

# COUNTY OF ALBEMARLE

## TRANSMITTAL TO THE BOARD OF SUPERVISORS

### SUMMARY OF PLANNING COMMISSION ACTION

<b>AGENDA TITLE:</b> ZTA 2016-3 Farm Winery, Brewery, and Distillery Events  <b>SUBJECT/PROPOSAL/REQUEST:</b> Public hearing on farm winery, brewery, and distillery events zoning text amendment	<b>AGENDA DATE:</b> January 18, 2017  <b>STAFF CONTACT(S):</b> Amanda Burbage, Scott Clark, Francis MacCall, Amelia McCulley, John Blair  <b>PRESENTER (S):</b> Amanda Burbage
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#### BACKGROUND:

On March 2, 2016, the Board adopted a Resolution of Intent directing staff to work on a zoning text amendment to strengthen the requisite relationship between activities and events at farm wineries, breweries, and distilleries (FWBDs) and their agricultural nature. The Resolution of Intent also directed staff to further evaluate impacts associated with these events (Attachment B). In April and May, the County hosted four stakeholder roundtables to gather input regarding issues associated with FWBD events. On June 14, the Planning Commission and the Board of Supervisors held a joint work session to provide direction to staff on issues identified at the stakeholder roundtables (Attachment C). On September 13, the Commission held a second work session to discuss a draft ordinance (Attachment D). On December 6, the Commission held a public hearing on the draft ordinance (Attachment E) and recommended approval with two revisions noted in the action memo (Attachment F): to allow the tasting room with regular hours requirement to be modified by a special exception and to clarify that the 200 person threshold does not include FWBD employees or event staff or other individuals participating in other by-right activities.

#### STRATEGIC PLAN:

**Economic Prosperity:** Foster an environment that stimulates diversified job creation, capital investments, and tax revenues that support community goals.

**Rural Areas:** Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

#### DISCUSSION:

Attachment A is the proposed draft ordinance that includes the changes requested by the Planning Commission. The changes are summarized in the following table:

	CURRENT	PROPOSED			
	FWBDs	Farm Wineries	Farm Breweries	Farm Distilleries	Grandfather Existing FWBDs?
<b>To Establish Events* Eligibility:</b>					
Minimum On-site Planted Acreage**	None	5 acres	5 acres	5 acres	Yes
On-site Fermenting & Bottling	None	Yes	Fermenting only	Yes	Yes
Tasting Room with Regular Hours	None	Yes***	Yes***	Yes***	Yes
<b>Setbacks for Parking, Tents &amp; Portable Toilets</b>	75' front/ 25' side/ 35' rear***	125' from property line***	125' from property line***	125' from property line***	Existing parking areas exempt from increased setback
<b>Traffic Management Plan for Events over 200</b>	None	Yes	Yes	Yes	No
<b>Curfew for Outdoor Amplified Music</b>	None	10 pm - 7 am Sun - Thu 11 pm - 7 am Fri & Sat****	10 pm - 7 am Sun - Thu 11 pm - 7 am Fri & Sat****	10 pm - 7 am Sun - Thu 11 pm - 7 am Fri & Sat****	No
<b>Neighbor Notification with Zoning Clearance</b>	None	Yes	Yes	Yes	Existing FWBDs exempt

\* For the purpose of the proposed regulations, tastings and other by right activities are not considered "events."

\*\* Planted acreage must be crops used in beverage production and may include adjoining parcels under same ownership

\*\*\* Can be modified by special exception

\*\*\*\* The periods when outdoor amplified music is prohibited for one or more days can be modified by special exception

**BUDGET IMPACT:** Staff does not anticipate this ordinance will result in the need for additional staff or funding.

**RECOMMENDATIONS:**

Staff recommends that the Board adopt the proposed ordinance (Attachment A).

**ATTACHMENTS:**

Attachment A – Ordinance Amendment

Attachment B – Resolution

Attachment C – 6/14/16 PC Staff Report

Attachment D – 9/13/16 PC Staff Report

Attachment E – 12/6/16 PC Staff Report

Attachment F – 12/6/16 PC Action Memo

Attachment G – 12/6/16 PC Minutes