

**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](#)

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**From:** Kennon copeland <krcopeland@msn.com>  
**Sent:** Monday, March 17, 2025 9:55 AM  
**To:** John McCloskey <jmccloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelp <mkelp@gcva.us>; David Mastervich <dmastervich@gcva.us>  
**Cc:** Francis McGuigan <fmcguigan@gcva.us>; Tim Goolsby <tgoalsby@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

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.

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                                   | <del>Agritourism or farm winery events, or retail sales generating less than or equal to 100 vehicle trips/day</del>   | <del>Agritourism or farm winery events, or retail sales generating either greater than 100 vehicle trips/day</del>  |
| 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 <del>and/or</del> farm winery events <del>/ in total in a</del> calendar year, <del>each</del> with less than or equal to 150 attendees at any time | <del>Greater than 12 a</del> Agritourism <del>and/or</del> farm winery events <del>/year</del> with more than 150 attendees <del>(up to a maximum of 250 attendees)</del> at any time |
|  |  | <del>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</del>             |
|  | Structures for agritourism <del>events and/or farm winery events, and/or agricultural sales and/or</del> farm winery sales less than or equal to 4,000 square feet <del>in total</del>   | Sturctures for agritourism <del>events and/or farm winery events, and/or agricultural sales and/or</del> farm winery sales greater than 4,000 square feet <del>in total</del>         |
|  |  | 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

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**From:** Bill Zutt <bhzlaw@aol.com>  
**Sent:** Wednesday, December 18, 2024 3:04 PM  
**To:** John McCloskey <jmccloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelp <mkelp@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>  
**Cc:** Francis McGuigan <fmcguigan@gcva.us>; Tim Goolsby <tgoalsby@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

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

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

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Not on this one either

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**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 Kelp <mkelp@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>; Jim Frydl <jfrydl@gcva.us>  
**Cc:** Francis McGuigan <fmcguigan@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

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

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 adjainers 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 adjainers.

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

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FYI you were not copied.

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**From:** Bill Zutt <bhzlaw@aol.com>  
**Sent:** Wednesday, February 19, 2025 4:29 PM  
**To:** John McCloskey <jmccloskey@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; Mark Kelp <mkelp@gcva.us>; Ron Williams <rwilliams@gcva.us>; David Mastervich <dmastervich@gcva.us>  
**Cc:** Francis McGuigan <fmcguigan@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

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

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.

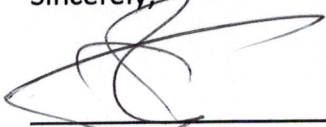


(5) Finally, Sects. 6-402 and 6-403 of the Fauquier Code contain operating standards and use limitations on Farm Wineries which, with few exceptions, are currently lacking from Our Greene County Code. Copies of those sections are also included with our attachment.

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,

A handwritten signature in black ink, appearing to be "William Zutt", written over a horizontal line.

William Zutt

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

## Option 2

## Administrative

| Table  | By right with <del>Zoning</del> 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 | <del>Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day.</del><br><del>at least</del><br>Occurring on sites greater than or equal to 10 acres in size.<br><del>Up</del><br>Less than or equal to 12 agritourism or farm winery events/year with less than or equal to 150 attendees at any time;<br><del>No more than</del><br>Structures for agritourism or farm winery sales less than or equal to 4,000 square feet | Outdoor amplified music (new establishments)<br><del>Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day.</del><br>Occurring on sites less than 10 acres in size;<br><del>Up to</del><br>Greater than 12 agritourism or farm winery events per year with more than 150 attendees at any time |

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.



Set. 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~~ *Inverness 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.

*Sect. 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.



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(4).~~

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.

(4)

~~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:

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); Use Permit
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.
4. Use Permit  
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.
5. Use Permit  
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. Use Permit  
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

(5)



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

Use Permit

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.

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.

6-402

#### 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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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
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4. Fireworks
5. Grocery, convenience or general stores
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7. Amusement park rides
8. Flea markets
9. Farmers' markets
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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.

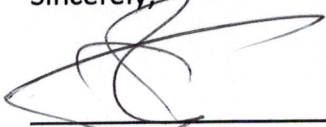


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The effort to modify Staff's "Option #2", while blending it with relevant portions of the Fauquier Code, has been challenging (and the need to rely on handwritten changes hasn't made it any easier). However, we believe we've assembled a workable, comprehensive 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,

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William Zutt

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

## Option 2

## Administrative

| Table  | By right with <del>Zoning</del> 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 | <del>Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day.</del><br>at least<br>Occurring on sites greater than or equal to 10 acres in size.<br>Up<br>Less than or equal to 12 agritourism or farm winery events/year with less than or equal to 150 attendees at any time;<br>No more than →<br>Structures for agritourism or farm winery sales less than or equal to 4,000 square feet | Outdoor amplified music (new establishments)<br><del>Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day.</del><br>Occurring on sites less than 10 acres in size;<br>Up to<br>Greater than 12 agritourism or farm winery events per year with more than 150 attendees at any time<br>With no more than 250 |

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.



