

**BOARD APPROVED**  
**DATE** 6/6/2023

**BOARD OF SUPERVISORS**  
**AGENDA ITEM**

*Meeting Date: June 6, 2023*

*Item Number: 06-03*

**Subject**

Case Number 23-02-Z01: Amendment to the King George County Zoning Ordinance to allow Micro-breweries, cideries, distilleries or wineries in the Retail Commercial District, C-1 and General Trade District, C-2. Amendment to Sections 1.9 and 2.9.2.

**Recommended Action**

The King George County Planning Commission and Department of Community Development Staff recommends that the King George County Board of Supervisors:

1. Approve Case Number 23-02-Z01 Amendment to the King George County Zoning Ordinance to allow Micro-breweries, cideries, distilleries or wineries in the Retail Commercial District, C-1 and General Trade District, C-2.

**Summary of Information**

On January 17, 2023, the King George County Board of Supervisors directed staff to amend the ordinance to include the use of micro winery in the commercial districts.

During our overhaul of the Zoning and Subdivision Ordinance it has been discussed to include microbreweries, micro wineries, and micro distilleries. Staff has prepared the draft ordinance with that in mind. Although microbreweries are already permitted in our current ordinance it is beneficial to combine the use and definition to include micro cideries, micro distilleries and micro wineries.

At its May 16, 2023, meeting, the King George Planning Commission held a public hearing and voted to forward Case Number 23-02-Z01 to the Board of Supervisors with a recommendation for approval.

**Background**

The current Zoning Ordinance allows for breweries, cideries, distilleries or wineries in the Agricultural Zoning Districts under Agricultural farming use, where the products used for the manufacture of beer, cider, liquor, or wine are grown on-site. However, the Ordinance does not permit the use of micro cideries, micro distillery or micro wineries where the

products used for the manufacture of cider, liquor or wine are not grown on site in any zoning district. This text amendment defines the term and permits the use in certain zoning districts.

Permitting Micro-breweries, cideries, distilleries or wineries in the Retail Commercial District, C-1 will automatically permit the use in the General Trade District, C-2. These uses would be permitted as ancillary in the Industrial districts.

### **Zoning Text Amendment**

#### Amendment to Section 1.9 Definitions of terms

Micro-brewery, cidery, distillery or winery. A small scale establishment primarily engaged in the production of alcoholic beverages including beer, wine, cider, or other spirits on site for wholesale or retail sale. Beer production capacity shall not exceed fifteen thousand (15,000) barrels per year. Production of distilled spirits, wine, or alcoholic cider shall not exceed five thousand (5,000) barrels per year. Micro-brewery, cidery, distillery or winery may include a restaurant or public tasting room as an accessory use. Establishments must be licensed by the Virginia Alcoholic Beverage Control Authority and shall operate in accordance with any requirements by the Code of Virginia or other applicable laws.

Amendment to Section 2.9.2 Retail Commercial District Regulations to allow Micro-brewery, cidery, distillery or winery as a use permitted by-right in C-1, C-2.  
25A. Micro-brewery, cidery, distillery or winery

### **Attachments**

- Adjacent Localities Summary
- Draft Text Amendment
- Definitions Title 4.1-100
- Manufacturers Licenses
- Retail Licenses
- Proposed Resolution

**ORDINANCE FOR CASE NUMBER 23-02-Z01**  
**AN ORDINANCE TO AMEND ARTICLE 1, SECTION 1.9 AND ARTICLE 2,**  
**SECTION 2.9.2 OF THE ZONING ORDINANCE OF KING GEORGE**  
**COUNTY, VIRGINIA TO ALLOW “MICRO-BREWERIES, CIDERIES,**  
**DISTILLERIES OR WINERIES” IN THE RETAIL COMMERCIAL DISTRICT,**  
**C-1 AND GENERAL TRADE DISTRICT, C-2**

**Whereas**, the Board of Supervisors adopted a Comprehensive Plan on October 1, 2019, with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory which will, in accordance with present and probable future needs and resources best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants; and

**Whereas**, zoning is intended to encourage localities to improve the public health, safety, convenience and welfare of its citizens and to plan for the future development of communities; and

**Whereas**, following a public hearing, the Planning Commission recommended a change of the Zoning Ordinance of King George County to allow micro-breweries, cideries, distilleries or wineries in the Retail Commercial District, C-1 and General Trade District, C-2 on the same basis as such use is permitted in the C-1 district by Section 2.9.2.

**Now Therefore**, the Board of Supervisors, to promote the health, safety, and general welfare of the citizens of King George County; amends the Zoning Ordinance of King George County to amend Section 1.9, Definitions, and Section 2.9.2, Retail Commercial District Regulations as provided in the attached to allow “micro-brewery, cidery, distillery or winery” in the C-1 and C-2 districts; and,

**Be It Further Ordained**, that all other provisions of Article 1 and 2 except as provided in the blackline edits shown at Section 1.9 and 2.9.2 of the attached remain in full force and effect.

Approved this 04 day of June 2023.

  
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Chair

Approved as to form

  
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County Attorney

**VOTE**

CATHY BINDER	<u>X</u>	AYE _____	NAY _____	ABSTAIN _____	ABSENT _____
TERRENCE COLLINS	<u>X</u>	AYE _____	NAY _____	ABSTAIN _____	ABSENT _____
ANN C. CUPKA	<u>X</u>	AYE _____	NAY _____	ABSTAIN _____	ABSENT _____
RICHARD GRANGER	<u>X</u>	AYE _____	NAY _____	ABSTAIN _____	ABSENT _____
JEFFREY STONEHILL	<u>X</u>	AYE _____	NAY _____	ABSTAIN _____	ABSENT _____

**ATTEST**

  
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Clerk