

Commissioner _____, introduced the following Amendments concerning the Surry County Zoning Ordinance, and moved the adoption of the Amendments. The motion was seconded by Commissioner _____, the following Amendments were adopted, this the ____ day of _____, 2005:

AMENDMENT 31

**SURRY COUNTY
ZONING ORDINANCE**

**PROPOSED AMENDMENT TO ARTICLE 11 OF THE
SURRY COUNTY ZONING ORDINANCE.**

Article 11, "Table of Uses" shall be amended to include the following uses in the following zoning districts:

RA (Rural Agricultural)

Conditional Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm markets
Farm-based tourism enterprise
Wedding chapel
Wine tasting room

CP (Conservation Protected)

Conditional Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm markets
Farm-based tourism enterprise

RB (Rural Business)

Permitted Uses

Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, community scale

Wedding chapel

Conditional Uses

Country inn

CB (Community Business)

Permitted Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, community scale
Wedding chapel

Conditional Uses

Wine tasting room

HB (Highway Business)

Permitted Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, regional scale
Farmer's market, community scale
Wedding chapel
Wine tasting room

MI (Manufacturing Industrial)

Permitted Uses

Agriculture cultural center
Agritainment
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, regional scale
Farmer's market, community scale
Wine tasting room

AMENDMENT 32

**SURRY COUNTY
ZONING ORDINANCE**

**PROPOSED AMENDMENT TO ARTICLE 16 OF THE
SURRY COUNTY ZONING ORDINANCE.**

Article 16, “Conditional Uses”, Section 8 shall be amended to include the following statements:

Agricultural Cultural Center

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot area for an agricultural cultural center shall be 10 acres.
2. Structures, storage areas, and parking areas associated with the agritainment enterprise shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
3. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Screening and Fencing: The portion of the property utilized for the cultural center and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance. However, if the cultural center is located in a state or federally designated historic structure then screening and fencing devices shall not be required if it will injure the structure's historic integrity as the it relates to the property.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the cultural center. This includes a gift shop, snack bar, etc.
2. Any activities associated with the cultural center shall be subject to the Surry County Noise Ordinance.
3. Festivals related to the cultural center may be held no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit.

Agritainment

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot size for this type of use shall be 10 acres.
2. Structures associated with the agritainment enterprise shall be setback at least 75-foot from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
3. Shall only be permitted in conjunction with agriculture support and services directly associated with on-going agricultural activity on-site.
4. The agritainment enterprise shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for agritainment as long as they are considered a single farm entity.
5. The total square footage of all structures associated with the agritainment enterprise shall not exceed 2,000 square feet for lot sizes up to 50 acres. The total square footage of all structures associated with the agritainment enterprise shall not exceed 4,000 square feet for lot sizes over 50 acres. Use of an historic structure may be permitted in conjunction with the enterprise and may be exempt from the minimum square footage requirements. The structure must be listed as historically significant in the County's historic properties inventory, on file in the County Planning Department.

6. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Screening and Fencing: The portion of the property utilized for the enterprise and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the agritainment enterprise. This includes a gift shop, snack bar, etc.
2. Any activities associated with the agritainment enterprise shall be subject to the Surry County Noise Ordinance.

Country Inn

Zoning Districts: RA, CP, RB

Site Standards:

1. Minimum lot sizes are as follows:
 - a. 5 acres - 15 guest rooms or less
 - b. 10 acres - 16-30 guest rooms
 - c. 20 acres - 31-60 guest rooms
 - d. 40 acres - 61 or more guest rooms
2. The structure, storage areas, and parking areas shall be setback at least 75-feet from all property lines and rights-of-way.
3. The owner or manager shall provide full-time management of the premises at all times when guests occupy the establishment.
4. The establishment may contain a full-service restaurant, in addition to guestrooms, that provide meal service to guests and the general public. The restaurant may not exceed 25% of the total floor area of the country inn.
5. Development of a country inn shall architecturally reflect the character of its surroundings; development should mesh well with surrounding properties.
6. There shall be no less than one (1) bathroom, consisting of a bath or shower, water closet, and lavatory for every two (2) guestrooms.

Screening and Fencing: The portion of the property utilized for the country inn and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance. However, if the country inn is located in a local, state, or federally designated historic structure then screening and fencing devices shall not be required if it will injure the structure's historic integrity as the it relates to the property.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. If the country inn is proposed to be new construction, floor plans and renderings of the proposed façade shall be submitted with the application. If the country inn is proposed to locate in an existing structure, floor plans, pictures of the structure, and renderings of any proposed façade improvements shall be submitted with the application.
2. Any activities associated with the country inn shall be subject to the Surry County Noise Ordinance.