Set. 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~~ *Inverness 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.

*Sect. 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.



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(4).~~

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.

(4)

~~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:

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); Use Permit
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.
4. Use Permit  
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.
5. Use Permit  
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. Use Permit  
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

(5)



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

Use Permit

Use Permit

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5-1811

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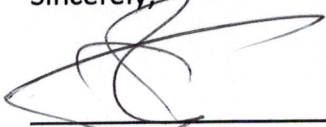


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| Farm breweries                                   |  |  |
| Events and activities at agricultural operations | <del>Agritourism or farm winery events or retail sales generating less than or equal to 100 vehicle trips/day.</del><br><del>at least</del><br>Occurring on sites <del>greater than or equal to 10 acres</del> in size.<br><del>Up</del><br><del>Less than or equal to 12</del> agritourism or farm winery events/year with <del>less than</del> <del>or equal to 150 attendees</del> at any time;<br><del>No more than</del><br>Structures for agritourism or farm winery sales less than or equal to 4,000 square feet | Outdoor amplified music (new establishments)<br><del>Agritourism or farm winery events or retail sales generating either greater than 100 vehicle trips/day.</del><br>Occurring on sites less than 10 acres in size;<br><del>Up to</del> <del>Greater than 12</del> agritourism or farm winery events per year <del>with more than 150</del> <del>no more than 250</del> attendees at any time |

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.



Set. 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~~ *Inverness 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.

*Sect. 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.



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(4).~~

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.

(4)

~~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:

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); Use Permit
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.
4. Use Permit  
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.
5. Use Permit  
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. Use Permit  
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

(5)



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

Use Permit

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.

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.

6-402

#### 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)

March 17, 2025

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.**

|   |  |
|---|--|
| <b>By-Right</b>   | <ul style="list-style-type: none"><li>• Wine sales, tasting, consumption during business hours</li><li>• When not open to the public, 24 events (2/month) with 35 or fewer attendees. These are not considered a special event</li></ul> |
| <b>Admin Permit</b>   | 12 special events (1/month) with 150 or fewer attendees  |
| <b>Special Exceptions</b> – 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](#)

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**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 Kelp <mkelp@gcva.us>  
**Cc:** Steve Catalano <scatalano@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Davis Lamb <dlamb@gcva.us>; Francis McGuigan <fmcguigan@gcva.us>; Tim Goolsby <tgoalsby@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

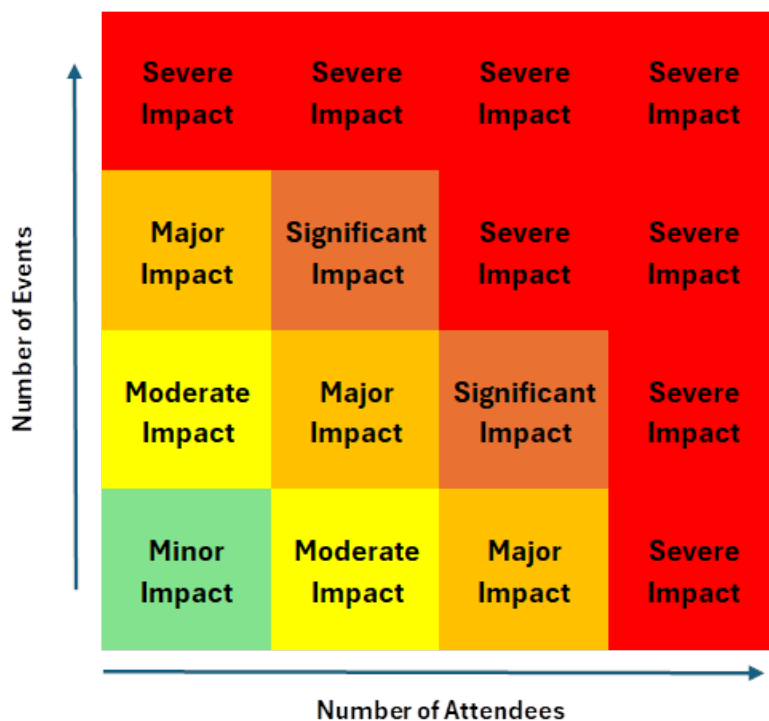
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County Staff have presented to the Planning Commission a redlined version of Section 16-21 of the County's Zoning Ordinance. This version is in response to the Board of Supervisors' request to provide for increased clarity and additional regulation 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

March 17, 2025

To: Members of the Greene County Planning Commission

Subject: Farm Winery Ordinance Revision

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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.

