandise on a farm, either outdoors or within a temporary or permanent structure, where the vendor selling the products and merchandise is engaged in production agriculture on the farm on which the farm sales use is located. (Revised 6/23/15)

Farm tour: An event organized by an agricultural operations or by a third party, to which the public is invited to visit agricultural operations, and which may include educational programs, workshops, or demonstrations related to agriculture or silviculture. (Revised 6/23/15)

Farmers' market: The sale of agricultural products, value-added products, and accessory merchandise either outdoors or within a temporary or permanent structure by two (2) or more vendors in the conservation (C-1) and agricultural (A-1) district or by one or more vendors in any other zoning district where the use is allowed, where each vendor selling the products and merchandise is engaged in production agriculture, regardless of whether it is on or not on the lot on which the farmers' market is located. (Revised 6/23/15)

Farm winery: An establishment located on one or more lots in Greene County licensed as a farm winery under the Code of Virginia. (Revised 6/23/15)

Farm winery event: a planned private, public, or social occasion that receives greater than 50 visitor vehicle trips per day (25 vehicles in and out of the site).conducted at a farm winery on one or more days where the purpose is agritourism or to promote wine sales including, but not limited to, wine fairs; receptions where wine is sold or served; wine club meetings and activities; wine tasting educational seminars; wine tasting luncheons, business meetings, and corporate luncheons with a focus on selling wines; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; winemakers' dinners where wine is paired with food; agritourism promotions; and fundraisers and charity events. (Revised 6/23/15)

Farm stand: The sale of local agricultural products and value-added products, either outdoors or within a temporary or permanent structure, where the vendor selling the products is engaged in production agriculture in Greene County, but not on the lot on which the farm stand is located. (Revised 6/23/15)

Devoted to the bona fide production of crops, animals, or fowl: As used in the definition of "agricultural operation," any lot on which the production of one or more agricultural products is a primary use ("agricultural production") and the agricultural production is engaged in good faith and not merely to enable the lot to be eligible to host events and activities at an agricultural operation. The Zoning Administrator determines whether the agricultural production is a primary use and engaged in good faith and may consider the following factors: (i) whether the lot is subject to use value assessment because it is real estate devoted agriculture, horticulture, or silviculture; (ii) the acreage in agricultural production; (iii) the proportion of the lot's acreage in agricultural production; (iv) the crops, animals, or fowl being produced; (v) the acreage of the lot and of the site; (vi) the owner's federal tax forms including Form 1040F (Farm Expense and Income), Form 4385 (Farm Rental Income and Expenses), Form 1040E (Cash Rent for Agricultural Land), Form 1040C (Business Profit and Loss), or Form 1120 (Corporate Partnership); (vii) receipts showing gross sales over the most recent three-year period or evidence of the value of agricultural products that would have been sold but for a natural disaster; (viii) the proportion of the owner's total income derived from agricultural production on the site; (ix) evidence of participation in a federal farm subsidy program; (x) evidence of operating under a conservation farm management plan prepared by a professional; (xi) the proportion of capital investment in the site devoted to the production of agricultural products, operating, and labor expenses; (xii) Greene County-level United States Department of Agriculture Census of Agriculture data; and (xiii) any other relevant factors. (Revised 6/23/15)

Production agriculture or production silviculture: The bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge. (Revised 6/23/15)

Substantial impact: An impact that may arise from an event or activity at a farm winery, farm brewery, or agricultural operation that has a significant adverse effect on: (i) an abutting lot or the neighborhood, including an impact on any owner, occupant, or agricultural or silvicultural activity; or (ii) any private or public road, natural resource, cultural resource, or historical resource. A substantial impact may result from a wide variety of factors including, but not limited to, the generation of traffic, noise, dust, artificial outdoor light, trash, stormwater runoff, and excessive soil compaction; the failure to provide adequate traffic controls and sanitation facilities; the cumulative effects of large numbers of events and activities occurring simultaneously, particularly when they are in close proximity to one another or require travel on the same public or private roads; and events and activities that are incompatible with existing production agriculture. (Revised 6/23/15)

Usual and customary use, event or activity: A use, event, or activity at a farm winery, farm brewery, or agricultural operation that is both ordinary and commonly practiced or engaged in at farm wineries, farm breweries, or agricultural operations, as applicable, within the Commonwealth, as determined by objective evidence. (Revised 6/23/15)

	A	B	C	D	E	F	G	H	I
1	Case #	Date	Approved	Requestor	Address/Owner	Tax Map #	Zoning Certification/Determination	Approval	Type
2	ZC23-085	12/8/2023	2/6/2024	Kohls, Richard & Joan	Kohls, Richard & Joan/63 River Drive	47-(6)-4B & 47-(6)-4C	Zoning Certification	Approved	Certification for a Winery
3	ZC19-017	5/9/2019	5/31/2019	Hittinger, Jeffrey R.	Hittinger, Jeffrey R.	60C-(A)-28	Zoning Certification/Determination	Signed	Brewery
4	ZC23-070	9/25/2023	10/4/2023	Vecchi, Christa	2440 Simmons Gap Road/Vecchi, Christa	45-(A)-26	Zoning Certification	Approved	Agritourism - events
5	ZC22-017	4/5/2022	4/18/2022	Langevin, Paul & Karen	Vacant parcel	39-(A)-17	Zoning Certification/Determination	Approved	Agritourism, agricultural operation events, farm sales, and residential
6	ZC22-023	5/31/2022	6/13/2022	Chapman, Frank	257 Snow Mountain Road	25-(A)-25	Zoning Certification/Determination	Approved	Agritourism event - amplified music
7	ZC17-019	4/25/2017	5/17/2017	Shifflett	Bruce	19A-(22)-9, 9A, 10, 10A, 11, & 12	Zoning Certification	Signed	Agritourism Use
8	ZC24-040	9/3/2024	9/19/2024	Murphy, Dan/Grange Commons	No address/Murphy, Dan	40A-(1)-1	Zoning certification	Approved	Farm Stand/Market
9	ZC24-023	5/6/2024	5/7/2024	Smith, Karyn	144 Austin Farm Road/Smith, Karyn	48-(A)-39E	Zoning Certification	Approved	Ag use - Flower farm - Farm stand
10	ZC16-009	4/8/2016	4/15/2016	Winslow	R. Scott	49-(1)-A	Zoning Certification	Signed	Ag Event with Outdoor Amplification
11	ZC17-013	3/29/2017	4/10/2017	Ted Corp, Inc.	EDA/Greene Farmer's Market	60F-(A)-12	Zoning Certification	Signed	Farmer's Market
12	ZC17-019	4/25/2017	5/17/2017	Shifflett	Bruce	19A-(22)-9, 9A, 10, 10A, 11, & 12	Zoning Certification	Signed	Agritourism Use
13	ZC21-043	9/16/2021	9/21/2021	Lunsford, Rebecca/Natural Roots Farm, LLC	1097 Haneytown Road	35-(A)-32D3	Zoning Certification/Determination	Approved	Agro tourism/clearance for amplified music
14	SUP15-002	1/20/2015	4/14/2015	Lynch, Rob & Carmen	Ward, Alan & Caron, Norma	18-(A)-29	Special Use Permit	Approved w/Conditions	Lodge/Cabins/Bed & Breakfast/Public Events
15	SUP20-010	11/17/2020		Nine Point Venture, LLC/Sansom, Todd	8607 Dyke Road	46-(A)-43A	Special Use Permit	Approved	Outdoor pavilion for gatherings, music, events, and store costumer use
16	SUP23-001	5/19/2023	10/10/2023	Crimson Rock Capital, LLC/Merit, LLC	2 vacant parcels	37-(A)-66 & 37-(A)-11	Special Use Permit Amendment & Special Use Permit	Approved with conditons	SUP for glamping
17	SUP14-002	2/7/2014	5/27/2014	Shifflett	Bruce	26-(A)-19	Special Use Permit	Approved w/Conditions	Pavilion for Public Functions & Cottage
18	SUP14-010	8/21/2014	11/12/2014	Kibler	Jeanne	58-(A)-8B	Special Use Permit	Approved w/Conditions	Bed & Breakfast
19	SUP16-006	12/2/2016	3/14/2017	Greene Hills Club, Inc.		28-(A)-63	Special Use Permit	Approved	Article 4-1-2 excluding gun clubs
20	SUP10-002	3/11/2010	12/14/2010	Shifflett	Bruce	18-(A)-11	Special Use Permit	Approved w/ Conditions	
21	SUP04-720		2/24/2004	Call	Janet	47-(A)-70	Special Use Permit	Approved w/ Conditions	Lodge/Bed & Breakfast

From: [Jim Frydl](#)
To: [Cristy Snead](#); [Stephanie Golon](#)
Subject: FW: Farm Winery Code Amendments
Date: Monday, March 17, 2025 10:51:23 AM
Attachments: [Farm Winery Table.xlsx](#)

From: Kennon copeland <krcope land@msn.com>
Sent: Monday, March 17, 2025 9:55 AM
To: John McCloskey <jmcloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; David Mastervich <dmastervich@gcva.us>
Cc: Francis McGuigan <fm McGuigan@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Subject: Farm Winery Code Amendments

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Greene County Planning Commissioners:

The Planning Commission will be discussing at its March 19, 2025 meeting revisions to the county's Zoning Ordinance for Farm Wineries, Farm Breweries, and Events at Agricultural Operations. Please take into consideration my views as stated below.

The current ordinance suffers from a number of deficiencies, primarily that it empowers the Zoning Administrator to grant "Zoning Clearance" for an unlimited number of "Farm Winery" events with as many as 400 attendees per event, outdoor amplified music without any governing standards or criteria and without notification to adjoining or neighboring property owners. In fact, the Zoning Administrator has stated in public meetings that he has no latitude to deny a request for Zoning Clearance.

Three options have been proposed for revising the zoning ordinance – two are contained in the Staff Report for this agenda item and the third was proposed by Supervisor McGuigan. All three remove "Zoning Clearance" authority from the Zoning Administrator, leaving only the categories of "By Right with Zoning Permit" and "Special Use Permit." Staff Option 1 should not be considered as it places "Outdoor Amplified Music" in the By Right category, and allows By Right up to 400 attendees at any event.

With appropriate modifications, Staff Option 2 appears most compatible with both the County's Comprehensive Plan and Conservation and Agricultural Districts, as well as taking into account the interests and concerns of adjoining and neighboring property owners.

The Fauquier County Zoning Code related to Farm Wineries, part of the meeting packet, to a great extent addresses my concerns as to activity levels, approval standards, term limits, and

public notification. The one exception is Building Size, which does not appear to be addressed in the Fauquier County code. The current Greene County standard that construction of non-agricultural structures totaling more than 4,000 sq ft in size requires an SUP should be retained.

The modifications I propose the Planning Commission consider making to Staff Option 2 are (see attached marked-up table):

1. The total number of events, whether approved “By Right with Zoning Permit” or by SUP, should not exceed 24 events annually;
2. Clarify that an SUP is required for any event exceeding 150 attendees, and limit the maximum number of attendees, even with an SUP, at 250;
3. Remove references to number of vehicle trips/day, as constraints should be focused on number of events and number of attendees;
4. Clarify that limits as to events, attendees, and building size apply to the cumulative types of activities (Agritourism events, farm winery events, agricultural sales, farm winery sales), not individually;

In addition, the revised ordinance should incorporate, at the least, the following aspects of the Fauquier County ordinance:

1. All Farm Winery and Farm Brewery activities requiring County approvals should have renewable term limits of at most 5 years;
2. Adjoining property owners should receive written notice of any application for any activity for which County approval (whether “Zoning Permit” or SUP) is required;
3. Criteria for the issuance of Farm Winery and Farm Brewery permits (currently applicable only to new construction) need to be established.

The draft Zoning Code Ordinance revisions under review will impact every property in the County’s Conservation and Agricultural Districts. I trust you will give these revisions careful consideration prior to issuing your recommendation to the Board of Supervisors.

Regards,
Kennon R. Copeland
185 Lexington Way
Stanardsville, VA 22973

Table	By Right with Zoning Permit	Special Use Permit
Farm Wineries	Production, harvesting, storage, sales, tasting, agritourism activities	
Farm Breweries	Agritourism or farm winery events, or retail sales generating less than or equal to 100 vehicle trips/day	Agritourism or farm winery events, or retail sales generating either greater than 100 vehicle trips/day
Events and Activities at Agricultural Operations	Occurring on sites greater than or equal to 10 acres in size	Occuring on sites less than 10 acres in size
	Less than or equal to 12 agritourism and/or farm winery events in total in a calendar year, each with less than or equal to 150 attendees at any time	Greater than 12 a gritourism and/or farm winery events /year with more than 150 attendees (up to a maximum of 250 attendees) at any time
		Greater than 12 (up to a maximum of 24 total) agritourism and/or farm winery events in a given calendar year, with a maximum of 2 events in any calendar month
	Structures for agritourism events and/or farm winery events, and/or agricultural sales and/or farm winery sales less than or equal to 4,000 square feet in total	Sturctures for agritourism events and/or farm winery events, and/or agricultural sales and/or farm winery sales greater than 4,000 square feet in total
		Outdoor amplified music (new establishments)

From: [Jim Frydl](#)
To: [Cristy Snead](#)
Subject: FW: "Agritourism" Code Amendments
Date: Friday, March 14, 2025 11:58:28 AM

From: Bill Zutt <bhzlaw@aol.com>
Sent: Wednesday, December 18, 2024 3:04 PM
To: John McCloskey <jmcloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>
Cc: Francis McGuigan <fm McGuigan@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Subject: "Agritourism" Code Amendments

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Hello-

I write to you with respect to item 4(a) on tonite's agenda (which appeared previously as item 5(a) on your 11/20 agenda, ie: proposed revisions to the manner in which "agritourism" events are regulated at Farm Wineries and Farm Breweries.

The current law authorizes 3 activity levels at Wineries and Breweries, ie: those allowed "By Right", those allowed "By Right with Zoning Clearance", and those requiring a Special Use Permit from the Board of Supervisors. The term "Zoning Clearance" is undefined anywhere in the Code, and empowers the Zoning Administrator to approve, without any limits and without any governing criteria, activity levels (including amplified outdoor music) exceeding those allowed "By Right".

Statutes of this kind are not only unwise as a matter of public policy. They are illegal.

The legislation introduced by Supervisor McGuigan, which is now before you for review, overcomes both problems by eliminating the unfettered "Zoning Clearance" power currently vested in the Zoning Administrator, and by transferring major activity approval authority to the Board of Supervisors in the form of a Special Use Permit (SUP). Doing so will not only cure the illegality in the present law, but provide full transparency through the public hearing process within the established guidelines applicable to all SUP's.

I trust you will give the legislation introduced by Supervisor McGuigan your full support.

Thank you.

-Bill Zutt
Stanardsville

From: [Jim Frydl](#)
To: [Stephanie Golon](#)
Cc: [Cristy Snead](#)
Subject: Fw: Farm Winery/Farm Brewery/Ag. Events Code Amendments
Date: Friday, February 21, 2025 12:02:57 PM

Not on this one either

From: Bill Zutt <bhzlaw@aol.com>
Sent: Tuesday, February 11, 2025 2:39 PM
To: John McCloskey <jmccloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Cc: Francis McGuigan <fm McGuigan@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>
Subject: Farm Winery/Farm Brewery/Ag. Events Code Amendments

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Hello-

I've reviewed Staff's 2/19/25 Memo regarding proposed Amendments to the Farm Winery/Farm Brewery/Ag. Events sections of the Zoning Code. Both Options attached to the Memo represent, in my view, a substantial improvement over the current Code, starting with removal of the unrestricted "Zoning Clearance" authority vested in the Zoning Administrator under the present Code. In its place both Options include a single column of "By Right with Zoning Permit" activities for which a "Zoning Permit" is required. "By Right" activity levels under "Option 1" are substantially greater, and more frequent, than those under "Option 2", and also allow Outdoor Amplified Music "By Right".

Here are my initial comments/ suggestions:

- (1) Recognizing the concern of rural area citizens for the traffic, noise and congestion occasioned by major events such as weddings, graduations, anniversaries and the like, Staff's draft "Option 2" is, in my view, infinitely preferable to Option 1. Events of greater magnitude and frequency, including the conduct of Amplified Outdoor Music, appropriately belong within the the SUP jurisdiction of the Board of Supervisors.
- (2) (a) The term "Zoning Permit", as defined in Sect.16-1 of the Code, applies to mainly to new construction and deals primarily with locational and utility details, not the impacts of a proposed use. It offers no operational standards for the

Zoning Administrator's grant, or denial, of a Farm Winery or Brewery Zoning Permit and, as such, resembles the flawed "Zoning Clearance" mechanism its designed to replace.

(b) In lieu of a "Zoning Permit", consideration might be given to a procedure employed in Fauquier County that's specifically designed for Farm Wineries. Sect. 5-1810.1 of the Fauquier Code requires the issuance of an "Administrative Permit" ("AP") for Farm Winery events below a threshold for which a "Special Exception" from the Board of Supervisors is required. It lays out practical criteria for the issuance of such Permits that recognize the uniqueness of such uses that is altogether missing from the Greene County Code (See Fauquier County Code Sect. 5-1801.1(2)and(3)).

(3) Another Fauquier County feature worthy of adoption is a requirement that adjoining landowners receive written notice prior to the issuance of a Farm Winery AP, which invites input from adjoiners prior to the issuance of an AP (See Fauquier Code Sect. 5-1810.1(2)(A)). The Greene County Code allows no such input from adjoiners.

To sum up, I think both Options offered by Staff are a step in the right direction. As the process moves forward I may have other comments.

Thank you for your attention.

-Bill Zutt
Stanardsville

From: [Jim Frydl](#)
To: [Stephanie Golon](#); [Cristy Snead](#)
Subject: Fw: Farm Winery Code Amendments
Date: Friday, February 21, 2025 12:01:47 PM

FYI you were not copied.