Eco-tourism Enterprise

Zoning Districts: RA, CP

Site Standards:

1. All structures, accessory structures, assembly areas, parking areas, recreation areas, trails, etc., shall be setback 75-feet from all property lines and rights-of-way.
2. Any outdoor storage areas shall be hidden from view from any adjoining or nearby properties and any public rights-of-way.
3. Enterprise development site shall be in close proximity to the natural feature or ecosystem to which it provides access.
4. Enterprise development shall be designed to aesthetically compliment the natural feature/ecosystem it serves so that the impact on the natural feature/ecosystem is minimal.

Screening and Fencing: The portion of the property utilized for the enterprise and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the eco-tourism enterprise. This includes a gift shop, snack bar, etc.
2. Any activities associated with the eco-tourism enterprise, whether on-site, or off-site, shall be subject to the Surry County Noise Ordinance.

Farm-Based Tourism Enterprise

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot size for a farm-based tourism enterprise shall be as follows:
 - a. 10 acres - No more than 150 visitors/customers per day.
 - b. 40 acres - No more than 300 visitors/customers per day.
 - c. 80 acres - More than 600 visitors/customers per day.
2. Overnight lodging associated with the enterprise shall comply with the requirements for "Bed and Breakfast" facilities found in Article 16, Section 8 of this Ordinance.
3. Structures, storage areas, and parking areas associated with the enterprise shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
4. Shall only be permitted in conjunction with an existing, working farm. Enterprise shall be incidental to the activities of the farm.
5. The enterprise shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for farm-based tourism enterprises as long as they are considered a single farm entity.
6. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the enterprise. This includes a gift shop.
2. Any activities associated with the enterprise shall be subject to the Surry County Noise Ordinance.

Farm Markets

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot size for a farm market shall be as follows:
 - a. 10 acres - No more than 150 visitors/customers per day.

- b. 40 acres - No more than 300 visitors/customers per day.
- c. 80 acres - More than 600 visitors/customers per day.
- 2. Hours of operation shall be limited to 7:00 a.m. to 6:00 p.m. each day.
- 3. Structures, storage areas, and parking areas associated with the market shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
- 4. Shall only be permitted in conjunction with an existing, working farm. Farm market shall be incidental to the activities of the farm.
- 5. The market shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for agritainment as long as they are considered a single farm entity.
- 6. All storage areas associated with the market shall not be visible from adjoining or nearby properties or any public rights-of-way.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

- 1. A minimum of 50% of the products sold must be agricultural products produced on-site.
- 2. Shall only be an accessory use to the working or active farm; farm market cannot be the principal use on the property/properties.

Wedding Chapel

Zoning Districts: RA

Site Standards:

- 1. All structures, accessory structures, parking areas, assembly areas, etc., shall be setback twice (2x) the applicable setbacks for the corresponding zoning district.
- 2. Facility may consist of the wedding chapel and banquet rooms for receptions only.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: The property utilized for the wedding chapel and its associated activities shall be screened from adjacent properties. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Operational Requirements:

- 1. Outdoor assembly areas shall be designed to soften noise related to on-site activities from negatively affecting adjoining or nearby properties.
- 2. Receptions such as wedding/baby showers, church-related events, etc. shall also be permitted within the facility. Owner should consult with the Zoning Administrator on proposed events not associated with a wedding for compliance with this Ordinance before holding said event.

Wine Tasting Room

Zoning Districts: RA, CB

Site Standards:

- 1. Facility must be operated in association with an existing vineyard (bona fide farm) located on the same property, or multiple adjoining properties in same ownership.
- 2. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal.
- 3. All structures, buildings, storage areas, etc. (except fences or walls) associated with the wine tasting facility must be set back a minimum of seventy-five (75) feet from all property lines or street rights-of-way.

Lighting: Outdoor lighting shall be so designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: All parking and storage areas, as well as the wine tasting room itself, shall be screened from adjoining properties used or zoned for residential or agricultural purposes. If existing topography and natural vegetation does not provide an existing visual barrier, selective screening may be required. Screening shall meet the requirements of Article 18 (Buffers and Screening).

Additional Requirements:

1. Associated small-scale processing or catering facilities (i.e. cheese making, restaurant) which may enhance the overall property in relation to tourism, may be permitted on a case-by-case basis by the Planning Board. The Planning Board shall hold a public hearing and upon approval issue a site plan amendment to the Conditional Use Permit for each use. Associated uses are subject to the above requirements as well.
2. Festivals to be held in conjunction with the wine tasting room may occur no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit. Maximum occupancy for any on-site festival shall also be disclosed.