**Comparison of Farm Winery/Farm Brewery/Agricultural Operations Ordinances**

|  | <b>Greene County<br/>Current Code</b> | <b>Greene County<br/>Staff/PC Draft</b> | <b>Fauquier County-Based<br/>Ordinance</b> |
|--|---------------------------------------|---|--|
| 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 <fmcguigan@gcva.us>; Tim Goolsby <tgoalsby@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 <jmccloskey@gcva.us>; Mark Kelp <mkelp@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 <fmcguigan@gcva.us>; Tim Goolsby <tgoalsby@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 <jmccloskey@gcva.us>; Mark Kelpel <mkelpel@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



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**FW: "Agritourism" Code Amendments**

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**From** Jim Frydl <jfrydl@gcva.us>

**Date** Mon 10/27/2025 8:46 AM

**To** Cristy Snead <csnead@gcva.us>; Stephanie Golon <sgolon@gcva.us>

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**Citizen comment**

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**From:** Kennon copeland <krcopeland@msn.com>

**Sent:** Sunday, October 26, 2025 8:53 PM

**To:** Davis Lamb <dlamb@gcva.us>; Francis McGuigan <fmcguigan@gcva.us>; Marie Durrer <mdurrer@gcva.us>; Steve Catalano <scatalano@gcva.us>; Tim Goolsby <tgoolsby@gcva.us>; Angela Hawkins <ahawkins@gcva.us>; David Mastervich <dmastervich@gcva.us>; John McCloskey <jmccloskey@gcva.us>; Mark Kelp <mkelp@gcva.us>; Peter Wajda <pwajda@gcva.us>; Cathy Schafrik <cschafrik@gcva.us>; Jim Frydl <jfrydl@gcva.us>

**Cc:** Victor Rosenberg <janicerosenberg@yahoo.com>; SCOTT MINGLEDORFF <msmingl@aol.com>; Steve Phillips <stevetp2@gmail.com>; Scott McGehee <smmcgehee@aol.com>; lcopeland185@gmail.com; Bill Zutt <bhzlaw@aol.com>

**Subject:** Re: "Agritourism" Code Amendments

I endorse and echo the comments made by Mr. Zutt concerning the proposed Agritourism code amendments. I also add a few of my own comments:

I would argue that the discussion around allowable size of structures misses the point.

1. Agritourism is to supplement and be subordinate to a bona fide agricultural operation. As aptly stated by Mr. Goolsby at the July 22 BOS-PC workshop, "Is it a winery or is it mainly for events?" Stating, as does the current draft ordinance, that "typical" structure sizes greater than the Holiday Inn Express on Rte 29 be allowed indicates the business of interest is events with some potentially minimal level of agricultural operation being the mechanism by which this is achieved.
2. While it is true that a 5,000 sq ft building may look less imposing on a property of 50 acres than on a property of 10 acres, the net effect of a larger structure is to allow a greater number of attendees, which means a greater impact on the surrounding community and roadway.
3. The proposed language allows approval of an unlimited number of events with an unlimited number of attendees per event, facilitated through event structures of unlimited size – this is a recipe for disaster to the community.

The proposed "By right with a zoning permit" translates simply to "by right," as there are no criteria for issuing a permit, nor for violation enforcement.

At the July 22 BOS-PC workshop, the following comment was made by Mr. Mastervich, "If I'm a businessman, I want to be able to do what I need to do to make money." One objective of county ordinances is to regulate the desire to "do what I need to do" so as to ensure that there is balance between business wants and county and community needs; this is especially important in the rural areas of the county. Thus the requirement for public input and Board review to provide for that balance. Rather than allowing any and all farm wineries the automatic right to an average of 2½ events per

month with up to 150 attendees per event, a balanced ordinance should offer the public the right to review and provide input based upon the specifics of the individual farm winery.

I trust that discussion at Tuesday's workshop will include consideration of the proposed ordinance which I and others provided to the Board and Planning Committee on June 26, and which addresses many of the concerns raised in prior Board meetings and above.

Regards,

Kennon R. Copeland  
185 Lexington Way  
Stanardsville, VA 22973

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**From:** Bill Zutt <[bhzlaw@aol.com](mailto:bhzlaw@aol.com)>

**Sent:** Saturday, October 25, 2025 2:49 PM

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**Subject:** Re: "Agritourism" Code Amendments

Hello-

In the brief time available prior to your next joint Work Session I've reviewed Staff's latest draft of the proposed "Agritourism" Code Amendments.

Unfortunately, they fall far short of the balance sought by at least two Supervisors at your last work session.

A few examples from Staff's draft illustrate the point:

- (1) No daily, weekly, monthly, or annual limit on number of events hosting 50 attendees.
- (2) No criteria for the approval of 30 annual events hosting upwards of 150 attendees per event.
- (3) No Notice to adjoining landowners, nor any public input, for any of those 30 events.
- (4) No limit on number of events allowed by SUP.
- (5) No limit on number of attendees hosted at SUP events.
- (6) No limit on SUP- approved event space (eg: would allow bldg. footprint larger than Rt. 29 Holiday Inn, with no height restriction).
- (7) No enforceable volume limit on Amplified Outdoor Music.
- (8) No term limits on events requiring Zoning or SUP approval.
- (9) No violation enforcement mechanism.
- (10) Grossly inadequate building setback requirements.