From: Bill Zutt <bhzlaw@aol.com>
Sent: Wednesday, February 19, 2025 4:29 PM
To: John McCloskey <jmcloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>
Cc: Francis McGuigan <fmguigan@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Subject: Farm Winery Code Amendments

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Good Afternoon-

In my 2/11 email reviewing proposed amendments to the Farm Winery sections of the Zoning Code, I endorsed several sections of the Fauquier County Code for their clarity and operating criteria.

Having reread the relevant Fauquier Code sections I'm convinced they represent, collectively, a better and more comprehensive approach to Farm Winery (and Brewery) regulation than what we currently have, or any of the options attached to the Staff Report.

The Fauquier Code divides Farm Winery activities into 3 basic categories:

- (1) those exempt from County regulation under State Law (Va. code Sect. 15.2-2288.3, Fauquier Code Sect. 6-401 (1)-(7).
- (2) "Special Events" with fewer than 150 attendees, for which an "Administrative Permit" from the Zoning Administrator is required. A maximum of one per month is permitted (Fauquier Code Sect. 5-1810.1-(1)(B)

- (3) (a) up to 18 "Special Events" annually with up to 200 attendees on parcels up to 50 acres; or
- (b) up to 24 "Special Events" annually with up to 250 attendees on parcels greater than 50 acres, plus one "Special Event" annually hosting up to 500 attendees.

"Special Events" under Category "3" require a "Special Exception" from the Fauquier Board of Supervisors (equivalent to an SUP here in Greene).

No more than 2 "Special Events" may occur in any calendar month, and the allowable number of such events includes those granted as "Administrative Permits" by the Zoning Administrator, and "Special Exceptions" by the Board of Supervisors (Fauquier Code Sect. 5-1810.2 (6)).

While it requires a degree of patience to review it the Fauquier Code, in my view, represents a well thought-out, comprehensive approach to Farm Winery regulation. It includes procedures, standards, and limits uniquely suited for Farm Wineries for the Zoning Administrator and Board of Supervisors to follow- thus avoiding the deficiencies inherent in our current Code. It also imposes time limits and renewal requirements on Administrative Permits and Special Exceptions, and requires written notice to adjoining landowners and an opportunity to comment on these applications.

I would respectfully urge the Commission members to review the Fauquier Code sections included in your packet prior to your next meeting (ideally over a fresh cup of coffee!).

Thank you for your attention.

-Bill Zutt
Stanardsville

William Zutt
211 Lexington Way
Stanardsville, Va. 22973
March 17, 2025

Greene County Planning Commission
40 Celt Rd.
Stanardsville, Va. 22973

Re: Farm Winery/Farm Brewery/Ag. Events Code Amendments

Dear Commission Members:

My recent emails have urged you to consider embracing several important elements of the Fauquier County Code related to its oversight and regulation of Farm Wineries.

Since then Victor Rosenberg and I have tried to combine the best features of Staff's "Option #2" with portions of the Fauquier Code into one document, a copy of which is attached. Since neither of us could digitally modify the "Option #2" table, or the Fauquier Code text, all our suggested revisions are handwritten (we hope legibly).

The following are the key changes/additions:

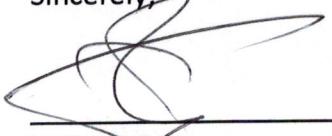
- (1) The term "Zoning Permit" (which pertains only to site work and construction requirements) has been replaced by "Administrative Permit"- a Fauquier Code term for which procedures and standards governing the Zoning Administrator's approval or disapproval of Farm Winery events up to 150 attendees are imposed. The procedure includes notification to adjoining property owners and an opportunity to comment.
- (2) The term "Special Exception" as it appears in the Fauquier Code has been changed to "Special Use Permit" to align it with our current Code and the "Option #2" table. General standards and procedures for the grant or denial of an SUP are found in Sect. 16-2 of our current Code, and more specific standards are contained in Sect. 5-1810.2 of the Fauquier Code.
- (3) Fauquier limits the number of events requiring either an Administrative Permit or an SUP at 24 annually- at a rate of no more than twice monthly. We believe the same standard should apply here in Greene and our modified "Option #2" table reflects that change. Also in line with the Fauquier Code, our modified table caps the number of attendees at an SUP event at 250 (the current table imposes no cap), while removing vehicular trips as a limiting standard (a standard which, with attendee limits in place, serves no useful purpose and may only lead to conflicting interpretation).
- (4) Fauquier also imposes renewable term limits on activities requiring Zoning Administrator approval and/or SUP approval- thus insuring a level of compliance with Permit conditions during the term of each permit (See Fauquier Code Sects. 5-1810.1(2)(C) and 5-1810.2(8). Those sections are included in our attachment.

(5) Finally, Sects. 6-402 and 6-403 of the Fauquier Code contain operating standards and use limitations on Farm Wineries which, with few exceptions, are currently lacking from Our Greene County Code. Copies of those sections are also included with our attachment.

The effort to modify Staff's "Option #2", while blending it with relevant portions of the Fauquier Code, has been challenging (and the need to rely on handwritten changes hasn't made it any easier). However, we believe we've assembled a workable, comprehensive method of regulating Farm Wineries and Breweries which preserves the user-friendliness of Staff's "Option #2" table, while overcoming the numerous deficiencies in the current Code. We also recognize that this is a "first effort" on our part, and certain technical refinements may be needed during the review process if the Commission members find our submission worthy of consideration.

Thank you for your time and attention.

Sincerely,



William Zutt

Cc: Greene County Board of Supervisors
Ms. Cathy Schafrik, County Administrator
Mr. Victor Rosenberg

Option 2

Administrative

Table	By right with zoning ✓ Permit	Special Use Permit
Farm wineries	Production, harvesting, storage, sales, tasting, agritourism activities.	Structures for agritourism or farm winery sales greater than 4,000 square feet;
Farm breweries		
Events and activities at agricultural operations	Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day. at least Occurring on sites greater than or equal to 10 acres in size. Up to Less than or equal to 12 agritourism or farm winery events/year with less than or equal to 150 attendees at any time; Structures for agritourism or farm winery sales less than or equal to 4,000 square feet	Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day. Occurring on sites less than 10 acres in size; Up to Greater than 12 agritourism or farm winery events per year with more than 150 attendees at any time Up to no more than 250
No more than		

~~This option requires a zoning certification and significantly limits the number of attendees by right. Since noise and congestion are a concern for our rural citizens, staff have provided an option requiring a special use permit for any event with more than 150 attendees, outdoor amplification, structures larger than 4,000 square feet, parcels smaller than 10 acres, or having greater than 12 events per year. As a reminder, with special use permits, impacts are identified by the governing body, and conditions may be placed on those uses to mitigate the impacts. Hours of operation, vegetative buffers, architecture standards, and lighting standards are examples of conditions used in the past.~~

(13)

Sheet 1810.1(2) The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for a Farm Winery:

- A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
- B. ~~The procedure for approval shall be that specified in Section 5-009, except that the Zoning Administrator shall be required to render a decision on the application within 45 days rather than the 30 days specified in Section 5-009.8.~~
- C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
- D. The process for reissuance shall be the same as for the initial approval.
- E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
- F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm

(2)

Winery in writing of the decision to not reissue an Administrative Permit.

G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Winery in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to ~~Section 13-600~~ *Greene County Code of the Zoning Ordinance*.

H. Each calendar day of any multi-day event shall be counted as a separate Special Event under the Zoning Ordinance.

Sec. 1810.1 (3) The following limitations shall apply to consideration of an Administrative Permit for a Farm Winery:

A. ~~No uses shall be granted by Administrative Permit if the Farm Winery is on a lot less than 11 acres in size.~~

B. Foods other than Light Accompaniments, including meals, may be served at a ~~Special~~ Event held at a Farm Winery pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in a Farm Winery having to be licensed as a "Food Establishment" under the Code of Virginia or which requires a "Temporary Food Establishment Permit" from the Health Department.

C. No uses shall be granted by Administrative Permit if the parcel on which the Farm Winery is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered "direct access to a public street" unless (i) the easement or road is exclusive to the Farm Winery parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement's servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement's servient estate.

D. No outdoor uses shall be granted by Administrative Permit if the proposed ~~Special~~ Event location is within 300 feet of a private residence not on the Farm Winery property that was in existence on the date the Farm Winery was first licensed by the ABC Board of the Commonwealth of Virginia.

E. The Closing Time for any ~~Special~~ Event held at a Farm Winery pursuant to Administrative Permit shall be no later than 9:00 p.m.

(3)

Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.

~~F. Notwithstanding the limitations set forth for Special Exceptions in Section 5-1810.2, a Farm Winery with an approved ABC permit as of July 12, 2012, which meets the limitations herein for Administrative Permit approval except for (a) the 11 acre minimum size requirement of 5-1810.1(3)(A) and/or (b) the "direct access" requirement of 5-1810.1(3)(C), may apply for Special Exception approval of the uses set forth in 5-1810.1(7).~~

4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:
 - A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
 - B. The consistency of requested ~~Special~~ Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including road designation on the Rural Road Classification Map 10.1 in the Comprehensive Plan;
 - ii. The road safety based on factors such as sight distances, road surfaces, road width and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Winery's septic system, as approved by Health Department; provided that no ~~Special~~ Events may have a number of attendees in excess of the approved capacity of the Farm Winery's septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.
 - C. The size of the Farm Winery property;
 - D. The distance of the Farm Winery's proposed ~~Special~~ Event locations to the nearest non-Farm Winery residences;
 - E. The effect of headlight glare from ~~Special~~ Event traffic on neighboring residences;
 - F. The effect of noise on residents in the surrounding areas;
 - G. The capacity of the Farm Winery's event facilities to accommodate the number of proposed attendees;
 - H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
 - I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety or welfare of the public.

The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety and welfare of the public.

(47)

~~assure that the proposed use will be compatible with surrounding uses and to protect the health, safety and welfare of the public.~~

5-1810.2

Use Permit
Special Exception For Farm Winery Special Events

Additional ~~Special~~ Events may be allowed at a Farm Winery only pursuant to this Section 5-1810.2 by approval of a ~~Special Exception~~ by the Board of Supervisors, subject to the following:

Use Permit

1. ~~Special~~ Events granted by ~~Special Exception~~ shall meet the standards and use limitations for Farm Winery uses in Sections 6-402 and 6-403;

Use Permit

2. ~~Special~~ Events granted by ~~Special Exception~~ shall further meet the standards and use limitations set forth in Sections 5-1810.1(3);
3. The standards for consideration of an Administrative Permit as set forth in Section 5-1810.1(4) shall apply to ~~Special~~ Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Farm Winery's septic system provided appropriate accommodations are made for temporary facilities during that ~~Special~~ Event.

Use Permit

4. A ~~Special Exception~~ for one or more ~~Special~~ Events shall only be granted if the Farm Winery property has frontage on a major collector or higher classification street as designated in the Comprehensive Plan unless the Board of Supervisors finds that the type and amount of traffic projected by such Farm Winery (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety or welfare of the public, or the owners of adjacent or proximate properties.

Use Permit

5. A ~~Special Exception~~ shall not be granted for any ~~Special~~ Event unless the Farm Winery property contains more than 25 acres, including contiguous parcels under common ownership.
6. A maximum of 18 ~~Special~~ Events per calendar year may be approved, with up to 200 attendees per ~~Special~~ Event, except that for Farm Winery properties over 50 acres in size, up to 24 ~~Special~~ Events per calendar year may be approved, with up to 250 attendees per ~~Special~~ Event, as well as one additional ~~Special~~ Event per calendar year of up to 500 attendees. Such maximum number of ~~Special~~ Events shall be inclusive of any ~~Special~~ Events authorized by Administrative Permit on the Farm Winery property, but shall be in addition to any uses allowed by-right under Section 6-401. No more than two (2) ~~Special~~ Events, whether approved by Administrative Permit or by ~~Special Exception~~, may be allowed or conducted in any one calendar month, in addition to any uses allowed by-right under Section 6-401.

Use Permit

7. The ~~Special Exception~~ holder shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services and traffic control for all ~~Special~~ Events. Such evidence shall include, as

(57)

appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services and sanitary issues:

- a. Sheriff's Office
- b. Virginia Department of Transportation
- c. Emergency Services Coordinator
- d. Health Department.

Use Permit

8. The initial Special ~~Exception~~ permit shall be granted for a period of no more than three (3) years. After the initial term, the Farm Winery may apply to have the permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that specified in Section 5-009. The Special ~~Exception~~ may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special ~~Exception~~, of citations for violations of the Zoning Ordinance, or any state or federal law or regulation.

Use Permit

9. The Special ~~Exception~~ shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten days following such transfer.

Use Permit

Use Permit

5-1811

Additional Standards for Aviary, Commercial, in the RC, RA, and RR-2 Zoning Districts

- 1. The minimum lot size requirement shall be five (5) acres.
- 2. No building, structure, outdoor storage, parking or loading area used for or in conjunction with such use shall be located within fifty (50) feet of any lot line.
- 3. All birds shall be penned or confined to the site.

5-1812

Additional Standards for Adaptive Use on Non-Common Open Space

- 1. Adaptive use shall be permitted only in structures existing prior to 1940, or structures that are independently listed or are eligible for listing on the National Register of Historic Places.
- 2. Adaptive use may be approved by the Board only for the following uses and only up to the levels specified:

Use

Maximum Size that May Be Approved By the Board

Business or Professional Office 6 employees

(6)

ticketed or by-invitation activity or event) during Regular Business Hours, or if approved, Extended Business Hours.

General Standards and Use Limitations at a Farm Winery

The following standards and use limitations shall apply to all uses at a Farm Winery:

1. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Winery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from a Farm Winery shall exceed the noise limits set forth in ~~Section 9-700. the Greene County Code.~~
2. Lighting: Lighting shall be fully shielded as set forth in Section 9-1005 and shall comply with the general requirements set forth in Sections 9-1006.4 and 9-1006.7. Structures and uses requiring building permit approval because of the extent of Special Events shall be subject to all lighting limitations applying to commercial uses.
3. Setbacks: Any structure to be utilized as part of a Farm Winery where any Special Events will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing Farm Winery structure for which the County has issued a Zoning Permit for operation as a Farm Winery prior to adoption of this Farm Winery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances and regulations then applicable to such expansion.
4. Parking: Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Ordinance that does not meet the 100 foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.
5. No Food Establishments: In no case shall food be provided which results in a Farm Winery having to be licensed by the Health Department as a *Food Establishment* or *Temporary Food Establishment* as defined by the Virginia Administrative Code 12VAC-421-10.
6. Occupancy: No activities or events held at a Farm Winery, including Wine Tasting and Consumption and Special Events, shall result in more people being On-site than the authorized occupancy limits under such Farm Winery's Health Department septic permit, or under any other applicable statute, ordinance or regulation.
7. Closing Time: The Closing Time for any ~~Special~~ Event held at a Farm Winery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
8. Server Training: Every Farm Winery shall be required to cause its employees serving wine to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated

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~~patrons from a list of approved programs published from time to time by the Zoning Administrator~~

Sect. 6-403 Prohibited Accessory Uses at a Farm Winery

The following uses/activities are prohibited accessory uses at any Farm Winery:

1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department
2. Helicopter rides
3. Hot air balloons
4. Fireworks
5. Grocery, convenience or general stores
6. Go-kart, motorized bike or four-wheeler trails, tracks or rides
7. Amusement park rides
8. Flea markets
9. Farmers' markets
10. Bowling Alleys
11. Mini-golf
12. Personal Services, including beauty or spa type services
13. Lodging
14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

6-404

SEVERABILITY

Should any article, section, subsection, sentence, clause or phrase of the regulations constituting the "Farm Winery Ordinance," to include the definitions set forth in Section 15-300, the provisions relating to by-right accessory uses set forth in Sections 6-400, or the provisions related to Administrative Permits or Special Exceptions for a Farm Winery set forth in Sections 5-1810.1 and 5-1810.2 be held unconstitutional, in violation of the restrictions set forth in Virginia Code Section 15.2-2288.3, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Farm Winery Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

(8)

William Zutt
211 Lexington Way
Stanardsville, Va. 22973
March 17, 2025

Greene County Planning Commission
40 Celt Rd.
Stanardsville, Va. 22973

Re: Farm Winery/Farm Brewery/Ag. Events Code Amendments

Dear Commission Members:

My recent emails have urged you to consider embracing several important elements of the Fauquier County Code related to its oversight and regulation of Farm Wineries.

Since then Victor Rosenberg and I have tried to combine the best features of Staff's "Option #2" with portions of the Fauquier Code into one document, a copy of which is attached. Since neither of us could digitally modify the "Option #2" table, or the Fauquier Code text, all our suggested revisions are handwritten (we hope legibly).

The following are the key changes/additions:

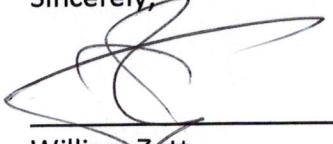
- (1) The term "Zoning Permit" (which pertains only to site work and construction requirements) has been replaced by "Administrative Permit"- a Fauquier Code term for which procedures and standards governing the Zoning Administrator's approval or disapproval of Farm Winery events up to 150 attendees are imposed. The procedure includes notification to adjoining property owners and an opportunity to comment.
- (2) The term "Special Exception" as it appears in the Fauquier Code has been changed to "Special Use Permit" to align it with our current Code and the "Option #2" table. General standards and procedures for the grant or denial of an SUP are found in Sect. 16-2 of our current Code, and more specific standards are contained in Sect. 5-1810.2 of the Fauquier Code.
- (3) Fauquier limits the number of events requiring either an Administrative Permit or an SUP at 24 annually- at a rate of no more than twice monthly. We believe the same standard should apply here in Greene and our modified "Option #2" table reflects that change. Also in line with the Fauquier Code, our modified table caps the number of attendees at an SUP event at 250 (the current table imposes no cap), while removing vehicular trips as a limiting standard (a standard which, with attendee limits in place, serves no useful purpose and may only lead to conflicting interpretation).
- (4) Fauquier also imposes renewable term limits on activities requiring Zoning Administrator approval and/or SUP approval- thus insuring a level of compliance with Permit conditions during the term of each permit (See Fauquier Code Sects. 5-1810.1(2)(C) and 5-1810.2(8). Those sections are included in our attachment.

