

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, **agritourism events**, 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>*events defined below</p>	<p>Outdoor amplified music is 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:

- 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.
- To qualify for agritourism, the parcel must be designated as an agricultural operation and must meet the definition under “bona fide production of crop, animals, or fowl.”
- An event is defined as a planned private, public, or social occasion that receives greater than 50 attendees 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)

- d) 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.
- e) 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:
- f) 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.
- g) 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.
- h) 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.
- i) 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.**
- 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) The following considerations will be reviewed during the special use permit:
 - a. Typical Allowable Agritourism Structure Footprint Size (Sq Ft) based on acreage

Acreage	Typical Allowable Footprint (Sq Ft)
10-20 acres	>4,000-10,000
20-50 acres	10,000-20,000
50+ acres	20,000 or greater

- b) 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:
- c) 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.
- d) 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.