In addition Staff's draft lacks any definition of the key term "subordinate" (used in seemingly random and inconsistent contexts), along with the

phrase "related to" (when describing a lengthy list of "permitted" activities). "Agritourism", moreover, appears in multiple contexts and forms without clear explanation.

Taken together Staff's draft, if adopted, would introduce a host of internal ambiguities and contradictions, while completely undermining the Zoning Code's goal of "conserving natural resources ...protect[ing] overcrowding of land", and retaining the "rural character" of the County's C-1 and A-1 Zoning Districts.

Not wanting to condemn Staff's draft without offering a better solution I, along with a half dozen other residents, have drafted an alternative to that draft which, we believe, overcomes all of its shortcomings. A copy is attached to this email, along with a number of needed definitional changes which, when read together, achieve the balance sought by the Board. To facilitate your review I've also attached a chart comparing and contrasting Staff's draft with our alternative. Note- The draft follows Staff's format and, in several places (eg: Outdoor Lighting) tracks its content as well. While it retains most of the substantive content reflected in our prior submittal, it is an entirely new document designed to fit seamlessly with the current Code and merits, we believe, your serious consideration.

Thank you for your attention.

- Bill Zutt

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

Each farm winery, farm brewery, limited distillery, and agricultural operation (hereafter referred to as “facility” or “facilities”) shall be subject to the conditions, limitations, and procedures specified in this Article, and to the definitions contained in Article 22 of this Ordinance. The following table identifies and summarizes those activities and/or events allowed by right with a Zoning Permit, those requiring an Administrative Permit from the Zoning administrator, and those requiring a Special Use Permit from the Board of Supervisors.

**Table A**

| By Right  | With Administrative Permit  | With Special Use Permit  |
|---|---|--|
| Activities exempt from County regulation under Virginia State Code, as specified in Sect. 16-21-2, subsects. (a), (b), and (c)  |   |  |
| Activities permitted under Sect. 16-21-2, subsects. (d) and (e)   |   |  |
| Up to 24 Agritourism, Farm Winery, Farm Brewery, or Limited Distillery Events or Activities annually, hosting up to 50 attendees per event or activity, pursuant to Sect 16-21-2(f) | Up to 12 events annually hosting no more than 150 attendees per event and no more than one such event per month | Up to 12 events annually with no more than 250 attendees per event and no more than one such event per month |
|   | Structures up to 4,000 sq ft floor space to accommodate authorized events and/or activities                     | Structures up to 12,000 sq ft floor space to accommodate authorized events and/or activities                 |
|   |   | Amplified outdoor music  |

\*subject to Sect. 16-21-7(e)

### 16-21-1 General Standards and Use Limitations at Farm Wineries, Farm Breweries, Limited Distilleries, and Agricultural Operations

Unless otherwise stated, the following standards and use limitations shall apply to all uses at all facilities:

- Events, activities and structures shall, individually and collectively, be physically, financially, and operationally subordinate to the operation of the facility.
- All lots on which events, activities, and/or structures shall be conducted or erected shall be at least 10 acres in size.



- c) Buildings, structures, and interior spaces dedicated to activities and events shall not collectively exceed 4,000 sq. ft. floor space without a Special Use Permit.
- d) Setbacks: Any structure to be utilized as part of a facility where any events or activities will occur shall be located a minimum of 300 feet from all lot lines; provided that any existing facility structure for which the County has issued a Zoning Permit for operation prior to adoption of this 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.
- e) Parking:
  - 1) 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.
  - 2) Parking space required: One space per employee and one space per 200 square feet of event space and tasting room.
  - 3) Parking area shall be paved or have an all-weather, dust-free surface.
  - 4) Vehicular parking is not allowed on any public streets or within 100 feet of any residence, except for a residence located on the facility property.
- f) No Food Establishments: In no case shall food be provided which results in a facility 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.
- g) Occupancy: No activities or events held at a facility shall result in more people being On-site than the authorized occupancy limits under such facility's Health Department septic permit, or under any other applicable statute, ordinance, or regulation.
- h) The Closing Time for any activity or event held at a facility 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.
- i) Server Training: Every facility 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.
- j) Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the facility. 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 facility shall exceed the noise limits set forth in the Greene County Code.
- k) Outdoor Lighting: Lighting shall be fully shielded and shall comply with the requirements set forth in the Greene County Code.
  - 1) Maximum Mounting Height: 25 feet  
\*Height is measured from grade to the top of the lighting fixture.