Article 16, "Conditional Uses", Section 8, requirements for the use "Winery" shall be replaced with the following and shall read as follows:

Winery

Zoning Districts: RA, CB

Site Standards:

1. Facility must be operated in association with an existing vineyard (bona fide farm) located on the same property, or multiple adjoining properties in same ownership.
2. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal.
3. All structures, buildings, storage areas, etc. (except fences or walls) associated with the winery must be set back a minimum of seventy-five (75) feet from all property lines or street rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis for large-scale wineries.
4. A facility serving as an established Cooperative Winery may be permitted without the presence of an on-site vineyard, if, in the Board's estimation, the facility will benefit, cater to, and serve the independent vineyards of Surry County, and surrounding areas. Cooperative Wineries shall be allowed in commercial zoning districts regardless of the existence of an on-site vineyard.

Lighting: Outdoor lighting shall be so designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: All parking and storage areas, as well as the winery itself, shall be screened from adjoining properties used or zoned for residential or agricultural purposes. If existing topography and natural vegetation does not provide an existing visual barrier, selective screening may be required. Screening shall meet the requirements of Article 18 (Buffers and Screening).

Additional Requirements:

1. Festivals to be held in conjunction with the winery may occur no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit. Maximum occupancy for any on-site festival shall also be disclosed.
2. The maximum number of bottles to be produced and/or total volume of wine to be produced on-site shall be disclosed on the site plan.

AMENDMENT 33

SURRY COUNTY ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 30 OF THE SURRY COUNTY ZONING ORDINANCE.

Article 30, "Definitions", Section 1 shall be amended to include the following definitions and terms:

AGRICULTURE CULTURAL CENTER. A facility established for the purpose of educating the public about agricultural activities, and/or the heritage and culture of agricultural activities. In addition, this definition shall also include a museum dedicated only to agriculture themes and living historic farm sites/properties.

AGRITAINMENT. Events and activities that allow for recreation, entertainment, and tourism in conjunction with agriculture support and services directly associated with on-going agricultural activities on-site that are for-profit. Events and activities include the following: hay rides, corn mazes, hay mazes, petting zoos (farm animals only), living historical farms, farm tours (for profit), and agricultural festivals.

AGRITOURISM. Farm-related enterprises that operate for the enjoyment and education of the public which bring together tourism and agriculture. Enterprises include those that are for-profit and those that are provided fee of charge to the public.

CORN MAZE. A recreational facility that creates a labyrinth utilizing an agricultural product such as corn to create a system of paths. Definition shall apply to "Hay Mazes" as well.

ECO-TOURISM ENTERPRISE. Tourism activities and facilities which focus on visitation and observation of our education about natural history, indigenous ecosystems, native plant or animal species, natural scenery, or other features of natural environment. Eco-tourism enterprises may include cultural activities related to such activities or work projects that tend to conserve or safeguard the integrity of a natural feature, habitat, or ecosystem. Facilities for an eco-tourism enterprise may include recreational outfitters. Eco-tourism tends to result in a minimal or positive impact on the features observed or visited or tends to produce economic benefits from conservation.

FARM-BASED TOURISM ENTERPRISES. For-profit tourism activities that focus on the visitation of farms by allowing visitors to experience farm life or providing a service to visitors that showcases and sales the yield or products grown on the farm. Use which fall under this definition include, but not limited to, farm markets, homegrown restaurants, and participatory farms.

FARM MARKETS. An accessory use to a working or active farm which includes the sale of horticulture or agricultural products, including, perennial, annuals, bulbs, dried flowers, compost, Christmas trees, fresh produce, honey, cider, and similar agricultural products. A minimum of 50% of the products sold must be agricultural products produced on-site. Farm markets shall be operated on the parcel or one of the parcels of the working farm.

FARMER'S MARKET, COMMUNITY-SCALE. A facility that is 4,999 square feet in size or smaller that offers for sale fresh agricultural products directly to the consumer in a market setting that caters to the immediate community. Farmer's markets include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

FARMER'S MARKET, REGIONAL-SCALE. A facility that is 5,000 square feet in size or larger that offers for sale fresh agricultural products directly to the consumer in a market setting that caters to a regional area. Farmer's markets include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

HOMEGROWN RESTAURANT. Farm-based, tourism driven restaurants that serve food and beverages primarily to customers seated at tables or counters located within the building or designated outdoor seating areas. At a minimum, 50% of the food which is served at this type of restaurant must be grown on-site, or on nearby farms in the same ownership.

PARTICIPATORY FARMS. Farm-based, tourism-driven enterprises where individuals or groups pay to participate on a working farm or dude ranch.

WINE TASTING ROOM. A facility in which wine products grown or processed on the owner's property may be tasted and sold. This definition shall also include the following associated uses as permitted: gift/retail sales, assembly areas, meeting rooms, dining and catering facilities, and a restaurant facility, if expressly requested and permitted.

Article 30, "Definitions", Section 1, definition of the term "Winery" shall be replaced with the following and shall read as follows:

WINERY. A manufacturing facility or establishment engaged in the processing of grapes to produce wine or wine-like beverages.