(5) Finally, Sects. 6-402 and 6-403 of the Fauquier Code contain operating standards and use limitations on Farm Wineries which, with few exceptions, are currently lacking from Our Greene County Code. Copies of those sections are also included with our attachment.

The effort to modify Staff's "Option #2", while blending it with relevant portions of the Fauquier Code, has been challenging (and the need to rely on handwritten changes hasn't made it any easier). However, we believe we've assembled a workable, comprehensive method of regulating Farm Wineries and Breweries which preserves the user-friendliness of Staff's "Option #2" table, while overcoming the numerous deficiencies in the current Code. We also recognize that this is a "first effort" on our part, and certain technical refinements may be needed during the review process if the Commission members find our submission worthy of consideration.

Thank you for your time and attention.

Sincerely,



William Zutt

Cc: Greene County Board of Supervisors
Ms. Cathy Schafrik, County Administrator
Mr. Victor Rosenberg

Option 2

Administrative

Table	By right with zoning ✓ Permit	Special Use Permit
Farm wineries	Production, harvesting, storage, sales, tasting, agritourism activities.	Structures for agritourism or farm winery sales greater than 4,000 square feet;
Farm breweries		
Events and activities at agricultural operations	Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day. at least Occurring on sites greater than or equal to 10 acres in size. Up to Less than or equal to 12 agritourism or farm winery events/year with less than or equal to 150 attendees at any time; Structures for agritourism or farm winery sales less than or equal to 4,000 square feet	Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day. Occurring on sites less than 10 acres in size; Up to Greater than 12 agritourism or farm winery events per year with more than 150 attendees at any time Up to no more than 250
No more than		

~~This option requires a zoning certification and significantly limits the number of attendees by right. Since noise and congestion are a concern for our rural citizens, staff have provided an option requiring a special use permit for any event with more than 150 attendees, outdoor amplification, structures larger than 4,000 square feet, parcels smaller than 10 acres, or having greater than 12 events per year. As a reminder, with special use permits, impacts are identified by the governing body, and conditions may be placed on those uses to mitigate the impacts. Hours of operation, vegetative buffers, architecture standards, and lighting standards are examples of conditions used in the past.~~

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Sheet 1810.1(2) The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for a Farm Winery:

- A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
- B. ~~The procedure for approval shall be that specified in Section 5-009, except that the Zoning Administrator shall be required to render a decision on the application within 45 days rather than the 30 days specified in Section 5-009.8.~~
- C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
- D. The process for reissuance shall be the same as for the initial approval.
- E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
- F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm

(2)

Winery in writing of the decision to not reissue an Administrative Permit.

G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Winery in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to ~~Section 13-600~~ *Greene County Code of the Zoning Ordinance*.

H. Each calendar day of any multi-day event shall be counted as a separate Special Event under the Zoning Ordinance.

Sec. 1810.1 (3) The following limitations shall apply to consideration of an Administrative Permit for a Farm Winery:

A. ~~No uses shall be granted by Administrative Permit if the Farm Winery is on a lot less than 11 acres in size.~~

B. Foods other than Light Accompaniments, including meals, may be served at a ~~Special~~ Event held at a Farm Winery pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in a Farm Winery having to be licensed as a "Food Establishment" under the Code of Virginia or which requires a "Temporary Food Establishment Permit" from the Health Department.

C. No uses shall be granted by Administrative Permit if the parcel on which the Farm Winery is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered "direct access to a public street" unless (i) the easement or road is exclusive to the Farm Winery parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement's servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement's servient estate.

D. No outdoor uses shall be granted by Administrative Permit if the proposed ~~Special~~ Event location is within 300 feet of a private residence not on the Farm Winery property that was in existence on the date the Farm Winery was first licensed by the ABC Board of the Commonwealth of Virginia.

E. The Closing Time for any ~~Special~~ Event held at a Farm Winery pursuant to Administrative Permit shall be no later than 9:00 p.m.

(3)

Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.

~~F. Notwithstanding the limitations set forth for Special Exceptions in Section 5-1810.2, a Farm Winery with an approved ABC permit as of July 12, 2012, which meets the limitations herein for Administrative Permit approval except for (a) the 11 acre minimum size requirement of 5-1810.1(3)(A) and/or (b) the "direct access" requirement of 5-1810.1(3)(C), may apply for Special Exception approval of the uses set forth in 5-1810.1(7).~~

4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:
 - A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
 - B. The consistency of requested ~~Special~~ Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including road designation on the Rural Road Classification Map 10.1 in the Comprehensive Plan;
 - ii. The road safety based on factors such as sight distances, road surfaces, road width and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Winery's septic system, as approved by Health Department; provided that no ~~Special~~ Events may have a number of attendees in excess of the approved capacity of the Farm Winery's septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.
 - C. The size of the Farm Winery property;
 - D. The distance of the Farm Winery's proposed ~~Special~~ Event locations to the nearest non-Farm Winery residences;
 - E. The effect of headlight glare from ~~Special~~ Event traffic on neighboring residences;
 - F. The effect of noise on residents in the surrounding areas;
 - G. The capacity of the Farm Winery's event facilities to accommodate the number of proposed attendees;
 - H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
 - I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety or welfare of the public.

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(47)

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5-1810.2

Use Permit
Special Exception For Farm Winery Special Events

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Use Permit

1. ~~Special~~ Events granted by ~~Special Exception~~ shall meet the standards and use limitations for Farm Winery uses in Sections 6-402 and 6-403;

Use Permit

2. ~~Special~~ Events granted by ~~Special Exception~~ shall further meet the standards and use limitations set forth in Sections 5-1810.1(3);
3. The standards for consideration of an Administrative Permit as set forth in Section 5-1810.1(4) shall apply to ~~Special~~ Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Farm Winery's septic system provided appropriate accommodations are made for temporary facilities during that ~~Special~~ Event.

Use Permit

4. A ~~Special Exception~~ for one or more ~~Special~~ Events shall only be granted if the Farm Winery property has frontage on a major collector or higher classification street as designated in the Comprehensive Plan unless the Board of Supervisors finds that the type and amount of traffic projected by such Farm Winery (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety or welfare of the public, or the owners of adjacent or proximate properties.

Use Permit

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(57)

appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services and sanitary issues:

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- c. Emergency Services Coordinator
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8. The initial Special ~~Exception~~ permit shall be granted for a period of no more than three (3) years. After the initial term, the Farm Winery may apply to have the permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that specified in Section 5-009. The Special ~~Exception~~ may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special ~~Exception~~, of citations for violations of the Zoning Ordinance, or any state or federal law or regulation.

Use Permit

9. The Special ~~Exception~~ shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten days following such transfer.

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1. The minimum lot size requirement shall be five (5) acres.
2. No building, structure, outdoor storage, parking or loading area used for or in conjunction with such use shall be located within fifty (50) feet of any lot line.
3. All birds shall be penned or confined to the site.

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Use

Maximum Size that May Be Approved By the Board

Business or Professional Office 6 employees

(6)

ticketed or by-invitation activity or event) during Regular Business Hours, or if approved, Extended Business Hours.

General Standards and Use Limitations at a Farm Winery

The following standards and use limitations shall apply to all uses at a Farm Winery:

1. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Winery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from a Farm Winery shall exceed the noise limits set forth in ~~Section 9-700. the Greene County Code.~~
2. Lighting: Lighting shall be fully shielded as set forth in Section 9-1005 and shall comply with the general requirements set forth in Sections 9-1006.4 and 9-1006.7. Structures and uses requiring building permit approval because of the extent of Special Events shall be subject to all lighting limitations applying to commercial uses.
3. Setbacks: Any structure to be utilized as part of a Farm Winery where any Special Events will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing Farm Winery structure for which the County has issued a Zoning Permit for operation as a Farm Winery prior to adoption of this Farm Winery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances and regulations then applicable to such expansion.
4. Parking: Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Ordinance that does not meet the 100 foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.
5. No Food Establishments: In no case shall food be provided which results in a Farm Winery having to be licensed by the Health Department as a *Food Establishment* or *Temporary Food Establishment* as defined by the Virginia Administrative Code 12VAC-421-10.
6. Occupancy: No activities or events held at a Farm Winery, including Wine Tasting and Consumption and Special Events, shall result in more people being On-site than the authorized occupancy limits under such Farm Winery's Health Department septic permit, or under any other applicable statute, ordinance or regulation.
7. Closing Time: The Closing Time for any ~~Special~~ Event held at a Farm Winery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
8. Server Training: Every Farm Winery shall be required to cause its employees serving wine to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated

(7)

~~patrons from a list of approved programs published from time to time by the Zoning Administrator~~

Sect. 6-403 Prohibited Accessory Uses at a Farm Winery

The following uses/activities are prohibited accessory uses at any Farm Winery:

1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department
2. Helicopter rides
3. Hot air balloons
4. Fireworks
5. Grocery, convenience or general stores
6. Go-kart, motorized bike or four-wheeler trails, tracks or rides
7. Amusement park rides
8. Flea markets
9. Farmers' markets
10. Bowling Alleys
11. Mini-golf
12. Personal Services, including beauty or spa type services
13. Lodging
14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

6-404

SEVERABILITY

Should any article, section, subsection, sentence, clause or phrase of the regulations constituting the "Farm Winery Ordinance," to include the definitions set forth in Section 15-300, the provisions relating to by-right accessory uses set forth in Sections 6-400, or the provisions related to Administrative Permits or Special Exceptions for a Farm Winery set forth in Sections 5-1810.1 and 5-1810.2 be held unconstitutional, in violation of the restrictions set forth in Virginia Code Section 15.2-2288.3, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Farm Winery Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

(8)

William Zutt
211 Lexington Way
Stanardsville, Va. 22973
March 17, 2025

Greene County Planning Commission
40 Celt Rd.
Stanardsville, Va. 22973

Re: Farm Winery/Farm Brewery/Ag. Events Code Amendments

Dear Commission Members:

My recent emails have urged you to consider embracing several important elements of the Fauquier County Code related to its oversight and regulation of Farm Wineries.

Since then Victor Rosenberg and I have tried to combine the best features of Staff's "Option #2" with portions of the Fauquier Code into one document, a copy of which is attached. Since neither of us could digitally modify the "Option #2" table, or the Fauquier Code text, all our suggested revisions are handwritten (we hope legibly).

The following are the key changes/additions:

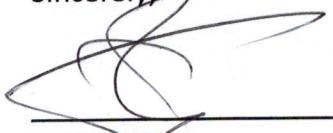
- (1) The term "Zoning Permit" (which pertains only to site work and construction requirements) has been replaced by "Administrative Permit"- a Fauquier Code term for which procedures and standards governing the Zoning Administrator's approval or disapproval of Farm Winery events up to 150 attendees are imposed. The procedure includes notification to adjoining property owners and an opportunity to comment.
- (2) The term "Special Exception" as it appears in the Fauquier Code has been changed to "Special Use Permit" to align it with our current Code and the "Option #2" table. General standards and procedures for the grant or denial of an SUP are found in Sect. 16-2 of our current Code, and more specific standards are contained in Sect. 5-1810.2 of the Fauquier Code.
- (3) Fauquier limits the number of events requiring either an Administrative Permit or an SUP at 24 annually- at a rate of no more than twice monthly. We believe the same standard should apply here in Greene and our modified "Option #2" table reflects that change. Also in line with the Fauquier Code, our modified table caps the number of attendees at an SUP event at 250 (the current table imposes no cap), while removing vehicular trips as a limiting standard (a standard which, with attendee limits in place, serves no useful purpose and may only lead to conflicting interpretation).
- (4) Fauquier also imposes renewable term limits on activities requiring Zoning Administrator approval and/or SUP approval- thus insuring a level of compliance with Permit conditions during the term of each permit (See Fauquier Code Sects. 5-1810.1(2)(C) and 5-1810.2(8). Those sections are included in our attachment.

(5) Finally, Sects. 6-402 and 6-403 of the Fauquier Code contain operating standards and use limitations on Farm Wineries which, with few exceptions, are currently lacking from Our Greene County Code. Copies of those sections are also included with our attachment.

The effort to modify Staff's "Option #2", while blending it with relevant portions of the Fauquier Code, has been challenging (and the need to rely on handwritten changes hasn't made it any easier). However, we believe we've assembled a workable, comprehensive method of regulating Farm Wineries and Breweries which preserves the user-friendliness of Staff's "Option #2" table, while overcoming the numerous deficiencies in the current Code. We also recognize that this is a "first effort" on our part, and certain technical refinements may be needed during the review process if the Commission members find our submission worthy of consideration.

Thank you for your time and attention.

Sincerely,



William Zutt

Cc: Greene County Board of Supervisors
Ms. Cathy Schafrik, County Administrator
Mr. Victor Rosenberg

Option 2

Administrative

Table	By right with zoning ✓ Permit	Special Use Permit
Farm wineries	Production, harvesting, storage, sales, tasting, agritourism activities.	Structures for agritourism or farm winery sales greater than 4,000 square feet;
Farm breweries		
Events and activities at agricultural operations	Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day. at least Occurring on sites greater than or equal to 10 acres in size. Up to Less than or equal to 12 agritourism or farm winery events/year with less than or equal to 150 attendees at any time; Structures for agritourism or farm winery sales less than or equal to 4,000 square feet	Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day. Occurring on sites less than 10 acres in size; Up to Greater than 12 agritourism or farm winery events per year with more than 150 attendees at any time Up to no more than 250
No more than		

~~This option requires a zoning certification and significantly limits the number of attendees by right. Since noise and congestion are a concern for our rural citizens, staff have provided an option requiring a special use permit for any event with more than 150 attendees, outdoor amplification, structures larger than 4,000 square feet, parcels smaller than 10 acres, or having greater than 12 events per year. As a reminder, with special use permits, impacts are identified by the governing body, and conditions may be placed on those uses to mitigate the impacts. Hours of operation, vegetative buffers, architecture standards, and lighting standards are examples of conditions used in the past.~~

(13)

Sheet 1810.1(2) The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for a Farm Winery:

- A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
- B. ~~The procedure for approval shall be that specified in Section 5-009, except that the Zoning Administrator shall be required to render a decision on the application within 45 days rather than the 30 days specified in Section 5-009.8.~~
- C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
- D. The process for reissuance shall be the same as for the initial approval.
- E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
- F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm

(2)

Winery in writing of the decision to not reissue an Administrative Permit.

G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Zoning Ordinance or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Winery in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to ~~Section 13-600~~ *Greene County Code of the Zoning Ordinance*.

H. Each calendar day of any multi-day event shall be counted as a separate Special Event under the Zoning Ordinance.

Sec. 1810.1 (3) The following limitations shall apply to consideration of an Administrative Permit for a Farm Winery:

A. ~~No uses shall be granted by Administrative Permit if the Farm Winery is on a lot less than 11 acres in size.~~

B. Foods other than Light Accompaniments, including meals, may be served at a ~~Special~~ Event held at a Farm Winery pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in a Farm Winery having to be licensed as a "Food Establishment" under the Code of Virginia or which requires a "Temporary Food Establishment Permit" from the Health Department.

C. No uses shall be granted by Administrative Permit if the parcel on which the Farm Winery is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered "direct access to a public street" unless (i) the easement or road is exclusive to the Farm Winery parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement's servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement's servient estate.

D. No outdoor uses shall be granted by Administrative Permit if the proposed ~~Special~~ Event location is within 300 feet of a private residence not on the Farm Winery property that was in existence on the date the Farm Winery was first licensed by the ABC Board of the Commonwealth of Virginia.

E. The Closing Time for any ~~Special~~ Event held at a Farm Winery pursuant to Administrative Permit shall be no later than 9:00 p.m.

(3)

Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.

~~F. Notwithstanding the limitations set forth for Special Exceptions in Section 5-1810.2, a Farm Winery with an approved ABC permit as of July 12, 2012, which meets the limitations herein for Administrative Permit approval except for (a) the 11 acre minimum size requirement of 5-1810.1(3)(A) and/or (b) the "direct access" requirement of 5-1810.1(3)(C), may apply for Special Exception approval of the uses set forth in 5-1810.1(7).~~

4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:

- A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
- B. The consistency of requested ~~Special~~ Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including road designation on the Rural Road Classification Map 10.1 in the Comprehensive Plan;
 - ii. The road safety based on factors such as sight distances, road surfaces, road width and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Winery's septic system, as approved by Health Department; provided that no ~~Special~~ Events may have a number of attendees in excess of the approved capacity of the Farm Winery's septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.
- C. The size of the Farm Winery property;
- D. The distance of the Farm Winery's proposed ~~Special~~ Event locations to the nearest non-Farm Winery residences;
- E. The effect of headlight glare from ~~Special~~ Event traffic on neighboring residences;
- F. The effect of noise on residents in the surrounding areas;
- G. The capacity of the Farm Winery's event facilities to accommodate the number of proposed attendees;
- H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
- I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety or welfare of the public.

The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety and welfare of the public.

(47)

~~assure that the proposed use will be compatible with surrounding uses and to protect the health, safety and welfare of the public.~~

5-1810.2

Use Permit
Special Exception For Farm Winery Special Events

Additional ~~Special~~ Events may be allowed at a Farm Winery only pursuant to this Section 5-1810.2 by approval of a ~~Special Exception~~ by the Board of Supervisors, subject to the following:

Use Permit

1. ~~Special~~ Events granted by ~~Special Exception~~ shall meet the standards and use limitations for Farm Winery uses in Sections 6-402 and 6-403;

Use Permit

2. ~~Special~~ Events granted by ~~Special Exception~~ shall further meet the standards and use limitations set forth in Sections 5-1810.1(3);
3. The standards for consideration of an Administrative Permit as set forth in Section 5-1810.1(4) shall apply to ~~Special~~ Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Farm Winery's septic system provided appropriate accommodations are made for temporary facilities during that ~~Special~~ Event.

Use Permit

4. A ~~Special Exception~~ for one or more ~~Special~~ Events shall only be granted if the Farm Winery property has frontage on a major collector or higher classification street as designated in the Comprehensive Plan unless the Board of Supervisors finds that the type and amount of traffic projected by such Farm Winery (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety or welfare of the public, or the owners of adjacent or proximate properties.