- 2) 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.
- 3) Spillover light from these uses shall not exceed one-half (1/2) footcandle at the property line.
- 4) High intensity light beams in the form of outdoor search lights, lasers, or strobe lights shall not be permitted.
- 5) 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.
- 6) 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.
- 7) 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.

#### **16-21-2 Uses permitted By Right.**

The following events and activities are permitted by right with the issuance of a zoning permit:

- a) With respect to Farm Wineries, those activities specified in Virginia State Code Sect. 15.2-2288.3(E) as currently in effect, or as same may hereafter be renumbered or amended.
- b) With respect to Farm Breweries, those activities specified in Virginia State Code Sect. 15.2-2288:3.1(B) as currently in effect, or as same may hereafter be renumbered or amended.
- c) With respect to Limited Distilleries, those activities specified in Virginia State Code Sect. 15.2-2288:3.2(B) as currently in effect, or as same may hereafter be renumbered or amended.
- d) Private personal gatherings held by the owner of a facility who resides at such facility (or on property adjacent thereto that is owned or controlled by such owner) where alcohol 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 Zoning Ordinance.
- e) Light Accompaniments served in conjunction with alcohol tasting and consumption during Regular Business Hours.
- f) Up to two times in any calendar month, Farm Winery, Farm Brewery, or Limited Distillery, or Agricultural Operations Events and Activities which are limited to 50 invitees or ticketed attendees, provided that in lieu of holding any one such authorized monthly activity or event in any month, a facility may instead serve, once in any calendar month, Catered Food to the general public in conjunction with alcohol tasting and consumption (and not in conjunction with any ticketed or by-invitation activity or event) during Regular Business Hours.

### **16-21-3 Uses permitted by Administrative Permit.**

The following events, activities, and structures are allowed subject to the issuance of an Administrative Permit from the Zoning Administrator:

- a) Up to 12 Farm Winery, Farm Brewery, Limited Distillery, and Agricultural Operation events annually, hosting up to 150 attendees per event, with no more than one such event per month, and held when the facility is closed to the general public.
- b) Structures up to 4,000 sq. ft. floor space to accommodate the above events and/or activities.

### **16-21-4 Administrative Permit Procedures and Limitations**

- a) The following procedures shall apply to the initial application for, and any renewal of, an Administrative Permit for a facility:
  - 1) Written notice of the application, and of any renewal application, shall be provided by the Zoning Administrator to all adjoining property owners (which shall, as used in this Article, include those directly across any adjacent streets) at least 30 days prior to the action Zoning Administrator's action on the application. Such notice shall solicit input to the Zoning Administrator regarding the requested Administrative Permit.
  - 2) Each application for an Administrative Permit, or for its renewal, shall include the following:
    - i) Information regarding: (a) the proposed uses; (b) the maximum number of persons who will attend each use at any given time; (c) the frequency and duration of the uses; and (d) the days and hours of operations of the uses.
    - ii) 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: (a) all structures that would be used for the uses; (b) how access, on-site parking, outdoor lighting, signage, and minimum yards will be provided in compliance with this chapter; and (c) how potential adverse impacts to the adjoining property owners will be mitigated.
  - 3) 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.
  - 4) 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.
  - 5) The process for reissuance shall be the same as for the initial approval.
  - 6) The Administrative Permit shall remain in effect until its end date notwithstanding any change of ownership of the facility or transfer of title to the facility property, provided that in the event of any such transfer, the facility shall provide written notice thereof to the County within ten (10) days following such transfer.
  - 7) 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 facility in writing of the decision to not reissue an Administrative Permit.

- 8) 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 facility in writing of the suspension of an Administrative Permit. The Zoning Administrator may also pursue all enforcement available pursuant to Greene County Zoning Ordinance.
  - 9) Each calendar day of any multi-day event shall be counted as a separate Event under this Ordinance.
- b) The following limitations shall apply to consideration of an Administrative Permit for a facility:
- 1) Foods other than Light Accompaniments, including meals, may be served at an Event held 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 facility 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.
  - 2) No Administrative Permit shall be granted if the parcel on which the facility 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 facility 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.
  - 3) 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 facility property that was in existence on the date the facility was first licensed by the ABC Board of the Commonwealth of Virginia (in the case of Farm Wineries, Farm Breweries, and Limited Distilleries) or, in the case of other Agricultural Operations, that was in existence on the date this Ordinance was adopted.
  - 4) The Closing Time for any Event held at a facility 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.
- c) The Zoning Administrator shall consider the following standards in determining whether or not to grant or reissue an Administrative Permit:
- 1) The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
  - 2) 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 facility'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 facility's septic system, as approved by the Health Department; and
  - v) The availability and location of parking facilities.
- 3) The size of the facility property;
  - 4) The distance of the facility's proposed Event locations to the nearest residences of the facility;
  - 5) The effect of headlight glare from Event traffic on neighboring residences;
  - 6) The effect of noise on residents in the surrounding areas;
  - 7) The capacity of the facility's event facilities to accommodate the number of its proposed attendees;
  - 8) The written comments of nearby property owners and residents received by the Zoning Administrator; and
  - 9) 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.

