

**ORDINANCE ENACTING
CERTAIN CHANGES TO TABLE 17-606
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Table 17-606 "Land Use and Zoning Table" be and hereby is amended as follows:

Table 17-606 Land Use and Zoning Table
Assembly Uses.

REMOVE:

Microbrewery and the districts in which it is allowed from the table.

ADD (in alphabetical order):

Craft brewery as a permitted use (P) in the R-4, R-5, MXU, B-1, B-2, PCD, and PMR zoning districts and as a special use (SU) in the A-1 and A-2 zoning districts.

This ordinance shall be effective from the __ day of _____, 201__.

Adopted the __ day of _____, 201__.

Aye

Nay

Abstain

Absent

Supervisor Cuevas
Supervisor Eberly
Supervisor Chandler
Supervisor Kyger
Supervisor Breeden

Chairman of the Board of Supervisors

ATTESTE:

Clerk

STAFF RECOMMENDATION APPROVAL March 7, 2016

With the on-premise tap room and on-premise restaurant that could be a part of a craft brewery, the zones in which they would be permitted should have a commercial aspect. Staff has suggested this be a permitted use as B-1 and B-2 are commercial, and with the Planned Districts, they would be a part of the master plan. Staff recommends approval.

AMENDED RECOMMENDATION APPROVAL March 29, 2016

In reviewing State Code requirements for farm breweries vs. craft breweries, and as a result of interest in craft breweries, it appears a better alternative would be to allow craft breweries by special use permit in the agricultural districts. A couple of different entities have expressed interest in putting in a craft brewery, but they want to grow part of the products. That would not be permitted in the business districts or the planned districts. Additionally, allowing the craft brewery in the agricultural districts, would allow the restaurant without requiring waivers to the restaurant requirements for agricultural districts. It would assist someone wishing to do the combination brewery, restaurant, event center, etc. to request everything under one application with the County having the ability to place conditions on the request to fit the location, if approved. Staff recommends approval.

PLANNING COMMISSION

TABLED

APRIL 5, 2016

With questions regarding whether in the A-1 and A-2 zoning districts, there should be a certain amount of product grown and questions regarding the size buildings that would be placed on A-1 and A-2 zoned land, with a vote of 5 to 0, the Planning Commission tabled the request.

STAFF RECOMMENDATION

APPROVAL

APRIL 11, 2016

Determining that since the State does not allow localities to require a certain amount of product to be grown for farm breweries, the County could not set amounts on craft breweries. Due to the concern, however, of the size buildings in the agricultural districts, staff has changed the amendment to state that in the business districts and planned districts, no more than 250,000 barrels may be produced per year and in the agricultural districts, no more than 15,000 barrels may be produced per year. There would be no change to this amendment as it was tabled because of questions regarding overall amendments for craft breweries.