Use Permit

5. A ~~Special Exception~~ shall not be granted for any ~~Special~~ Event unless the Farm Winery property contains more than 25 acres, including contiguous parcels under common ownership.
6. A maximum of 18 ~~Special~~ Events per calendar year may be approved, with up to 200 attendees per ~~Special~~ Event, except that for Farm Winery properties over 50 acres in size, up to 24 ~~Special~~ Events per calendar year may be approved, with up to 250 attendees per ~~Special~~ Event, as well as one additional ~~Special~~ Event per calendar year of up to 500 attendees. Such maximum number of ~~Special~~ Events shall be inclusive of any ~~Special~~ Events authorized by Administrative Permit on the Farm Winery property, but shall be in addition to any uses allowed by-right under Section 6-401. No more than two (2) ~~Special~~ Events, whether approved by Administrative Permit or by ~~Special Exception~~, may be allowed or conducted in any one calendar month, in addition to any uses allowed by-right under Section 6-401.

Use Permit

7. The ~~Special Exception~~ holder shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services and traffic control for all ~~Special~~ Events. Such evidence shall include, as

(57)

appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services and sanitary issues:

- a. Sheriff's Office
- b. Virginia Department of Transportation
- c. Emergency Services Coordinator
- d. Health Department.

Use Permit

8. The initial Special Exception permit shall be granted for a period of no more than three (3) years. After the initial term, the Farm Winery may apply to have the permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that specified in Section 5-009. The Special Exception may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special Exception, of citations for violations of the Zoning Ordinance, or any state or federal law or regulation.

Use Permit

9. The Special Exception shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten days following such transfer.

Use Permit

Use Permit

5-1811

Additional Standards for Aviary, Commercial, in the RC, RA, and RR-2 Zoning Districts

- 1. The minimum lot size requirement shall be five (5) acres.
- 2. No building, structure, outdoor storage, parking or loading area used for or in conjunction with such use shall be located within fifty (50) feet of any lot line.
- 3. All birds shall be penned or confined to the site.

5-1812

Additional Standards for Adaptive Use on Non-Common Open Space

- 1. Adaptive use shall be permitted only in structures existing prior to 1940, or structures that are independently listed or are eligible for listing on the National Register of Historic Places.
- 2. Adaptive use may be approved by the Board only for the following uses and only up to the levels specified:

Use

Maximum Size that May Be Approved By the Board

Business or Professional Office 6 employees

(6>

ticketed or by-invitation activity or event) during Regular Business Hours, or if approved, Extended Business Hours.

General Standards and Use Limitations at a Farm Winery

The following standards and use limitations shall apply to all uses at a Farm Winery:

1. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Winery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from a Farm Winery shall exceed the noise limits set forth in ~~Section 9-700. the Greene County Code.~~
2. Lighting: Lighting shall be fully shielded as set forth in Section 9-1005 and shall comply with the general requirements set forth in Sections 9-1006.4 and 9-1006.7. Structures and uses requiring building permit approval because of the extent of Special Events shall be subject to all lighting limitations applying to commercial uses.
3. Setbacks: Any structure to be utilized as part of a Farm Winery where any Special Events will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing Farm Winery structure for which the County has issued a Zoning Permit for operation as a Farm Winery prior to adoption of this Farm Winery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances and regulations then applicable to such expansion.
4. Parking: Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Ordinance that does not meet the 100 foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.
5. No Food Establishments: In no case shall food be provided which results in a Farm Winery having to be licensed by the Health Department as a *Food Establishment* or *Temporary Food Establishment* as defined by the Virginia Administrative Code 12VAC-421-10.
6. Occupancy: No activities or events held at a Farm Winery, including Wine Tasting and Consumption and Special Events, shall result in more people being On-site than the authorized occupancy limits under such Farm Winery's Health Department septic permit, or under any other applicable statute, ordinance or regulation.
7. Closing Time: The Closing Time for any ~~Special~~ Event held at a Farm Winery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
8. Server Training: Every Farm Winery shall be required to cause its employees serving wine to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated

(7)

~~patrons from a list of approved programs published from time to time by the Zoning Administrator~~

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1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department
2. Helicopter rides
3. Hot air balloons
4. Fireworks
5. Grocery, convenience or general stores
6. Go-kart, motorized bike or four-wheeler trails, tracks or rides
7. Amusement park rides
8. Flea markets
9. Farmers' markets
10. Bowling Alleys
11. Mini-golf
12. Personal Services, including beauty or spa type services
13. Lodging
14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

6-404

SEVERABILITY

Should any article, section, subsection, sentence, clause or phrase of the regulations constituting the "Farm Winery Ordinance," to include the definitions set forth in Section 15-300, the provisions relating to by-right accessory uses set forth in Sections 6-400, or the provisions related to Administrative Permits or Special Exceptions for a Farm Winery set forth in Sections 5-1810.1 and 5-1810.2 be held unconstitutional, in violation of the restrictions set forth in Virginia Code Section 15.2-2288.3, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Farm Winery Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

(8)

To: Members of the Greene County Planning Commission

Subject: Farm Winery Ordinance Revision

The planning staff has presented you with two different options with which to begin the conversation about the ordinance revision. As currently constructed, neither should be considered as they would fail to constrain the number of events a winery may hold. This is a result of giving an event promoter two "by right" provisions to choose from.

The first specified "right" related to the number of events in each option permits events generating fewer than a set number of vehicle trips per day but sets **no limit** on the number of events weekly, monthly or annually. Because vehicles coming to an event would have one or more persons per vehicle the seemingly more restrictive option 2 would easily permit 150 to 200 people coming to daily events (option 1 would permit 300 to 400 people).

The second "right" is based upon the number of attendees at any one time, either 150 or 400, and limits the number of permitted events annually to 12 or 24. This would seem to be fairly restrictive, but is merely an illusion of a constraint because exercising the first "right" already provides for daily events for about the same number of people.

The staff options would appear to mimic the McGuigan proposal in that the latter sets a firm limit of 24 events annually for **both** vehicle trips per day and attendees. By separating the measures into two distinct rights (one permitting daily events and the other with an annual limit), the staff proposal effectively precludes any limit on the number of events annually.

The best and most comprehensive alternative included in the packet is the Fauquier ordinance. It defines a balance between both the number of events and their size. It has also been tested and been found to be consistent with State law. From 2007 to 2012, Fauquier did little to constrain the wineries. The largest would have 1,500 people on a weekend and 194 special events per year. Fauquier's ordinance was passed in 2013. The largest vineyard is still operating successfully under a special exemption which permits a total of 25 such events per year.

Table summarizing the number of special events permitted by the Fauquier ordinance.

By-Right	<ul style="list-style-type: none"> Wine sales, tasting, consumption during business hours When not open to the public, 24 events (2/month) with 35 or fewer attendees. These are not considered a special event
Admin Permit	12 special events (1/month) with 150 or fewer attendees
Special Exceptions – Total special events are inclusive of those authorized by admin permit and restricted to no more than 2/month	
- less than 25 acres	No special exemption to be granted; admin permit only
- 25 to 50 acres	18 total events with 200 or fewer attendees plus one event per year with up to 500
- 50 acres or more	24 total events with 250 or fewer attendees plus one event per year with up to 500

Please strongly consider endorsing the Fauquier ordinance as the one that the Board should consider. It sets a firm cap on the number of events, both "by right" and by SUP. It has achieved a balance that limits harm to residents and provided for adequate economic viability for Fauquier's nineteen wineries.

Scott Mingledorff
Stanardsville

From: [Jim Frydl](#)
To: [Cristy Snead](#); [Stephanie Golon](#)
Subject: Fw: Comments on April 16 Redline Version of Section 16-21 of Zoning Ordinance
Date: Wednesday, April 16, 2025 7:04:06 AM
Attachments: [Outlook-gg200nyw](#)

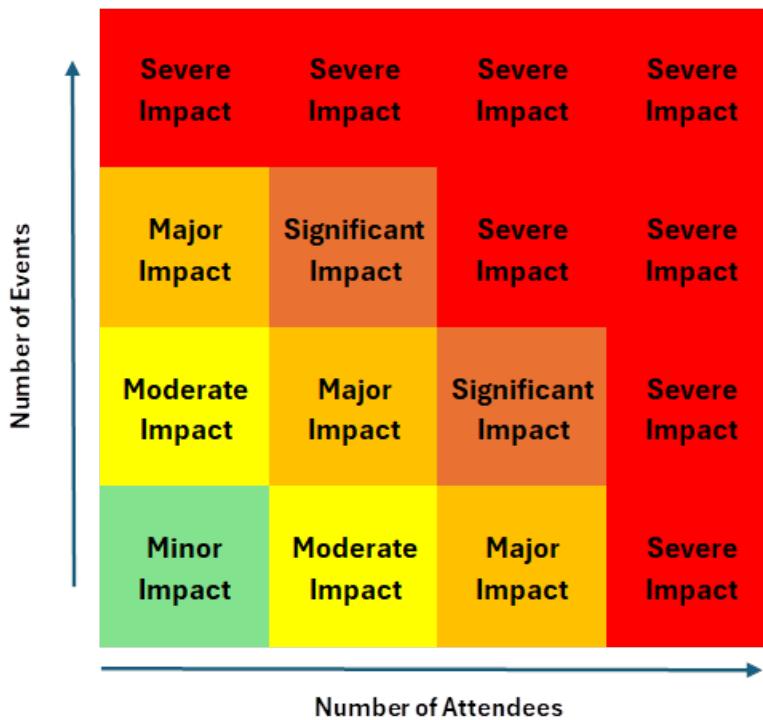
From: Kennon copeland <krcopeland@msn.com>
Sent: Tuesday, April 15, 2025 4:17 PM
To: John McCloskey <jmccloskey@gcva.us>; David Mastervich <dmastervich@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelpe <mkelpe@gcva.us>
Cc: Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Davis Lamb <dlamb@gcva.us>; Francis McGuigan <fmcmguigan@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Subject: Comments on April 16 Redline Version of Section 16-21 of Zoning Ordinance

The sender (**msn.com**) is outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

County Staff have presented to the Planning Commission a redlined version of Section 16-21 of the County's Zoning Ordinance. This version is in response to the Board of Supervisors' request to provide for increased clarity and additional regulation of events, number of vehicles and people, and amplified sound, and based upon discussion at the Planning Commission's March 19 meeting on this topic. I offer below my thoughts on Section 16-21.

A key aspect of this ordinance should be to balance the commercial interests of farms, farm wineries, and farm breweries with the interests of both the surrounding residents and the county as a whole. Finding a balance depends primarily, although not exclusively, upon the number of events and number of attendees at each event. It is concerning that, during the March 19 PC meeting, identified parameters for farm winery limitations were based solely on input from the commercial segment and no discussion of input from neighboring residents.

Scott Mingledorff created a grid which illustrates the imbalance and negative impact which results from the combination of number and size of events. I have modified his grid somewhat.



It is reasonable that:

1. situations falling in the lower left corner of the grid ("Minor Impact," i.e., small number of events in a calendar year, each with a small number of attendees) should be allowed; and
2. situations in which either the number of events is very large or the number of attendees at an individual event is very large or a combination of a large number of events with a large number of attendees ("Severe Impact") should not be allowed even with an SUP.

The redline version of Section 16-21 would allow "By right with a zoning permit" up to 30 events in a calendar year (which increases the number allowed by right under the current ordinance), each with up to 150 attendees. I would argue that both would fall in the "Moderate Impact" area of the grid, if not the "Major Impact" area. I would further argue that situations falling in the areas of the grid designated as "Moderate Impact," "Major Impact," and "Significant Impact" should be reserved for SUP approval by the Board of Supervisors. Finally, I would note that, for some reason, the 30 events by right in the redline version exceeds the numbers in either Option 1 or Option 2 of the staff report presented at the March 19 PC meeting.

- Recommendation 1: Wording in Table A, as to number of events in a calendar year and number of attendees at each event in the column labelled "By right with a zoning permit" should be revised to 12 events and 100 attendees.

The redline version of Section 16-21 would allow, with an SUP, unlimited number of events and attendees, which I would argue is counter to any reasonable consideration of the balance between commercial and neighborhood interests.

Recommendation 2: The maximum number of events allowed in a calendar year (combined between by right and with SUP approval) should be 30 and the maximum number of attendees at an individual event (with SUP approval) should be 300.

Thus, SUP approval would be required for more than 12 events (up to a maximum of 30) in a calendar year. SUP approval would also be required for any event allowing more than 100 attendees (up to a maximum of 300).

The redline version of Section 16-21 provides no definition of an event, although this was raised by the PC at the March 19 meeting. One aspect of definition of an event that was raised related to specifying some minimum number of attendees.

- Recommendation 3: An event should be defined to be any gathering of 25 or more persons for a permitted use on any given day.

In addition to number of events and number of attendees, frequency of events and associated noise affect the balance between commercial and neighborhood interests. The redline version of Section 16-21 makes no mention of allowed frequency of events, and provides no constraints on noise beyond those applicable elsewhere in the county.

- Recommendation 4: Events should be limited to no more than 4 in a given calendar month.
- While I have no recommendation as to noise associated with an event, I would note that, contrary to what was said at the March 19 PC meeting, the Virginia code is clear that a county may regulate outdoor amplified music for farm winery events differently than other county noise regulations.

“No local ordinance regulating noise, ***other than outdoor amplified music***, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance.” (emphasis added; [§ 15.2-2288.3. Licensed farm wineries: local regulation of certain activities](#))

The redline version of Section 16-21 makes notable changes to the building structure size restriction.

1. The current version of the zoning ordinance limits “Structures for agritourism or farm winery sales” to be less than or equal to 4,000 square feet by right.
2. The redline version allows, by right, “Structures for agritourism, farm winery events, farm brewery, limited distillery and activities at agricultural operations with a building footprint of less than or equal to 4,000 square feet with no more than two stories above ground.”

First, this increases the by right building size to 8,000 – 12,000+ square feet (Beard’s proposal had one floor below ground). Second, the word “sales” has been removed from the text in Table A, which suggests space used for sales (i.e., tasting room) may be excluded from the size limitation, which is contrary to current regulation. It should be noted that this size limitation does not impact production space.

- Recommendation 5: Wording in Table A, as to allowable structure size should be changed to read “Structures for agritourism, farm winery events and/or sales, farm

brewery events and/or sales, limited distillery events and/or sales, or activities at agricultural operations with a total floor space size less than or equal to 4,000 square feet with no more than two stories above ground.”

The redline version of Section 16-21 specifies outdoor lighting not to exceed 25 feet. Recommended typical height ranges from 12 to 20 feet. Given these facilities will be located in rural areas of the county, outdoor lighting heights should be lower rather than higher.

- Recommendation 6: Outdoor lighting height should not exceed 15 feet.

Finally, I have concerns that agricultural operations are being grouped with farm wineries, farm breweries, and limited distilleries for defining regulations, as the former are truly related to agritourism.

Regards,
Kennon R. Copeland
185 Lexington Way
Stanardsville, VA 22973

To: Members of the Greene County Planning Commission

Subject: Farm Winery Ordinance Revision

The planning staff has presented you with two different options with which to begin the conversation about the ordinance revision. As currently constructed, neither should be considered as they would fail to constrain the number of events a winery may hold. This is a result of giving an event promoter two "by right" provisions to choose from.

The first specified "right" related to the number of events in each option permits events generating fewer than a set number of vehicle trips per day but sets **no limit** on the number of events weekly, monthly or annually. Because vehicles coming to an event would have one or more persons per vehicle the seemingly more restrictive option 2 would easily permit 150 to 200 people coming to daily events (option 1 would permit 300 to 400 people).

The second "right" is based upon the number of attendees at any one time, either 150 or 400, and limits the number of permitted events annually to 12 or 24. This would seem to be fairly restrictive, but is merely an illusion of a constraint because exercising the first "right" already provides for daily events for about the same number of people.

The staff options would appear to mimic the McGuigan proposal in that the latter sets a firm limit of 24 events annually for **both** vehicle trips per day and attendees. By separating the measures into two distinct rights (one permitting daily events and the other with an annual limit), the staff proposal effectively precludes any limit on the number of events annually.

The best and most comprehensive alternative included in the packet is the Fauquier ordinance. It defines a balance between both the number of events and their size. It has also been tested and been found to be consistent with State law. From 2007 to 2012, Fauquier did little to constrain the wineries. The largest would have 1,500 people on a weekend and 194 special events per year. Fauquier's ordinance was passed in 2013. The largest vineyard is still operating successfully under a special exemption which permits a total of 25 such events per year.

Table summarizing the number of special events permitted by the Fauquier ordinance.

By-Right	<ul style="list-style-type: none"> Wine sales, tasting, consumption during business hours When not open to the public, 24 events (2/month) with 35 or fewer attendees. These are not considered a special event
Admin Permit	12 special events (1/month) with 150 or fewer attendees
Special Exceptions – Total special events are inclusive of those authorized by admin permit and restricted to no more than 2/month	
- less than 25 acres	No special exemption to be granted; admin permit only
- 25 to 50 acres	18 total events with 200 or fewer attendees plus one event per year with up to 500
- 50 acres or more	24 total events with 250 or fewer attendees plus one event per year with up to 500

Please strongly consider endorsing the Fauquier ordinance as the one that the Board should consider. It sets a firm cap on the number of events, both "by right" and by SUP. It has achieved a balance that limits harm to residents and provided for adequate economic viability for Fauquier's nineteen wineries.

Scott Mingledorff
Stanardsville



Greene County Zoning Ordinance Proposal

Farm Winery
Farm Brewery
Agricultural Operations

June 26, 2025

Dear Supervisors:

We write to you concerning proposed amendments to the County's Farm Winery, Farm Brewery, and Agricultural Operations/Agritourism Ordinances – a matter with which each of us has been engaged and concerned for several months.

The current law's deficiencies are well known and recognized, which stem from an overall imbalance between commercial and community interests:

- *Noise pollution;
- *Unlimited number of events;
- *Unlimited number of attendees;
- *Lack of public notification and input;
- *Lack of noncompliance enforcement;
- *Lack of term limits.