#### **16-21-5 Uses permitted by Special Use Permit.**

The following events, activities, and structures **are** allowed at facilities on sites at least 25-acres in size, subject to the issuance of a Special Use Permit by the Board of Supervisors:

- a) Number of events and activities:
  - 1) On parcels between 25 and 50 acres in size, up to 12 Farm Winery, Farm Brewery, Limited Distillery, and Agricultural Operation events annually, hosting up to 200 attendees per event, with no more than one such event per month, and held when the facility is closed to the public;
  - 2) On parcels greater than 50 acres in size, up to 12 Farm Winery, Farm Brewery, Limited Distillery, and Agricultural operation events annually, hosting up to 250 attendees per event, with no more than one such event per month, and held when the facility is closed to the public;
  - 3) No more than two Farm Winery, Farm Brewery, Limited Distillery, or Agricultural Operation events, whether approved by Administrative Permit or Special Use Permit, shall be allowed or conducted in one calendar month;
- b) Amplified Outdoor Music
- c) Structures greater than 4,000 sq. ft. floor space, but not more than 12,000 sq. ft. floor space, to accommodate the above events and activities.

#### **16-21-6 Special Use Permit Procedures and Limitations**

- a) Events granted by Special Use Permit shall meet the standards and use limitations applicable to Administrative Permits in Sections 16-21-4(b) and (c).
- b) Each application for a Special Use Permit for one or more uses authorized under Section 16-21-5, or for its renewal, shall include the following in addition to any information required to be submitted with an application for a special use permit under Article 16-2:
  - 1) Information regarding: 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 days and hours of operations of the uses; and v) how Amplified Outdoor Music will be furnished in compliance with this Article.
  - 2) 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 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 the adjoining property owners will be mitigated.
- c) The standards for consideration of an Administrative Permit as set forth in Section 16-21-4(c)(2)(iv) 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 facility's septic system provided appropriate accommodations are made for temporary facilities during that Event.
- d) A Special Use Permit for one or more Events shall only be granted if the facility 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 facility (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.
- e) 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:
  - 1) Sheriff's Office;
  - 2) Virginia Department of Transportation;
  - 3) Emergency Services Coordinator;
  - 4) Health Department.
- f) The initial Special Use Permit shall be granted for a period of no more than three (3) years. After the initial term, the facility 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.

- g) The Special Use Permit shall remain in effect until its end date notwithstanding any change of ownership of the facility or transfer of title to the facility property, provided that in the event of any such transfer, the facility shall provide written notice thereof to the County within ten days following such transfer.

#### **16-21-7 Setbacks:**

Where the front, rear, and side yard setback-provisions of this Article vary from those generally applicable in the Zoning District wherein a facility is located, the stricter of those provisions shall prevail. 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 facility, provided that the zoning administrator may reduce the minimum required setback upon finding that: (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(s) consenting to the reduction.

#### **16-21-8 Restroom Facilities:**

- a) Restrooms shall be provided for all facilities per the Virginia Department of Health regulations.

#### **16-21-9 Signage:**

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

#### **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 event or sales area are those areas dedicated to 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 at any facility:

- a) Restaurants.
- b) Helicopter rides.
- c) Hot Air Balloons
- d) Fireworks
- e) Grocery, Convenience, or General Stores
- f) Go-Kart, motorized bike, or ATV trails, tracks or rides.
- g) Amusement Park or Carnival rides or games
- h) Flea Markets

- i) Mini-Golf
- j) Lodging
- k) Personal Services
- l) Other Uses determined by the Zoning Administrator which do not qualify as “Agritourism Activity” as defined by State Law.

## **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-ofway.
- 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 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; (v) fundraisers and charity events; and (vi) weddings and wedding receptions. Each day during which an Agricultural Operation Event occurs shall be deemed an additional such event. (Revised xx/xx/2025)

**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)

**Farm brewery:** An Agricultural Operation located on one or more lots in Greene County licensed as a limited brewery under the Code of Virginia. (Revised xx/xx/2025)

**Farm brewery event:** a planned private, public, or social occasion conducted at, and subordinate to, 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; fundraisers and charity events; and weddings and wedding receptions. Each day during which a Farm Brewery Event occurs shall be deemed an additional such event. (Revised xx/xx/2025)

**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 operation 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 Agricultural Operation located on one or more lots in Greene County licensed as a farm winery under the Code of Virginia. (Revised xx/xx/2025)

**Farm winery event:** a planned private, public, or social occasion conducted at, and subordinate to, 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; fundraisers and charity events; and weddings and wedding receptions. Each day during which a Farm winery event occurs shall be deemed an additional such event. (Revised xx/xx/2025)