The ordinance's limitless authority allows the Zoning Administrator, without standards, criteria, public knowledge, or comment, to approve heavily attended weddings, celebrations, corporate and similar events in rural areas of Greene County whose Comprehensive Plan calls for the protection and preservation of those same areas.

Tasked with developing corrective legislation, County Planning Staff have generated several Reports and new measures intended to remedy the current law's deficiencies. While reducing number of events and attendees under Zoning approval, the Staff's proposed new measures can be seen to generally fail to address the deficiencies.

Included within those reports were copies of similar Codes currently operating in Albemarle and Fauquier Counties. We studied both those Codes in detail along with Staff's recommendation and concluded that, with minor modifications, Fauquier's Code offered the most comprehensive, reasonable, and time-tested option to address the current deficiencies from among those presented. Attached to this letter is a "shorthand" aid to understanding the Fauquier Code, providing summaries of the elements and operation of that Code (Attachment A).

We have drafted language which may readily be enacted by your Board to replace the current ordinances for Farm Winery, Farm Brewery, and Agricultural Operations. The language leverages that in the Fauquier code but is structured to be consistent with the Greene County code.

Attached with this letter is a simple chart (Attachment B) comparing Greene's current Code, Staff's recommended replacement, and the Fauquier-based Code (with our modifications) on the issues which are of greatest general concern and on which the

Fauquier Code, we think, represents a fair and reasonable balance of both public and private interests. As can be seen our draft of the Fauquier-based Code addresses all the deficiencies of the current Greene County Code, especially the issues of standards/criteria and community input, which are not addressed in Staff's proposed replacement.

Along with our comparative chart we provide the Fauquier-based ordinance language we have drafted for Farm Winery (Attachment C), Farm Brewery (Attachment D), and Agricultural Operations (Attachment E), in forms which may readily be enacted by your Board.

Reading draft legislation is time-consuming and challenging. We have given considerable thought and devoted many hours to this effort and trust you will thoroughly consider what we have submitted. It has stood the test of time and circumstance in Fauquier County. We strongly think and believe that, if adopted, with Greene County's smart growth approach to land use and business expansion, the revised ordinance will reinforce its commitment to sustainable development and preserving its rural character while embracing economic opportunity.

Thank you for your time and attention, and we welcome any questions/comments/suggestions any of you may wish to offer. Our phone numbers and email addresses are set forth adjacent to our respective signatures below.

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Attachment A

Fauquier County Farm Winery Code - Brief Summary

Three (3) Use Categories at Farm Wineries:

(1) “By-Right” Uses: Those which Counties are forbidden to regulate under State Law, including:

- (a) On-premises wine sales during normal business hours;
- (b) Wine tasting and “light accompaniments” during normal business hours.

In addition, “By-Right” uses include twice-monthly private events hosting up to 35 attendees.

(2) “Administrative Permit” Uses: “Special Events” requiring an “Administrative Permit” from the Zoning Administrator:

- (a) Up to one such Special Event monthly (12 events annually), with up to 150 attendees per event;
- (b) Written notice of Permit applications must be sent to adjoining property owners;
- (c) Compliance with site-specific criteria including traffic, noise, parking, sanitary, and similar impacts must be shown.

Initial “Administrative Permit” uses are term-limited (one year), subject to renewal terms of two and five years, and subject to neighbor comments, violation history, and other public health, safety and welfare concerns.

(3) “Special Exception” Uses (commonly referred to in Greene County as “Special Use Permits”): Those “Special Events” requiring Board of Supervisors approval:

- (a) Hosting up to 200 attendees (on parcels 26-50 acres in size), or events hosting up to 250 attendees (on parcels over 50 acres);
- (b) Up to 18 such Special Events may be hosted annually on parcels 26-50 acres in size, and up to 24 such Special Events annually on parcels over 50 acres in size. (Maximum number of Special Events includes those authorized by Administrative Permit);
- (c) No more than two Special Events may be conducted in any calendar month.

“Special Exception” uses requiring Board of Supervisors’ approval are treated and processed like “Special Use Permits” in Greene County and are subject to similar, though more detailed, criteria. Initial “Special Exception” uses are also term-limited (3-year initial term maximum, followed by 5 year or greater additional terms).

Prohibited Activities and Uses include (among others) the following:

- (1) Restaurants;
- (2) Lodging;
- (3) Farm winery shall not be operated as a “Food Establishment” or receive a “Temporary Food Establishment Permit.”

Regulated Activities and Uses include (among others) the following:

- (1) Event structures no closer than 300 ft. from lot lines;
- (2) Outdoor Lighting - Fully shielded;
- (3) Outdoor Amplified Music inaudible beyond lot lines;
- (4) Event Closing Times -
 - Mon.-Thurs. 9PM
 - Fri.-Sat. 11PM
 - Sun. 10PM

A complete list of allowable and prohibited uses at Fauquier County Wineries may be found at Sects. 6-401, 6-402, and 6-403 of the Fauquier County Code, which was included in Staff’s March 19, 2025 Planning Commission meeting packet.

Attachment B

Comparison of Farm Winery/Farm Brewery/Agricultural Operations Ordinances

	Greene County Current Code	Greene County Staff/PC Draft	Fauquier County-Based Ordinance
Maximum Number of Events per Year with Zoning Approval	Unlimited	30	12
Maximum Number of Events per Year with SUP	Unlimited	Unlimited	24*
Maximum Number of Attendees per Event with Zoning Approval	400	150	150
Maximum Number of Attendees per Event with SUP	Unlimited	Unlimited	250
Outdoor Amplified Music	Okay with Zoning Approval	SUP Required	May not be audible beyond property line
Maximum Tasting+Event Space with Zoning Approval	4,000 sq ft	12,000 sq ft**	4,000 sq ft
Maximum Tasting+Event Space with SUP	Unlimited	Unlimited	4,000 sq ft
Notice to Adjoining Owners	No	No	Yes
Term Limits/Renewable	Unlimited	Unlimited	Yes

* Includes all events approved by Zoning Administrator

** 4,000 sq ft footprint with two stories above ground (plus one level below ground)

Attachment C
Proposed Greene County Farm Winery Ordinance

STATEMENT OF INTENT

It is the policy of the Commonwealth of Virginia to protect the economic vitality of the Virginia Wine Industry, to allow certain Farm Winery activities to occur without local regulation, and to allow local regulation of other Farm Winery activities to avoid substantial impacts on the health, safety, and welfare of the public. The following Article is designed and intended to implement that policy.

- (I) Section 16-21 of the Greene County Zoning Ordinance is hereby repealed.
- (II) The Board of Supervisors of Greene County hereby enacts new Section 16-21 of the Greene County Zoning Ordinance to read as follows, and to be referred to as the "Greene County Farm Winery Ordinance."

(A) By-Right Uses at a Farm Winery

The following uses and activities shall be considered by-right uses accessory to the production and harvesting of grapes at a FARM WINERY, and shall be allowed at a FARM WINERY upon approval of a Zoning Permit pursuant to Section 16-1 of the Greene County Zoning Ordinance, subject to the use limitations set forth herein and in Sections (B) and (C) hereof:

1. The On-Premises sale of wine during Regular Business Hours;
2. Wine Tasting and Consumption conducted On-Premises at a Farm Winery during Regular Business Hours;
3. The direct sale and shipment of wine by common carrier to consumers in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board;
4. The sale and shipment of wine to Alcoholic Beverage Control Board licensed wholesalers, and to out-of-state purchasers in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board, and federal law;
5. The storage, warehousing, and wholesaling of wine in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board, as well as federal law;
6. The sale of Wine-Related Items incidental to the sale of wine during Regular Business Hours;
7. Private personal gatherings held by the owner of a Farm Winery who resides at such Farm Winery (or on property adjacent thereto that is owned or controlled by such owner) where wine is not sold or marketed at such event; and further provided that such private personal gathering is not otherwise regulated pursuant to the provisions of the Greene County Farm Winery Ordinance;
8. Light Accompaniments served in conjunction with Wine Tasting and Consumption during Regular Business Hours; and

9. Up to two times in any calendar month, Agritourism or Farm Winery Events (collectively referred to as "Events" throughout this Section 16-21) which are limited to 35 invitees or ticketed attendees, and held when the Farm Winery is closed to the general public, and in any case prior to Closing Time; provided that in lieu of holding any one such authorized monthly 35-person activity or event in any month, a Farm Winery may instead serve, once in any calendar month, Catered Food to the general public in conjunction with Wine Tasting and Consumption (and not in conjunction with any ticketed or by-invitation activity or event) during Regular Business Hours.

(B) General Standards and Use Limitations at a Farm Winery

The following standards and use limitations shall apply to all uses at a Farm Winery:

1. Events, activities and structures shall, individually and collectively, be physically, financially, and operationally subordinate to the operation of the Farm Winery.
2. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Winery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no other noise emanating from a Farm Winery shall exceed the noise limits set forth in the Greene County Zoning Ordinance.
3. Lighting: Lighting shall be fully shielded and shall comply with the requirements set forth in the Greene County Zoning Ordinance, with the exception that spillover light shall not exceed 1 Lux at the property line and outdoor light fixtures shall be located a minimum of 300 feet from all lot lines. Lighting in outdoor canopy ceilings shall be recessed, full cut-off fixtures with flat lenses. Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be illuminated.
4. Buildings, structures, and interior spaces dedicated to Tasting and to Events shall not collectively exceed 4,000 sq. ft. of floor space.
5. Setbacks: Any structure to be utilized as part of a Farm Winery where any Events or Wine Tasting will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing Farm Winery structure for which the County has issued a Zoning Permit for operation as a Farm Winery prior to adoption of this Greene County Farm Winery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances, and regulations then applicable to such expansion.
6. Parking: Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Greene County Farm Winery Ordinance that does not meet the 100-foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.

7. No Food Establishments: In no case shall food be provided which results in a Farm Winery having to be licensed by the Health Department as a Food Establishment or Temporary Food Establishment as defined by the Virginia Administrative Code 12VAC-421-10.
8. Occupancy: No activities or events held at a Farm Winery, including Wine Tasting and Consumption, shall result in more people being On-site than the authorized occupancy limits under such Farm Winery's Health Department septic permit, or under any other applicable statute, ordinance, or regulation.
9. The Closing Time for any Event held at a Farm Winery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
10. Server Training: Every Farm Winery shall be required to cause its employees serving wine to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated patrons, such program selected from a list of approved programs published from time to time by the Zoning Administrator.

(C) Prohibited Accessory Uses at a Farm Winery

The following uses/activities are prohibited uses at any Farm Winery:

1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department;
2. Helicopter rides;
3. Hot air balloons;
4. Fireworks;
5. Grocery, convenience or general stores;
6. Go-kart, motorized bike or four-wheeler trails, tracks, or rides;
7. Amusement park rides;
8. Flea markets;
9. Farmers' markets;
10. Bowling Alleys;
11. Mini-golf;
12. Personal Services, including beauty or spa type services;
13. Lodging; and
14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

(D) Administrative Permits for a Farm Winery

1. Subject to the issuance of an Administrative Permit by the Zoning Administrator, one Event per calendar month may be authorized in addition to the Events specified in Section (A)(9); provided that such Event shall not exceed 150 invitees or ticketed attendees (or, if less, the occupancy limits referenced in Section (B)(8) of this Greene County Farm Winery Ordinance).
2. The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for a Farm Winery:
 - A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
 - B. The Zoning Administrator shall be required to render a written decision on the application within 30 days' receipt of a complete application, and shall simultaneously provide a copy of said decision to all adjoining property owners.
 - C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
 - D. The process for reissuance shall be the same as for the initial approval.
 - E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
 - F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Winery in writing of the decision to not reissue an Administrative Permit.
 - G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Winery in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to Greene County Zoning Ordinance.
 - H. Each calendar day of any multi-day event shall be counted as a separate Event under the Greene County Farm Winery Ordinance.

3. The following limitations shall apply to consideration of an Administrative Permit for a Farm Winery:
 - A. Foods other than Light Accompaniments, including meals, may be served at an Event held at a Farm Winery pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in a Farm Winery having to be licensed as a Food Establishment under the Code of Virginia or which requires a Temporary Food Establishment Permit from the Health Department.
 - B. No Administrative Permit shall be granted if the parcel on which the Farm Winery is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered "direct access to a public street" unless (i) the easement or road is exclusive to the Farm Winery parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement's servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement's servient estate.
 - C. No outdoor uses shall be granted by Administrative Permit if the proposed Event location is within 300 feet of a private residence not on the Farm Winery property that was in existence on the date the Farm Winery was first licensed by the ABC Board of the Commonwealth of Virginia.
 - D. The Closing Time for any Event held at a Farm Winery pursuant to Administrative Permit shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.
4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:
 - A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
 - B. The consistency of requested Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including direct access to a road having a VDOT classification of Minor Collector or higher;
 - ii. The road safety based on factors such as sight distances (including points of entry and egress), road surfaces, road width, and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Winery's septic system, as approved by Health Department; provided that no Events may have a number of attendees in excess of the approved capacity of the Farm Winery's septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.

- C. The size of the Farm Winery property;
- D. The distance of the Farm Winery's proposed Event locations to the nearest non-Farm Winery residences;
- E. The effect of headlight glare from Event traffic on neighboring residences;
- F. The effect of noise on residents in the surrounding areas;
- G. The capacity of the Farm Winery's event facilities to accommodate the number of proposed attendees;
- H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
- I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety, or welfare of the public as elsewhere defined in The Greene County Zoning Ordinance. The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety, and welfare of the public.

(E) Special Use Permit For Farm Winery Events

Additional Events may be allowed at a Farm Winery by approval of a Special Use Permit by the Board of Supervisors, subject to the following:

- 1. Events granted by Special Use Permit shall meet the standards and use limitations for Farm Winery uses in Sections (B) and (C).
- 2. Events granted by Special Use Permit shall further meet the standards and use limitations set forth in Section (D)(3).
- 3. The standards for consideration of an Administrative Permit as set forth in Section (D)(4) shall apply to Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Farm Winery's septic system provided appropriate accommodations are made for temporary facilities during that Event.
- 4. A Special Use Permit for one or more Events shall only be granted if the Farm Winery property has frontage on a major collector or higher classification street as designated by VDOT, unless the Board of Supervisors finds that the type and amount of traffic projected by such Farm Winery (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety, or welfare of the public, or the owners of adjacent or proximate properties.
- 5. A Special Use Permit shall not be granted for any Event unless the Farm Winery property contains more than 25 acres, including contiguous parcels under common ownership
- 6. A maximum of 18 Events per calendar year may be approved, with up to 200 attendees per Event, except that for Farm Winery properties over 50 acres in size, up to 24 Events per calendar year may be approved, with up to 250 attendees per Event, as well as one additional Event per calendar year

of up to 500 attendees. Such maximum number of Events shall be inclusive of any Events authorized by Administrative Permit on the Farm Winery property, but shall be in addition to any uses allowed by-right under Section (A). No more than two (2) Events, whether approved by Administrative Permit or by Special Use Permit, may be allowed or conducted in any one calendar month, in addition to any uses allowed by-right under Section (A)

7. The Special Use Permit holder shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services, and traffic control for all Events. Such evidence shall include, as appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services, and sanitary issues:
 - a. Sheriff's Office;
 - b. Virginia Department of Transportation;
 - c. Emergency Services Coordinator;
 - d. Health Department.
8. The initial Special Use Permit shall be granted for a period of no more than three (3) years. After the initial term, the Farm Winery may apply to have the Special Use Permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that applicable to new Applications provided, however, that waivers of documentary submissions may in writing be requested by the Applicant upon a showing that no changes have occurred since the initial application. The Special Use Permit may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special Use Permit, of citations for violations of the Greene County Zoning Ordinance, or any state or federal law or regulation.
9. The Special Use Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten days following such transfer.

(F) Severability

Should any article, section, subsection, sentence, clause or phrase of this "Greene County Farm Winery Ordinance" be held unconstitutional, in violation of the restrictions set forth in Virginia Code Section 15.2-2288.3, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Greene County Farm Winery Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

Attachment D

Proposed Greene County Farm Brewery Ordinance

STATEMENT OF INTENT

It is the policy of the Commonwealth of Virginia to protect the economic vitality of the Virginia beer Industry, to allow certain Farm Brewery activities to occur without local regulation, and to allow local regulation of other Farm Brewery activities to avoid substantial impacts on the health, safety, and welfare of the public. The following Article is designed and intended to implement that policy.

- (I) Section 16-23 of the Greene County Zoning Ordinance is hereby repealed.
- (III) The Board of Supervisors of Greene County hereby enacts new Section 16-23 of the Greene County Zoning Ordinance to read as follows, and to be referred to as the "Greene County Farm Brewery Ordinance."

(A) By-Right Uses at a Farm Brewery

The following uses and activities shall be considered by-right uses accessory to the production of beer at a FARM BREWERY, and shall be allowed at a FARM BREWERY upon approval of a Zoning Permit pursuant to Section 16-1 of the Greene County Zoning Ordinance, subject to the use limitations set forth herein and in Sections (B) and (C) hereof:

1. The On-Premises sale of beer during Regular Business Hours;
2. Beer tasting and consumption conducted On-Premises at a Farm Brewery during Regular Business Hours;
3. The direct sale and shipment of beer by common carrier to consumers in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board;
4. The sale and shipment of beer to Alcoholic Beverage Control Board licensed wholesalers, and to out-of-state purchasers in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board, and federal law;
5. The storage, warehousing, and wholesaling of beer in accordance with Title 4.1 of the Code of Virginia and regulations of the ABC Board, and federal law;
6. The sale of Beer-Related Items incidental to the sale of beer during Regular Business Hours;
7. Private personal gatherings held by the owner of a Farm Brewery who resides at such Farm Brewery (or on property adjacent thereto that is owned or controlled by such owner) where beer is not sold or marketed at such event; and further provided that such private personal gathering is not otherwise regulated pursuant to the provisions of the Greene County Farm Brewery Ordinance;
8. Light Accompaniments served in conjunction with Beer Tasting and Consumption during Regular Business Hours; and

9. Up to two times in any calendar month, Agritourism or Farm Brewery Events (collectively referred to as "Events" throughout this Section 16-23) which are limited to 35 invitees or ticketed attendees, and held when the Farm Brewery is closed to the general public, and in any case prior to Closing Time; provided that in lieu of holding any one such authorized monthly 35-person activity or event in any month, a Farm Brewery may instead serve, once in any calendar month, Catered Food to the general public in conjunction with Beer Tasting and Consumption (and not in conjunction with any ticketed or by-invitation activity or event) during Regular Business Hours.