**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)

**Limited Distillery:** an Agricultural Operation located on one or more lots in Greene County licensed as a limited distillery under the Code of Virginia. (Revised xx/xx/2025)

**Limited distillery event:** a planned private, public, or social occasion conducted at, and subordinate to, a limited distillery on one or more days where the purpose is agritourism or to promote distilled spirits sales including, but not limited to, distilled spirits fairs; receptions where distilled spirits are sold or served; distilled spirits club meetings and activities; distilled spirits tasting educational seminars; distilled spirits tasting luncheons, business meetings, and corporate luncheons with a focus on selling distilled spirits; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; distilled spirits makers' dinners where distilled spirits are paired with food; agritourism promotions; fundraisers and charity events; and weddings and wedding receptions. Each day during which a limited distillery event occurs shall be deemed an additional such event. (Revised xx/xx/2025)

**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, limited distillery or other agricultural operation that is both ordinary and commonly practiced or engaged in at farm wineries, farm breweries, limited distilleries, or other agricultural operations, as applicable, within the Commonwealth, as determined by objective evidence. (Revised xx/xx/2025)



### Comparison of Farm Winery/Farm Brewery/Limited Distillery/Agricultural Operations Ordinances

|  | Staff Report      | Our Proposal                        |
|--|-------------------|-------------------------------------|
| Events hosting up to 50 attendees                          | No Limit          | 24/yr                               |
| Criteria/Requirements for Zoning Approval                  | No Criteria       | Comprehensive, Site Specific        |
| Maximum Number of Events per Year with Zoning Approval     | 30/yr             | 12/yr                               |
| Maximum Number of Events per Year with SUP                 | No Limit          | 12/yr                               |
| Maximum Number of Attendees per Event with Zoning Approval | 150               | 150                                 |
| Maximum Number of Attendees per Event with SUP             | No Limit          | 250                                 |
| Outdoor Amplified Music Volume Limit                       | No Assigned Limit | Audibility limited to property line |
| Maximum Tasting+Event Space with Zoning Approval           | 12,000 sq ft*     | 4,000 sq ft                         |
| Maximum Tasting+Event Space with SUP                       | No Limit          | 12,000 sq ft                        |
| Notice to Adjoining Owners                                 | None Required     | Required                            |
| Term Limits/Renewable                                      | None              | Renewable                           |
| Enforcement Provisions                                     | None              | Comprehensive                       |

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

From: SCOTT MINGLEDORFF <[msmingl@aol.com](mailto:msmingl@aol.com)>

Sent: Monday, October 27, 2025 12:26 PM

To: Steve Catalano <[scatalano@gcva.us](mailto:scatalano@gcva.us)>; Marie Durrer <[mdurrer@gcva.us](mailto:mdurrer@gcva.us)>; Davis Lamb <[dlamb@gcva.us](mailto:dlamb@gcva.us)>; Francis McGuigan <[fm McGuigan@gcva.us](mailto:fm McGuigan@gcva.us)>; Tim Goolsby <[tgooolsby@gcva.us](mailto:tgooolsby@gcva.us)>; Angela Hawkins <[ahawkins@gcva.us](mailto:ahawkins@gcva.us)>; David Mastervich <[dmastervich@gcva.us](mailto:dmastervich@gcva.us)>; John McCloskey <[jmccloskey@gcva.us](mailto:jmccloskey@gcva.us)>; Mark Kelp <[mkelpe@gcva.us](mailto:mkelpe@gcva.us)>; Peter Wajda <[pwajda@gcva.us](mailto:pwajda@gcva.us)>; Cathy Schafrik <[cschafrik@gcva.us](mailto:cschafrik@gcva.us)>; Jim Frydl <[jfrydl@gcva.us](mailto:jfrydl@gcva.us)>

Subject: Agritourism Workshop

In tomorrow's workshop you will be discussing the staff's proposal for a revised agritourism ordinance.

Missing from the staff's proposal are considerations of the impact on rural residents. The impacts are many but for brevity and focus I will limit myself to what I believe is the single most significant impact: noise from outdoor amplified music

Currently the only noise limit we have is our general noise ordinance and it is based upon a technical standard that is both expensive and difficult to implement. It also fails to adequately account for the low frequency, bass sounds from amplified music. State law permits outdoor amplified music at agritourism events to be dealt with independently of a general noise ordinance and other counties have chosen to do so. They use a commonsense standard for what you (or a deputy) can hear at what distance.

I have been to several weddings where the ceremony was outdoors, and the reception was held indoors. Inside the music could be deafening, but with closed doors and reasonable sound insulation the noise emanating from the structure was minimal or at least tolerable. I credit the staff with making the distinction in their proposal that amplification associated with the wedding ceremony itself was permitted by right but not for receptions or celebrations held before or after a wedding ceremony.

The unfortunate ambiguity in the staff's proposal arises in their definition of outdoor amplified music as solely being associated with outdoor events. Other jurisdictions clearly stipulate that amplified music emanating from a structure, including open pavilions and temporary structures such as tents is considered "outdoor" amplified music in the context of agritourism events. We should adopt the same definition.

State law permits both the use of an audibility standard for amplified music and permits defining what may be considered "outdoor" amplified music. Implementing these

suggestions can result in a fair balance between the rights of residents and those who wish to exploit Greene's rural character for commercial benefit.

Specifics on the language of a proposed ordinance that addresses the above issues and more can be found in Mr. Zutt's email of October 25<sup>th</sup>. I support his proposal.

From: Janice Rosenberg <[janicerosenberg@yahoo.com](mailto:janicerosenberg@yahoo.com)>

Sent: Monday, October 27, 2025 2:46 PM

To: Francis McGuigan <[fmcguigan@gcva.us](mailto:fmcguigan@gcva.us)>; Marie Durrer <[mdurrer@gcva.us](mailto:mdurrer@gcva.us)>; Steve Catalano <[scatalano@gcva.us](mailto:scatalano@gcva.us)>; Tim Goolsby <[tgoolsby@gcva.us](mailto:tgoolsby@gcva.us)>; Angela Hawkins <[ahawkins@gcva.us](mailto:ahawkins@gcva.us)>; David Mastervich <[dmastervich@gcva.us](mailto:dmastervich@gcva.us)>; John McCloskey <[jmccloskey@gcva.us](mailto:jmccloskey@gcva.us)>; Mark Kelpel <[mkelpel@gcva.us](mailto:mkelpel@gcva.us)>; Peter Wajda <[pwajda@gcva.us](mailto:pwajda@gcva.us)>; Cathy Schafrik <[cschafrik@gcva.us](mailto:cschafrik@gcva.us)>; Jim Frydl <[jfrydl@gcva.us](mailto:jfrydl@gcva.us)>

Subject: Joint Workshop Tomorrow on Latest Draft Ordinance changes to the Agritourism Ordinance and definitions

To All,

Please accept this email as an 100% endorsement of the proposed changes summarized in Mr. Zutt's recent email to you folks together with draft amendments to Articles 16-21 and 22 of the Greene County Zoning Ordinance. These changes, representing the vetted views of a number of Greene County residents, were designed to fit seamlessly into the Ordinance, addressing its shortcomings and striking a reasonable balance between the rural goals of Greene County's Comprehensive Plan and the economic needs of the Greene County farming industry.

I am hopeful you will give it serious consideration and adopt it. Thank. you.

Victor Rosenberg



**From:** [stevetp2@gmail.com](mailto:stevetp2@gmail.com) <[stevetp2@gmail.com](mailto:stevetp2@gmail.com)>

**Sent:** Monday, October 27, 2025 8:56 PM

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**Subject:** RE: "Agritourism" Code Amendments

I am writing in support of the “alternative” agritourism proposal sent to you on Saturday.

That proposal represents a sincere, thoroughly researched, attempt to balance interests. It would facilitate the development of a true farm winery/agritourism industry, while not losing sight of the broader public interest, as given in Greene’s Comprehensive Plan.

We know from other Virginia counties’ experience that commercial interests, seeking advantage from policies intended to support farming, may present themselves as farm wineries – while their real identity and interests are as event centers. Significant adverse consequences followed, in terms of noise, congestion, and burden on county infrastructure.

At July’s Agritourism Workshop, some Supervisors pointed to that very concern. The alternative proposal deals with it, reasonably.

But the Planning Commission’s latest proposal has not substantially addressed that concern. As others noted in their letters yesterday and today, the constraints on event center activities remain slight. Some of what appear to be limits have big loopholes or

would in practice mean no limit at all. The absence of any enforcement mechanism, or incentives for operators to comply with rules (or face suspension of their SUPs, for example) is irresponsible.

In short, the PC's proposal leaves the door still open, wide enough, for the spread of busy event centers, dressed up as farm wineries.

We can expect to hear that the alternative proposal's limits on event activities are too restrictive and will discourage investors. In fact they would constrain only the phony operators. True farm wineries – including those who do derive significant additional income from hosting weddings, etc., would fly right under the proposed ceilings. After all, the proposal does allow for weddings, which are very lucrative. (In our region, facility rental income from “countryside” weddings is often \$12,000 to \$15,000 per event, with some collecting closer to \$20,000 in peak season. Clearly, a farm winery hosting say a dozen such weddings a year would receive a very healthy boost.)

Of course, reasonable people may disagree about the numbers in the alternative proposal, as well as those in the PC's proposal. But it should be clear that there is a very wide gap between them – implying a big difference for the future of Greene County, as wide as the difference between (true) farm wineries and event centers. I hope the Supervisors will call for an ordinance amendments that are much closer to the alternative proposal.

Thank you for your consideration.

Steve Phillips

Stanardsville