(B) General Standards and Use Limitations at a Farm Brewery

The following standards and use limitations shall apply to all uses at a Farm Brewery:

1. Events, activities and structures shall, individually and collectively, be physically, financially, and operationally subordinate to the operation of the Farm Brewery.
2. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Brewery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from a Farm Brewery shall exceed the noise limits set forth in the Greene County Zoning Ordinance.
3. Lighting: Lighting shall be fully shielded and shall comply with the requirements set forth in the Greene County Zoning Ordinance, with the exception that spillover light shall not exceed 1 Lux at the property line and outdoor light fixtures shall be located a minimum of 300 feet from all lot lines. Lighting in outdoor canopy ceilings shall be recessed, full cut-off fixtures with flat lenses. Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be illuminated.
4. Buildings, structures, and interior spaces dedicated to Tasting, and to Events shall not collectively exceed 4,000 sq. ft. of floor space.
5. Setbacks: Any structure to be utilized as part of a Farm Brewery where any Events or Beer Tasting will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing Farm Brewery structure for which the County has issued a Zoning Permit for operation as a Farm Brewery prior to adoption of this Greene County Farm Brewery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances, and regulations then applicable to such expansion.
6. Parking: Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Greene County Farm Brewery Ordinance that does not meet the 100-foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.

7. No Food Establishments: In no case shall food be provided which results in a Farm Brewery having to be licensed by the Health Department as a Food Establishment or Temporary Food Establishment as defined by the Virginia Administrative Code 12VAC-421-10.
8. Occupancy: No activities or Events held at a Farm Brewery, including Beer Tasting and Consumption, shall result in more people being on-site than the authorized occupancy limits under such Farm Brewery's Health Department septic permit, or under any other applicable statute, ordinance, or regulation.
9. The Closing Time for any Event held at a Farm Brewery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
10. Server Training: Every Farm Brewery shall be required to cause its employees serving beer to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated patrons, such program selected from a list of approved programs published from time to time by the Zoning Administrator.

(C) Prohibited Accessory Uses at a Farm Brewery

The following uses/activities are prohibited uses at any Farm Brewery:

1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department;
2. Helicopter rides;
3. Hot air balloons;
4. Fireworks;
5. Grocery, convenience or general stores;
6. Go-kart, motorized bike or four-wheeler trails, tracks, or rides;
7. Amusement park rides;
8. Flea markets;
9. Farmers' markets;
10. Bowling Alleys;
11. Mini-golf;
12. Personal Services, including beauty or spa type services;
13. Lodging; and
14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

(D) Administrative Permits for a Farm Brewery

1. Subject to the issuance of an Administrative Permit by the Zoning Administrator, one Event per calendar month may be authorized in addition to the Events specified in Section (A)(9); provided that such Event shall not exceed 150 invitees or ticketed attendees (or, if less, the occupancy limits referenced in Section (B)(8) of this Greene County Farm Brewery Ordinance).
2. The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for a Farm Brewery:
 - A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
 - B. The Zoning Administrator shall be required to render a written decision on the application within 30 days' receipt of a complete application, and shall simultaneously provide a copy of said decision to all adjoining property owners.
 - C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
 - D. The process for reissuance shall be the same as for the initial approval.
 - E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Brewery or transfer of title to the Farm Brewery property, provided that in the event of any such transfer, the Farm Brewery shall provide written notice thereof to the County within ten (10) days following such transfer.
 - F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Brewery in writing of the decision to not reissue an Administrative Permit.
 - G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the Farm Brewery in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to Greene County Zoning Ordinance.
 - H. Each calendar day of any multi-day event shall be counted as a separate Event under the Greene County Farm Brewery Ordinance.
3. The following limitations shall apply to consideration of an Administrative Permit for a Farm Brewery:

- A. Foods other than Light Accompaniments, including meals, may be served at an Event held at a Farm Brewery pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in a Farm Brewery having to be licensed as a Food Establishment under the Code of Virginia or which requires a Temporary Food Establishment Permit from the Health Department.
- B. No Administrative Permit shall be granted if the parcel on which the Farm Brewery is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered “direct access to a public street” unless (i) the easement or road is exclusive to the Farm Brewery parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement’s servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement’s servient estate.
- C. No outdoor uses shall be granted by Administrative Permit if the proposed Event location is within 300 feet of a private residence not on the Farm Brewery property that was in existence on the date the Farm Brewery was first licensed by the ABC Board of the Commonwealth of Virginia.
- D. The Closing Time for any Event held at a Farm Brewery pursuant to Administrative Permit shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.

4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:

- A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
- B. The consistency of requested Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including direct access to a road having a VDOT classification of Minor Collector or higher;
 - ii. The road safety based on factors such as sight distances (including points of entry and egress), road surfaces, road width, and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Brewery’s septic system, as approved by Health Department; provided that no Events may have a number of attendees in excess of the approved capacity of the Farm Brewery’s septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.
- C. The size of the Farm Brewery property;
- D. The distance of the Farm Brewery’s proposed Event locations to the nearest non-Farm Brewery residences;

- E. The effect of headlight glare from Event traffic on neighboring residences;
- F. The effect of noise on residents in the surrounding areas;
- G. The capacity of the Farm Brewery's event facilities to accommodate the number of proposed attendees;
- H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
- I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety, or welfare of the public as elsewhere defined in The Greene County Zoning Ordinance. The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety, and welfare of the public.

(E) Special Use Permit For Farm Brewery Events

Additional Events may be allowed at a Farm Brewery by approval of a Special Use Permit by the Board of Supervisors, subject to the following:

- 1. Events granted by Special Use Permit shall meet the standards and use limitations for Farm Brewery uses in Sections (B) and (C).
- 2. Events granted by Special Use Permit shall further meet the standards and use limitations set forth in Section (D)(3).
- 3. The standards for consideration of an Administrative Permit as set forth in Section (D)(4) shall apply to Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Farm Brewery's septic system provided appropriate accommodations are made for temporary facilities during that Event.
- 4. A Special Use Permit for one or more Events shall only be granted if the Farm Brewery property has frontage on a major collector or higher classification street as designated by VDOT, unless the Board of Supervisors finds that the type and amount of traffic projected by such Farm Brewery (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety, or welfare of the public, or the owners of adjacent or proximate properties.
- 5. A Special Use Permit shall not be granted for any Event unless the Farm Brewery property contains more than 25 acres, including contiguous parcels under common ownership.
- 6. A maximum of 18 Events per calendar year may be approved, with up to 200 attendees per Event, except that for Farm Brewery properties over 50 acres in size, up to 24 Events per calendar year may be approved, with up to 250 attendees per Event, as well as one additional Event per calendar year of up to 500 attendees. Such maximum number of Events shall be inclusive of any Events authorized by Administrative Permit on the Farm Brewery property, but shall be in addition to any uses allowed by-right under Section (A). No more than two (2) Events, whether approved by Administrative Permit or by Special Use Permit, may be allowed or conducted in any one calendar month, in addition to any uses allowed by-right under Section (A).

7. The Special Use Permit holder shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services, and traffic control for all Events. Such evidence shall include, as appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services, and sanitary issues:
 - a. Sheriff's Office;
 - b. Virginia Department of Transportation;
 - c. Emergency Services Coordinator;
 - d. Health Department.
8. The initial Special Use Permit shall be granted for a period of no more than three (3) years. After the initial term, the Farm Brewery may apply to have the Special Use Permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that applicable to new Applications provided, however, that waivers of documentary submissions may in writing be requested by the Applicant upon a showing that no changes have occurred since the initial application. The Special Use Permit may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special Use Permit, of citations for violations of the Greene County Zoning Ordinance, or any state or federal law or regulation.
9. The Special Use Permit shall remain in effect until its end date notwithstanding any change of ownership of the Farm Brewery or transfer of title to the Farm Brewery property, provided that in the event of any such transfer, the Farm Brewery shall provide written notice thereof to the County within ten days following such transfer.

(F) Severability

Should any article, section, subsection, sentence, clause or phrase of this "Greene County Farm Brewery Ordinance" be held unconstitutional, in violation of restrictions set forth in Virginia Code Section 15.2-2288.3:1, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Greene County Farm Brewery Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

Attachment E
Proposed Greene County Agricultural Operations Ordinance

STATEMENT OF INTENT

It is the policy of Greene County to protect the economic vitality of the Agricultural Industry (hereafter referred to as "Agriculture"), to allow certain Agriculture-related activities to occur without local regulation, and to allow local regulation of other Agriculture-related activities to avoid substantial impacts on the health, safety, and welfare of the public. The following Article is designed and intended to implement that policy.

- (I) Section 16-24 of the Greene County Zoning Ordinance is hereby repealed.
- (II) The Board of Supervisors of Greene County hereby enacts new Section 16-24 of the Greene County Zoning Ordinance to read as follows, and to be referred to as the "Greene County Agricultural Operation Ordinance."

(A) Permitted Uses at an Agricultural Operation.

The following uses and activities shall be considered accessory uses at an AGRICULTURAL OPERATION:

1. Agritourism and Agricultural Operation Events (collectively referred to as "Events" throughout this Section 16-24), both as defined in the Greene County Zoning Ordinance, attended by no more than 50 people shall be permitted by right.
2. Events attended by more than 50 people shall require the issuance of an Administrative Permit by the Zoning Administrator. Such events attended by more than 150 people shall require a Special Use Permit from the Board of Supervisors.

(B) General Standards and Use Limitations during Events at an Agricultural Operation

The following standards and use limitations shall apply to all Events at an Agricultural Operation:

1. Events, activities and structures shall, individually and collectively, be physically, financially, and operationally subordinate to the operation of the Agricultural Operation.
2. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Agricultural Operation. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from an Agricultural Operation during an Event, except for sounds from farm equipment, farm machinery, livestock and other customary activity associated with an agricultural operation Event, shall exceed the noise limits set forth in the Greene County Zoning Ordinance.
3. Lighting: Lighting shall be fully shielded and shall comply with the requirements set forth in the Greene County Zoning Ordinance, with the exception that spillover light shall not exceed 1 Lux at the property line and outdoor light fixtures shall be located a minimum of 300 feet from all lot lines. Lighting in outdoor canopy ceilings shall be recessed, full cut-off fixtures with flat lenses. Lights shall

not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be illuminated.

4. Buildings, structures, and interior spaces dedicated to Events shall not collectively exceed 4,000 sq. ft. of floor space and, except for structures predating the enactment of this section 16-24, shall be located at least 300 ft. from all lot lines.
5. Parking: Off-street parking areas to accommodate attendees at Events shall be located no closer than 100 feet from any lot-line and shall be screened using fencing and/or landscaping materials; provided that any existing parking area as of the date of this Greene County Agricultural Operation Ordinance that does not meet the 100-foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.
6. No Food Establishments: In no case shall food be provided which results in an Agricultural Operation having to be licensed by the Health Department as a Food Establishment or Temporary Food Establishment as defined by the Virginia Administrative Code 12VAC-421-10.
7. Occupancy: No activities or events held at an Agricultural Operation shall result in more people being On-site than the authorized occupancy limits under applicable statutes, ordinances, and regulations.
8. The Closing Time for any Event held at an Agricultural Operation shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
9. Server Training: Every Agricultural Operation shall be required to cause its employees serving alcoholic beverages to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated patrons, such program selected from a list of approved programs published from time to time by the Zoning Administrator.

(C) Prohibited Accessory Uses at an Agricultural Operation

The following uses/activities, if operated for commercial purposes, are prohibited uses at any Agricultural Operation:

1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food Establishment Permit from the Health Department;
2. Helicopter rides;
3. Hot air balloons;
4. Fireworks;
5. Grocery, convenience or general stores;
6. Go-kart, motorized bike or four-wheeler trails, tracks, or rides;
7. Amusement park rides;
8. Bowling Alleys;

9. Mini-golf;
10. Personal Services, including beauty or spa type services;
11. Lodging; and
12. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above.

(D) Administrative Permits for an Agricultural Operation

1. Subject to the issuance of an Administrative Permit by the Zoning Administrator, one Event per calendar month may be authorized in addition to the Events specified in Section (A) (1&2); provided that such Event shall not exceed 150 invitees or ticketed attendees (or, if less, the occupancy limits referenced in Section (B)(7) of this Greene County Zoning Ordinance).
2. The following procedures shall apply to the consideration of the initial approval as well as any reissuance of an Administrative Permit for an Agricultural Operation:
 - A. Written notice shall be provided by the Zoning Administrator to all adjoining property owners at least 30 days prior to the action of the Zoning Administrator on the requested Administrative Permit. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
 - B. The Zoning Administrator shall be required to render a written decision on the application within 30 days' receipt of a complete application, and shall simultaneously provide a copy of said decision to all adjoining property owners.
 - C. The Administrative Permit shall be granted initially for a period of one year. A permit holder may apply for an Administrative Permit to be reissued for a subsequent 2-year period, and thereafter subsequent 2 to 5 year periods, up to 4 months prior to such Administrative Permit's expiration; provided that the Zoning Administrator shall have the discretion to determine whether such reissuance shall be for one or two years, taking into account complaint and citation history and the nature of any conditions imposed.
 - D. The process for reissuance shall be the same as for the initial approval.
 - E. The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the Agricultural Operation or transfer of title to the Farm property, provided that in the event of any such transfer, the Agricultural Operation shall provide written notice thereof to the County within ten (10) days following such transfer.
 - F. The Zoning Administrator may decline to reissue an Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the permit holder in writing of the decision to not reissue an Administrative Permit.
 - G. An Administrative Permit may be suspended by the Zoning Administrator for a period of time up to the remaining period in effect for such Administrative Permit upon a finding by the Zoning Administrator that uncorrected violations of the Administrative Permit, the Greene County Zoning Ordinance, or any State or Federal Law or regulation exist, or that repeated violations have occurred. The Zoning Administrator shall notify the permit holder in writing of

the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to Greene County Zoning Ordinance.

- H. Each calendar day of any multi-day event shall be counted as a separate Event under the Greene County Zoning Ordinance.
3. The following limitations shall apply to consideration of an Administrative Permit for an Agricultural Operation:
 - A. Foods other than Light Accompaniments, including meals, may be served at an Event held at an Agricultural Operation pursuant to an Administrative Permit; provided that, (i) such food is either prepared off-site by a Caterer or prepared On-Premises in a Food Cart; and (ii) in no case shall food be provided which results in an Agricultural Operation having to be licensed as a Food Establishment under the Code of Virginia or which requires a Temporary Food Establishment Permit from the Health Department.
 - B. No Administrative Permit shall be granted if the parcel on which the Agricultural Operation is located does not have direct access to a public street. For purposes of this provision, a private access easement or road shall not be considered "direct access to a public street" unless (i) the easement or road is exclusive to the Agricultural Operation parcel and the use contemplated by the Administrative Permit has been approved in writing by the owner(s) of the easement's servient estate, or (ii) the easement or road serves multiple parcels and the use contemplated by the Administrative Permit has been approved in writing by all holders of such access right and the owner(s) of the easement's servient estate.
 - C. No outdoor uses shall be granted by Administrative Permit if the proposed Event location is within 300 feet of a private residence not on the Agricultural Operation property that was in existence 6 months prior to the application for the Administrative Permit.
 - D. The Closing Time for any Event held at an Agricultural Operation pursuant to Administrative Permit shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday and 10:00 p.m. Sunday.
4. The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:
 - A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
 - B. The consistency of requested Event sizes with:
 - i. The capacity of access roads to accommodate the expected vehicular traffic, including direct access to a road having a VDOT classification of Minor Collector or higher;
 - ii. The road safety based on factors such as sight distances (including points of entry and egress), road surfaces, road width, and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Agricultural Operation's septic system, as approved by Health Department; provided that no Events may have a number of attendees in excess of the approved capacity of the Agricultural Operation's septic system, as approved by the Health Department; and

- v. The availability and location of parking facilities.
- C. The size of the Agricultural Operation property;
- D. The distance of the Agricultural Operation's proposed Event locations to the nearest non-Farm residences;
- E. The effect of headlight glare from Event traffic on neighboring residences;
- F. The effect of noise on residents in the surrounding areas;
- G. The capacity of the Agricultural Operation's event facilities to accommodate the number of proposed attendees;
- H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
- I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety, or welfare of the public as elsewhere defined in The Greene County Zoning Ordinance. The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety, and welfare of the public.

(E) Special Use Permit For Events

Additional Events may be allowed at an Agricultural Operation by approval of a Special Use Permit by the Board of Supervisors, subject to the following:

1. Events granted by Special Use Permit shall meet the standards and use limitations for Agricultural Operation uses in Sections (B) and (C).
2. Events granted by Special Use Permit shall further meet the standards and use limitations set forth in Section (D)(3).
3. The standards for consideration of an Administrative Permit as set forth in Section (D)(4) shall apply to Events requested pursuant to this section, except that the Board of Supervisors may authorize a single event per year with attendance exceeding the capacity of the Agricultural Operation's septic system provided appropriate accommodations are made for temporary facilities during that Event.
4. A Special Use Permit for one or more Events shall only be granted if the Agricultural Operation property has frontage on a major collector or higher classification street as designated by VDOT, unless the Board of Supervisors finds that the type and amount of traffic projected by such Agricultural Operation (in conjunction with any road or entrance area traffic mitigation proposal) is such that it will not cause a substantial adverse impact on the health, safety, or welfare of the public, or the owners of adjacent or proximate properties.
5. A Special Use Permit shall not be granted for any Event unless the Agricultural Operation property contains more than 25 acres, including contiguous parcels under common ownership.
6. A maximum of 18 Events per calendar year may be approved, with up to 200 attendees per Event, except that for Agricultural Operation properties over 50 acres in size, up to 24 Events per calendar year may be approved, with up to 250 attendees per Event, as well as one additional Event per calendar year of up to 500 attendees. Such maximum number of Events shall be inclusive of any

Events authorized by Administrative Permit on the Agricultural Operation property, but shall be in addition to any uses allowed by-right under Section (A). No more than two (2) Events, whether approved by Administrative Permit or by Special Use Permit, may be allowed or conducted in any one calendar month, in addition to any uses allowed by-right under Section (A).

7. The Special Use Permit holder shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services, and traffic control for all Events. Such evidence shall include, as appropriate, copies of any required permits or licenses from the following agencies that control traffic, security, emergency services, and sanitary issues:
 - a. Sheriff's Office;
 - b. Virginia Department of Transportation;
 - c. Emergency Services Coordinator;
 - d. Health Department.
8. The initial Special Use Permit shall be granted for a period of no more than three (3) years. After the initial term, the Agricultural Operation may apply to have the Special Use Permit reissued for additional periods of 5 years or greater, as determined by the Board of Supervisors. The procedure for reissuance shall be that applicable to new Applications provided, however, that waivers of documentary submissions may in writing be requested by the Applicant upon a showing that no changes have occurred since the initial application. The Special Use Permit may, at the discretion of the Board of Supervisors, provide for administrative reissuance by the Zoning Administrator in the event that there is no history, during the then current period of such Special Use Permit, of citations for violations of the Greene County Zoning Ordinance, or any state or federal law or regulation.
9. The Special Use Permit shall remain in effect until its end date notwithstanding any change of ownership of the Agricultural Operation or transfer of title to the Agricultural Operation property, provided that in the event of any such transfer, the Agricultural Operation shall provide written notice thereof to the County within ten days following such transfer.

(F) Severability

Should any article, section, subsection, sentence, clause or phrase of this "Greene County Agricultural Operation Ordinance" be held unconstitutional, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and provision of this Greene County Agricultural Operation Ordinance individually, and each such section or provision shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

From: Bill Zutt <bhzlaw@aol.com>
Sent: Thursday, July 17, 2025 1:58 PM
To: Francis McGuigan <fm McGuigan@gcva.us>; Tim Goolsby <tgooolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; David Mastervich <dmastervich@gcva.us>; John McCloskey <jmcloskey@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; Peter Wajda <pwajda@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>; Kelley Kemp <kkemp@gcva.us>
Cc: krcopeland@msn.com; Victor Rosenberg <janicerosenberg@yahoo.com>; SCOTT MINGLEDORFF <msmingl@aol.com>
Subject: Re: 7/22 Work Session Packet

Hello-

I write to spare you some time in reviewing the Packet for next week's Work Session.

On March 17 of this year Mr. Rosenberg and I submitted to the Planning Commission a crude, handwritten markup of Fauquier County's Farm Winery Ordinance, along with an explanatory letter urging its adaptation for use here in Greene.

In reviewing your Packet I find that the letter, and the handwritten markup, appear in at least 6 places (pp. 51-59, 61-69, and 71-79 of the overall packet, and pp. 11-19, 21-29, and 31-39 of the "Citizen Comments" portion of the Agenda).

With the exception of the explanatory letter, I think you can safely ignore the 50+ pages of markups. During the ensuing 4 months the markup underwent extensive modification and evolved into the new material contained in the Booklet co-authored and produced by Mr. Copeland, Mr. Rosenberg, Mr. Mingledorff and myself.

The Booklet, which you all have in hard copy, appears at pp.86-111 of the full packet, and pp.46-71 of the "Citizen Comments" portion of the Agenda.

Hope I've removed some possible confusion and saved you some reading time.

-Bill Zutt
Stanardsville

From: Bill Zutt <bhzlaw@aol.com>
Sent: Monday, July 28, 2025 4:28 PM
To: Francis McGuigan <fm McGuigan@gcva.us>; Tim Goolsby <tgooolsby@gcva.us>; Davis Lamb <dlamb@gcva.us>; Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; David Mastervich <dmastervich@gcva.us>; John McCloskey <jmcloskey@gcva.us>; Mark Kelpe <mkelpe@gcva.us>; Peter Wajda <pwajda@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>
Cc: krcopeland@msn.com <krcopeland@msn.com>; Victor Rosenberg <janicerosenberg@yahoo.com>; SCOTT MINGLEDORFF <msmingl@aol.com>; Steve Phillips <stevetp2@gmail.com>; Steve Barber <bhri.fix@verizon.net>; Scott McGehee <smmcgehee@aol.com>; Hope Barber <be.hopeful@verizon.net>; Tracy Morris <tracymtnretreat@gmail.com>; Michael Casteel <mjc@fig8.org>; lcopeland185@gmail.com <lcopeland185@gmail.com>
Subject: 7/22 Work Session

Hello-

Unfortunately I was unable to attend last week's joint Work Session regarding the Agritourism Code Amendments.

Having had a chance to view the meeting video, I was disappointed that the materials so carefully researched, formulated and presented by myself and others in Booklet form received no mention, nor any discussion, at your meeting. I hope this was due to time constraints occasioned by the Supervisors' regular meeting following the Work Session, rather than any conscious decision to forego any consideration of our analysis and recommendations.

Thank you, and have a good week.

-Bill Zutt

August 12, 2025.

Greene County Board of Supervisors
Greene County Planning Commission
40 Celt Rd.
Stanardsville, Va. 22973

Re: Winery/Brewery/Ag. Events Code amendments

Dear Supervisors and Commission Members:

The Planning Commission's latest Amendment draft moves the ball in the right direction, but leaves a long way to go.

On the "plus" side the allowable attendance at "By Right" events has been reduced to 150, measurable criteria on outdoor lighting have been established, and the unrestricted "Zoning Clearance" authority currently vested in the Zoning Administrator, has been eliminated.

Unfortunately, the draft is fraught with many more "minuses" than "plusses", among them the following:

- (1) It increases, rather than reducing, the number of annual "By Right" events;
- (2) Just as "Zoning Clearance" lacked any limits or criteria, there are no relevant criteria for the Zoning Administrator's grant, or denial, of a "Zoning Permit" regarding "events" at Wineries and Breweries (those that do exist pertain only to site work and building codes).
- (3) No provision is made for public notification or comment for major events approvable solely by the Zoning Administrator.
- (4) There is no limit on the number of attendees at any SUP event, nor any limit on the number of such events.
- (5) None of the "By Right" or "SUP" events or activities are subject to renewable term limits, and none are subject to suspension or revocation for violation of conditions.
- (6) Table "A" caps the allowable annual number of Agritourism events (including weddings) at 30. However, Sect. 16-21-3 allows, without limiting either their frequency or number of attendees, "weddings and wedding receptions". These two sections simply cannot be reconciled.
- (7) Sect. 16-21-11 appropriately prohibits "Restaurants", which the Code defines as: " Any building in which, for compensation, food or beverages are dispensed for consumption on or off premises..."
However, draft Sect. 16-21-3 allows "Farm to Table Dinners", "Beverage and Food Pairings", and "Kitchen facilities license[d] as a commercial kitchen [by the Health Dept.]".

Clearly, the activities allowed under Sect. 16-21-3 would constitute a prohibited "Restaurant" under Sect. 16-21-11. These two sections cannot be reconciled either.

(8) The draft triples "By Right" building size (from 4,000 sq. ft. to 12,000 sq. ft), with no limit on buildings approved by SUP.

(9) Although State Law permits more restrictive limits on Outdoor Amplified music than the County's General Noise Law (see Va. Code Sect. 15.2-2288.6(C)), the draft fails to exercise that authority.

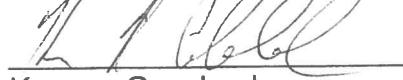
(10) All the "By Right" activities" allowed under draft Sect. 16-21-3 must be "related to" the operation of the Winery, Brewery Distillery or Agricultural Operation at which they are proposed. However, the critical term "related to" is undefined.

The above deficiencies are all addressed, or otherwise overcome, in the draft materials submitted to you in Booklet form last month. We hope you will give them serious consideration as the process moves forward.

Sincerely,



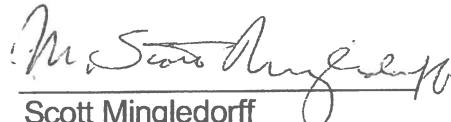
William Zutt
211 Lexington Way, Stanardsville.



Kennon Copeland
185 Lexington Way, Stanardsville.



Victor Rosenberg
1409 Haneytown Rd., Stanardsville



Scott Mingledorff
209 Powell Mtn. Rd., Stanardsville



Steve Phillips
409 Wokonda Trail, Stanardsville

cc: Ms. Cathy Schafrik, County Administrator
Mr. James Frydl, Zoning Administrator/Planning Director

Floor Area Ratio (FAR) and Agritourism in Virginia

In Virginia, explicit Floor Area Ratio (FAR) regulations for farm wineries or agritourism operations are rare or non-existent. Instead, local jurisdictions rely on use-specific zoning rules, including setbacks, acreage minimums, and special-use permits.

Loudoun County (Northern Virginia)

Loudoun's zoning ordinances emphasize onsite grape production, parking, septic capacity, and event regulation. FAR is not prescribed.

Frederick County (RA Rural Areas District)

Farm wineries are permitted with sketch plan approval. Event eligibility is regulated. No FAR specified.

Warren County

Supplementary regulations exist for event capacity and noise. No FAR requirements.

Clarke County

Recent amendments specify minimum 5-acre lots and restrict events, food service, and operating hours. FAR is not used.

Albemarle County

Zoning requires a minimum of 5 acres under vine, property line buffers, music curfews, and limits on bus tours. FAR metrics are not used.

Summary Table

The table below summarizes key zoning tools and acreage requirements across counties.

Why FAR Isn't Common in Virginia's Agritourism Zoning

Virginia's state law regulates wineries through production and licensing requirements rather than land use density. Counties focus on rural character, event impact, and operational limitations.

Next Steps

For a specific Virginia county or town, consult local zoning ordinances. Let me know the area, and I can help find the applicable regulations.

Chatgpt: What FAR regulations are required for agritourism in Virginia

County	FAR Mentioned?	Key Zoning Tools	Minimum Acreage
Loudoun	No	Use districts, site approvals, septic/parking	~5–10 acres
Frederick	No	Sketch plan, accessory use criteria, events	≥10 acres
Warren	No	Conditional use, noise limits, hours	Varies
Clarke	No	Event, road, and access controls	≥5 acres
Albemarle	No	Setback, noise, event caps, buffer zones	≥5 acres

Excerpt from report prepared by Virginia Secretary of Agriculture and Forestry, November 1, 2017

<ul style="list-style-type: none">- 2 to 6 acres: up to 50 people and 25 vehicles- 6 to 10 acres: up to 150 people and 75 vehicles- 10 to 20 acres: up to 200 people and 100 vehicles- 20 acres or more: up to 500 people and 250 vehicles	
Event/weddings eligibility: minimum farm size	6 acres
Permit eligibility: 11 acres, direct access to a public road, not within 300' of private residence in existence when winery first licensed	
For wineries with 25 acres: no more than 18 Special Events/calendar year, with up to 200 attendees/Special Event. For wineries with 50 acres: up to 24 Special Events/calendar year, with up to 250 attendees/Special Event, as well as one additional Special Event/calendar year for up to 500 attendees. M	
Event/weddings eligibility: minimum farm size	10 acres
Farm wineries of 10 or more acres allowed to have a restaurant and/or commercial kitchen.	

Scaling of Agritourism structure square footage by acreage in Virginia

ChatGPT said:

The scaling of agritourism structure square footage by acreage in **Virginia** is generally governed by **local zoning ordinances**, which can vary significantly by **county or locality**. However, Virginia state law — particularly **Virginia Code § 15.2-2288.6** — provides a framework that limits how strictly local governments can regulate agritourism.

◆ Virginia State Law – Key Provision

Virginia Code § 15.2-2288.6 protects agritourism activities on farms from overly restrictive local regulations:

“No locality shall require a special exception, special use permit, or administrative permit for any agritourism activity unless there is a substantial impact on the public health, safety, or general welfare.”

That said, **structure size** is typically subject to **building code, zoning rules, and land use ordinances**, which **may scale allowable building sizes to acreage**, especially in rural or agricultural zones.

◆ General Scaling Trends by Acreage

Although specifics vary, here's a **generalized model** that some localities in Virginia have used or considered:

Acreage Typical Allowable Agritourism Structure Size (Sq Ft)

0–5 acres ~1,000 – 2,500 sq ft

5–10 acres ~2,500 – 5,000 sq ft

10–20 acres ~5,000 – 10,000 sq ft

20–50 acres ~10,000 – 20,000 sq ft

50+ acres 20,000+ sq ft, sometimes with fewer restrictions

These figures are **not universal** and should be confirmed with **county zoning offices**. Some counties may allow more flexibility based on:

- Primary use (winery, event space, farm market, etc.)
- Parking capacity and traffic impact

- Proximity to neighbors or environmental features
- Septic and water systems

County-Level Examples

Here are examples of how it works in specific counties:

Loudoun County

- Has detailed zoning for “Rural Economy Uses” including agritourism.
- Allows scaling of event space and buildings based on **acreage tiers** and **road access**.
- For example, event venues under 5,000 sq ft might be allowed by-right on 20+ acre lots.

Albemarle County

- Requires special use permits for certain agritourism structures, depending on size and use.
- Emphasizes traffic, noise, and environmental impact over strict acreage formulas.

Fauquier County

- Uses tiers for “Agritourism and Agribusiness” structures.
- Larger structures (10,000+ sq ft) typically allowed only on 50+ acre parcels with proper infrastructure.

Summary

- **Virginia state law** supports agritourism and restricts excessive local regulation.
- **Structure size** for agritourism generally **scales with acreage**, especially when used for events or retail.
- **Local zoning ordinances** determine exact square footage limits.
- Larger parcels often allow **greater flexibility** in structure size and use.

Summary Table

County	Minimum Acres	Structure Size Allowed	Event Size Limit	Permit Trigger
Loudoun	≥ 10 ac	$\leq 20,000$ sq ft	Up to 200+ people	20 k sq ft+ or >200 ppl \rightarrow special exception

RESOLUTION OF INTENT TO AMEND THE GREENE COUNTY ZONING ORDINANCE

WHEREAS, the Greene County Zoning Ordinance may from time to time be amended, supplemented, changed, modified or repealed by the governing body pursuant to Section 15.2-2285 of the Code of Virginia.

WHEREAS, this resolution is to amend various sections of the text of the Zoning Ordinance, which are listed below, for purposes of correction, modification, and elaboration of general regulations. Amendments are proposed for clarification of intent, the addition of definitions, and correction of inconsistencies.

- Farm Wineries (Article 16-21)
- Farm Breweries (Article 16-23)
- Events and Activities at Agricultural Operations (Article 16-24)
- Farm stands, farm sales, and farmers' markets (Article 16-22)

WHEREAS, in an effort to promote opportunities for property owners in the rural area, the BOARD OF SUPERVISORS added the uses listed above into the A-1 (Agriculture) and C-1 (Conservation) zoning districts on June 23, 2015; and

WHEREAS, the BOARD OF SUPERVISORS has determined that a review of these Articles to ensure compliance with the Code of Virginia and to develop additional conditions that promote harmony with the surrounding properties is beneficial to the health, safety and welfare of county residents; and

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good Zoning practices, the BOARD OF SUPERVISORS hereby adopts a resolution of intent to amend the appropriate section of the Greene County Zoning Ordinance to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendation to the Board of Supervisors, at the earliest possible date.

BE IT FURTHER RESOLVED THAT the Board of Supervisors (1) finds that these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice, (2) directs staff to prepare draft amendments for consideration, and (3) directs that the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation, and Board of Supervisors' action.

**ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON SEPTEMBER
10, 2024.**

Motion: Steve Catalano
Second: Davis Lamb

Votes:

Durrer: Yes

Lamb: Yes

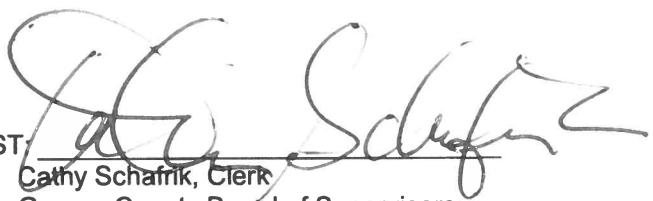
Goolsby: Yes

McGuigan: Yes

Catalano: Yes

Marie Durrer
Marie Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Cathy Schafrik, Clerk
Greene County Board of Supervisors

**GREENE COUNTY PLANNING COMMISSION
JULY 16, 2025**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, JULY 16, 2025, AT 6:00 PM HYBRID IN-PERSON WITH REMOTE VIA TELEPHONE AND ELECTRONIC MEANS.

Members present: Mark Kelpe, Vice Chairman
 Angela Hawkins, Member
 David Mastervich, Member
 Peter Wajda, Member

Staff present: Jim Frydl, Planning Director/Zoning Administrator
 Earl Keys, Zoning Officer

CALL TO ORDER

Mr. Kelpe called the meeting to order.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Kelpe stated they would start the meeting with the Pledge of Allegiance and a moment of silence.

DETERMINATION OF QUORUM

Each Commissioner stated their name to establish a quorum.

Ms. Hawkins
Mr. Kelpe
Mr. Mastervich
Mr. Wajda

There was a quorum with four Commissioners present.

PUBLIC HEARINGS

Route 33 Holdings, LLC is requesting a rezone for parcel TMP# 60C-(A)-24, which has a total acreage of 18.55. This request includes a change of 0.29 acres of the parcel from R-2 (Residential) to B-2 (Business General), as well as 6.14 acres from R-2 (Residential) to B-3 (Business Highway and High Intensity). The parcel is situated off of Spotswood Trail in Ruckersville. According to the Greene County Future Land Use Map, this parcel is classified as 'Mixed Use Residential', and the Greene County Comprehensive Plan identifies it as being within the growth area. (RZ#25-001)

Jim Frydl presented a detailed explanation of the rezoning request by Route 33 Holdings LLC for a parcel along Route 33. The request involves changing portions of an R2 (multi-family residential) zoned area to B2 and B3 (business) zoning. The 18.55-acre parcel was bisected by a road, and the company wants to rezone the road frontage sections to business districts. The northern portion would become B3 (highway business), while a smaller section would become B2. This rezoning aligns with the county's comprehensive plan for a mixed-use development area, with the goal of creating a more connected and accessible community. The long-term vision includes extending the parallel road network and potentially developing a mixed-use area with both commercial and residential components. Mr. Frydl emphasized that while no immediate development is planned, the rezoning sets the groundwork for future business uses at what is currently the busiest intersection in Greene County.

The commissioners and Mr. Frydl discussed the Route 33 Holdings LLC rezoning request, and they explored the details of the proposed zoning changes. They examined the parcels being rezoned, with Mr. Frydl explaining how the property was bisected by a road and the rationale for changing portions from R2 (residential) to B2 and B3 (business) zoning. Mr. Kelpe expressed appreciation for the comprehensive traffic study submitted with the request and noted that their role was to determine zoning, not specific business types. They discussed the strategic location at a busy intersection and the potential for future development. The conversation included technical details about the rezoning, such as the different business district classifications and how the proposed changes aligned with the county's comprehensive plan for a mixed-use development area. They also touched on the potential future road extensions and how the rezoning would support long-term community development goals.

Mr. Frydl asked Mr. L.J. Lopez of Route 33 Holdings, LLC, if he wished to speak.

Mr. Lopez, representing Route 33 Holdings LLC, provided a concise overview of the rezoning request. He confirmed that the company was seeking to rezone portions of the property from R2 to B2 and B3 along the Route 29 and 33 corridor. Mr. Lopez noted that they were following along with Mr. Frydl's detailed presentation and did not feel the need to give their own separate presentation. He emphasized that the rezoning was appropriate for preparing business uses in the area and expressed readiness to answer any questions the commission might have. Later in the discussion, when asked about the mobile home relocation, Mr. Lopez acknowledged the ongoing challenges of balancing development objectives with resident needs. He highlighted that significant effort had been put into exploring funding options for public sewer and resident relocation, though multiple iterations of the site plan were still under review.

Mr. Kelpe opened the public hearing.

Mr. Frydl stated that there is no one signed up to speak in person, and there is no one online that wishes to speak.

Mr. Kelpe closed the public hearing.

At this point in the meeting, the commissioners discussed the rezoning request with a mix of technical and strategic observations. Ms. Hawkins noted that her questions had already been answered during the presentation. Mr. Kelpe praised the applicant's comprehensive traffic study, emphasizing that their role was to determine zoning appropriateness, not specific business types. He commented that B3 zoning seemed logical for the busy intersection. Mr. Frydl elaborated on the potential future road network, explaining how the parallel road would improve access and reduce traffic complications. Mr. Mastervich and Mr. Wajda asked clarifying questions about the development, while Ms. Hawkins inquired about potential future RT29/RT33 intersection improvements like stoplights or roundabouts. Mr. Frydl explained that VDOT would likely prefer right-in, right-out configurations with potential U-turn accommodations. The discussion was collaborative, technical, and focused on understanding the long-term development implications of the rezoning request.

Mr. Frydl invited L.J. Lopez to provide additional comments about the mobile home relocation plans. Frydl had been explaining the challenges of moving the mobile home residents, noting that they were working on creating a new consolidated neighborhood. Mr. Lopez confirmed the ongoing efforts, emphasizing their commitment to resident relocation without displacement. He acknowledged the multiple challenges they were facing, including funding options for public sewer infrastructure and resident relocation. Mr. Lopez described their approach as balancing multiple objectives concurrently, with no shortage of effort being put into making the project work. Mr. Frydl interjected that they were on their fourth iteration of the site plan, highlighting the complexity of the project. Mr. Lopez agreed, noting the variables that had prevented full implementation, including the cost of a pump station and funding for resident relocation.

Ms. Hawkins made the motion in accordance with the Greene County zoning ordinance, public necessity, convenience, general welfare and good zoning practice, I recommend approval of RZ 25-001, to rezone 0.29. Acres of the parcel 60C-A-24 from R2, residential to B2, business general as well as 6.14 acres of parcel, 60C-A-24 from R2, residential to B3, business highway and high intensity as submitted by the applicant.

Mr. Wajda seconded the motion.

Ms. Hawkins – Aye
Mr. Mastervich – Aye
Mr. Wajda – Aye
Mr. Kelpe – Aye

OLD/NEW BUSINESS – None

MINUTES

June 18, 2025, County Planning Commission minutes.

Ms. Hawkins motioned to approve the June 18, 2025, minutes.

Mr. Mastervich seconded.

The June 18, 2025, minutes were approved 4-0.

OTHER PLANNING MATTERS

Ruckersville Advisory Committee – Mr. Frydl explained that the RAC meeting was cancelled due to members vacation/traveling.

Town of Stanardsville – Mr. Frydl stated that Mr. McCloskey was out of state and Mr. Frydl was unable to attend the Town Council meeting.

Development Activity – Mr. Mastervich asked about the Hayward Preserve location, which Mr. Kelpe and Ms. Hawkins identified as being on Garth Road in Pea Ridge, near the intersection of Garth Road and Dyke Road. Ms. Hawkins noted that True Living is developing two projects: one on Hayward Preserve and another on Dunnes Shop Road. Mr. Frydl added details about the Hayward Preserve, explaining it's an old farm being developed with lots ranging from two to ten acres. The Dunnes Shop Road project involves 11 lots where they're rearranging existing lot lines. Mr. Mastervich inquired about the size and specifics of the developments, and the commissioners confirmed True Living is behind both projects. They discussed the location details, with Mr. Frydl providing specific geographical references to help locate the parcels.

Next Month's Agenda – Mr. Frydl discussed the tentative agenda for the next month's Planning Commission meeting. The primary item is a rehearing for the Detamore auto repair shop's special use permit for a home business, which was previously reviewed six months ago. Mr. Wajda asked about material differences in the new application, and Mr. Frydl noted some minor changes, including additional screening. He also mentioned they might potentially not have this meeting, and if so, they would either cancel or use the time to make necessary zoning ordinance changes to comply with state code. Specifically, the need to modify the ordinance regarding site plan reviews, as state code now requires only the designated subdivision agent to review plans for subdivisions and site plans. Mr. Frydl also reminded the commissioners about the upcoming joint work session with the Board of Supervisors on the following Tuesday at 4:30 PM. During this session, they will present their work from five previous public work sessions and seek guidance on potential next steps, which could include scheduling a public hearing or making further modifications to their recommendations for OR24-004 Ag Uses.

ADJOURNMENT

Respectfully submitted,

Cristy Snead,
Secretary

Planning Commission, Chairman

**TOWN OF STANARDSVILLE
PLANNING COMMISSION**

CALL TO ORDER

Mr. Kelpe called the meeting to order.

DETERMINATION OF QUORUM

Each Commissioner stated their name to establish a quorum.

Ms. Hawkins
Mr. Kelpe
Mr. Mastervich
Mr. Wajda

MINUTES

May 21, 2025, County Planning Commission minutes.

Mr. Mastervich motioned to approve the May 21, 2025, minutes.

Ms. Hawkins seconded the motion.

The May 21, 2025, minutes were approved 4-0.

ADJOURNMENT

Town of Stanardsville
Planning Commission
Chairman



PLANNING COMMISSION

BOARD OF ZONING APPEALS

GREENE COUNTY PLANNING DEPARTMENT

Post Office Box 358

Stanardsville, Virginia 22973

www.greenecountyva.gov
planning@gcva.us

Tel: 434-985-5282
Fax: 434-985-1459

MEMORANDUM

To: Greene County Board of Supervisors

From: Community Development

Re: Monthly Report

Date: August 10, 2025

1. Route 670 Project:

The County is collaborating with Kimley Horn, our project manager, to administer the road project locally. The local administration is working towards designing a Continuous Green-T for this intersection. The goal is to complete the project by July 2027. To learn more about this innovative intersection, visit: <https://www.vdot.virginia.gov/about/our-system/highways/innovative-intersections/continuous-green-t/>

2. CivicPlus Planning and Zoning Application Program:

Starting July 1st, staff have begun implementation of the CivicPlus electronic application and tracking system. The system enables community members to submit all applications electronically, allowing staff to streamline both the intake and approval processes. Building permit applications will be added to the system starting in August. https://www.civicgov4.com/va_greenecounty/portal/index.php

3. Cash Proffer Collected for Fiscal Year 2024–2025:

- Revenue (Proffers Collected): \$86,500
- Expenditures (Proffers Spent): \$54,757.50
- Total Cash Proffers Funds Available: \$469,883.25

4. Site and Subdivision Plans:

Preliminary site and subdivision plans are available at the following link:

<https://greenecountyva.gov/DocumentCenter/Index/108>

1. **Site and Subdivision Plans:** Preliminary site and subdivision plans are available at the following link.
<https://greenecountyva.gov/DocumentCenter/Index/108>

2. **Site Plan Submittals for Review:**

- Woodpark Subdivision Plan: 545 lots
 - <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|3355>

- b. Kinvara Properties, LLC Phase 2 Road Site Plan 66-(A)-6.
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|6214>
- c. Emanuel Christian Center Recreation and Classroom Site Plan Amendment 60A-(12)-7A
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|7240>
- d. Sojourners Glamping: A new facility to include ten glamping units and event space resubmittal.
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|6359>
- e. Jack's Landscaping: A new facility at Greenecroft Commercial.
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|23380>
- f. Blue Ridge Healing: A site plan for a new mental health facility is proposed in the Greenecroft Development.
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|23379>
- g. Woodpark Offsite Utilities: A site plan for expansion/upgrade of the public water and sewer network proposed for the Woodpark Residential PUD.
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|3355>
- h. Legacy Church (Sunset Ridge Barn): Site Plan Amendment for additional parking
 - i. <http://www.webgis.net/va/Greene/default.asp?preset=Parcels&op=id&id=1|parcels|reacct|22840>

5. Ordinance Revisions Under Review:

- **OR24-003:** Update ordinances to revise the definition of Indoor Recreation
The Planning Commission recommended approval, and a public hearing is scheduled for July 8, 2025, at the Board of Supervisors.
- **OR24-004:** Review of regulations for agri-tourism, farm wineries, breweries, and farm stands.
Joint work session with the Board of Supervisors scheduled for July 22, 2025, at 4:30 p.m.
- **Agricultural and Forest District Committee Reorganization:**
Next meeting: August 18, 2025, at 6:00 p.m. at the County Administration Building.

6. Erosion, Sediment, and Stormwater Management:

- Staff continue to review site plans and inspect the numerous commercial and residential sites under construction. In accordance with the Code of Virginia, all commercial and residential sites require at least one inspection per week.
- Staff is currently updating the local E&S and Stormwater Ordinance to comply with the latest update of the Code of Virginia.
- The unusual amount of rainfall in the recent past has been the cause of increased inspections and reports adding to the already significant workload of the department.

- O'Reilly's is finalizing their final VSMP submittals and will be breaking ground in the next few weeks.
- Land Disturbance Permits have been issued for the following projects: Ruckersville Baptist Church, Creekside Phase II, Creekside Sanitary Sewer Project, and The Pastures Subdivision.

8. Zoning Inspections:

- 37-New addresses issued
- 5-Road Signs Ordered
- 4-New named roads
- 47-Site visits
- 49-Temp signs removed from VDOT R.O.W.

Applications	2025													
Date	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	
Acc. Dwelling Units	0	0	1	0	2	0	0							3
Special Use Permit	1	0	0	0	1	1	0							3
ReZone	0	0	0	0	1	0	0							1
Ordin Rev	0	0	0	2	1	0	0							3
Site Plan (SPR)	0	0	0	0	0	0	0							0
Letter Of Revision (LOR)	2	0	0	1	1	0	1							5
Subdivision	5	5	3	7	5	3	5							33
Variance	1	0	0	0	0	0	0							1
BZA Appeal	0	0	1	0	0	0	0							1
ZC/ZD (Zon. Cert)	4	8	7	6	5	2	6							38
PETRA (Road Acc)	0	0	0	0	1	0	0							1
Temp S. Permits	2	1	9	5	4	3	6							30
S. Permits	2	2	3	2	1	1	2							13
New Zoning Complaints	3	8	4	5	4	1	1							26
Zoning Complaints Closed	4	1	5	4	7	2	1							24
Bonds	4	3	4	2	3	1	1							18
Total	28	28	37	34	36	14	23	0	0	0	0	0		197

Applications	2024													
Date	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	
Acc. Dwelling Units	0	1	0	0	0	0	0	0	1	1	0			3

Special Use Permit	0	2	1	0	0	0	3	1	0	0	1		8
ReZone	1	0	0	0	0	0	2	1	0	0	0		4
Ordin Rev	0	0	0	0	1	2	0	0	1	0	0		4
Site Plan (SPR)	2	1	0	2	1	0	0	1	2	2	2		13
Letter Of Revision (LOR)	0	2	2	1	0	0	1	0	0	2	0		8
Subdivision	9	3	2	11	5	4	1	8	4	5	2		54
Variance	0	0	0	0	0	0	0	0	0	0	0		0
BZA Appeal	0	0	0	0	1	0	0	0	0	0	0		1
ZC/ZD (Zon. Cert)	5	5	6	4	7	3	5	4	3	3	1		46
PETRA (Road Acc)	1	0	0	0	1	0	0	0	0	0	0		2
Temp S. Permits	1	3	1	1	1	2	1	0	0	0	0		10
S. Permits	2	5	3	3	4	2	2	2	2	2	3		30
New Zoning Complaints	11	4	5	2	4	2	9	4	3	1	18		63
Zoning Complaints Closed	4	8	4	5	2	1	7	4	4	2	2		43
Bonds	3	1	0	1	2	2	1	0	1	2	0		13
Total	39	41	24	30	29	18	32	25	21	20	29	0	299

Applications	2023												
Date	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Acc. Dwelling Units	0	0	1	1	2	0	1	0	0	0	0	0	5
Special Use Permit	0	0	0	0	2	2	0	0	1	2	1	0	8
ReZone	0	0	0	0	0	2	0	1	0	0	0	0	3
Ordin Rev	0	0	0	0	2	0	0	0	0	3	0	0	5
Site Plan (SPR)	0	0	4	0	1	2	2	1	0	2	4	0	16

Letter Of Revision (LOR)	0	3	2	2	2	1	1	0	0	1	0	0	12
Subdivision	6	5	5	2	4	3	6	4	4	2	6	0	47
Variance	0	0	2	0	0	0	0	0	0	0	0	0	2
BZA Appeal	0	0	1	0	0	0	0	0	0	0	0	0	1
ZC/ZD (Zon. Cert)	5	3	22	11	4	7	7	5	7	3	8	5	87
PETRA (Road Acc)	0	2	1	0	0	0	0	0	0	0	0	0	3
Temp S. Permits	0	0	0	1	0	0	1	2	2	2	2	2	12
S. Permits	2	3	2	5	2	1	4	1	2	2	2	3	29
New Zoning Complaints	4	21	4	3	2	2	4	14	2	2	1	4	63
Zoning Complaints Closed	6	20	20	10	7	4	8	26	5	4	0	2	112
Bonds	0	4	1	0	2	2	2	1	2	0	2	0	16
Total	23	41	65	35	30	26	36	55	25	23	26	16	416

Applications	2022												
Date	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Acc. Dwelling Units	0	1	0	1	1	1	0	0	0	1	0	0	5
Special Use Permit	2	0	0	0	1	1	0	0	0	0	0	0	4
ReZone	0	0	0	0	2	1	0	0	1	1	0	0	5
Ordin Rev	0	0	2	0	1	0	0	0	0	2	0	0	5
Site Plan (SPR)	0	1	2	0	1	1	1	0	2	0	1	1	10
Letter Of Revision (LOR)	1	3	0	2	2	0	0	1	1	0	1	2	13
Subdivision	6	5	4	3	5	7	1	0	5	3	3	2	44
Variance	0	0	0	0	0	0	0	0	0	0	1	1	1

BZA Appeal	0	0	0	0	0	0	0	0	0	1	1	2
ZC/ZD (Zon. Cert)	3	6	5	6	4	6	4	4	2	45	3	6
PETRA (Road Acc)	0	0	0	0	0	0	0	0	0	0	0	0
Temp S. Permits	0	0	1	0	1	0	1	0	0	0	0	3
S. Permits	0	0	1	2	0	0	2	2	1	2	1	6
Zoning Complaints												
	0	1	3	4	5	3	1	1	23	3	6	17
Bonds	1	1	0	0	1	3	1	5	0	1	1	0
Total	13	18	18	18	24	23	11	13	35	58	17	36

Applications	2021												
Date	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Acc. Dwelling Units	1	0	1	1	1	2	0	0	0	2	0	1	9
Special Use Permit	0	1	0	2	3	1	0	0	0	1	0	0	8
ReZone	0	1	0	1	1	0	0	0	1	0	0	0	4
Ordin Rev	1	0	0	0	0	0	2	0	0	1	0	0	4
Site Plan (SPR)	0	2	1	0	0	1	2	1	2	3	0	0	12
Letter Of Revision (LOR)	2	2	0	0	0	4	0	1	1	0	2	0	12
Subdivision	3	8	3	4	7	7	12	7	3	2	6	4	66
Variance	0	0	0	0	0	0	0	0	0	0	0	0	0
BZA Appeal	0	0	0	0	0	0	0	0	0	0	0	0	0
ZC/ZD (Zon. Cert)	4	1	6	10	2	2	3	5	8	1	3	5	50
PETRA (Road Acc)	0	3	1	0	0	2	0	0	0	0	0	0	6
Temp S. Permits	0	0	1	0	0	2	0	0	2	0	0	0	5
S. Permits	3	0	2	1	0	1	1	1	2	2	1	0	14

Zoning Complaints	7	4	8	4	2	2	5	6	4	5	6	3	56
Bonds	1	2	2	2	0	1	2	0	0	1	0	2	13
Total	22	24	25	25	16	25	27	21	23	18	18	15	250