

Greenbrier County Zoning

Existing Code vs. Proposed Ordinance — A Structural Comparison

Existing code

Greenbrier County Zoning Ordinance, May 2003 Revised Edition (Lewisburg & Fort Spring Tax Districts). Published at greenbrierwv.gov.

Proposed ordinance

Greenbrier County Zoning Ordinance, redlined by County Commission 3/10/26. Published at greenbrierwv.gov. Both retrieved July 8, 2026.

Bottom line. The proposal is not an amendment of the 2003 ordinance — it is a ground-up replacement. The two documents share no section numbering, use different legal machinery, and are framed at different geographic scales. Compared to the code residents live under today, the proposal modernizes the ordinance and adds whole categories the old code never addressed, while also loosening residential density and use controls and, in a few places, tightening them.

1. This is a replacement, not an edit

The 2003 ordinance runs on Articles 100 through 1014, with section numbers like 800.02. The proposal runs on a different system entirely (§101, §301, §402). There is no crosswalk between them: a resident cannot look up “the new version” of a current section, because the structure was rebuilt from scratch. Every provision below was matched by subject, not by number.

2. Scope: from two tax districts to a countywide framework

- **The existing code** applies only to “the unincorporated areas of Lewisburg and Fort Spring Tax districts” and is titled accordingly. Its zoning map covers those two districts.
- **The proposal** is titled the “Zoning Ordinance of Greenbrier County” and applies to “the zoned portions of Greenbrier County” as shown on a new Official Zoning Map. It describes itself as a “partial” ordinance.

The key question the document can’t answer. Whether your specific parcel becomes newly zoned depends on the Official Zoning Map, which is a separate certified document and is *not* part of either PDF. The proposal reframes the ordinance as countywide in identity and structure; whether the physically zoned territory expands beyond the two tax districts is determined by that map. This is the first thing a resident should check with the county.

3. The legal machinery changes

- **Special exception → conditional use.** Today, uses that aren’t automatically allowed are granted as “special exceptions” by the Board of Zoning Appeals. The proposal replaces this with “conditional uses.” These are distinct legal instruments with different review standards — not a rename.
- **New preemption framework.** The proposal adds a Preemption section (§101.08) and an asterisk system (§301.13) marking uses — agriculture, breweries, distilleries, essential utilities and others — that state or federal law may place beyond local control. The 2003 code has a single agricultural carve-out (§300.03) and nothing comparable.

- **Who administers it.** The 2003 code assigns enforcement to the Assessor and a Building Permit Officer. The proposal creates a “Code Official” appointed by the County Commission with the consent of the Planning Commission.

4. The districts

Both ordinances keep Residential, Open Space Conservation, Forest Recreation, Commercial, Industrial, and Planned Unit Development. The proposal adds two overlay districts and drops one standalone district:

Change	Detail
Added	Airport Overlay (AO) — height and use limits around the airport
Added	Telecommunication Facilities Overlay (TFO) — siting for towers and antennas
Dropped	The standalone Conditional Use District (old Article 1010); conditional uses are now built into each district instead

5. Residential gets denser; Forest Recreation gets less dense

The most consequential numeric change for landowners is minimum lot size. The Residential and Forest Recreation districts effectively swap tiers — Residential adopts the smaller (denser) minimums, Forest Recreation adopts the larger ones:

Minimum lot size	Existing (2003)	Proposed	Effect
Residential — water & sewer	20,000 sq ft	12,000 sq ft	smaller / denser
Residential — water only	30,000 sq ft	20,000 sq ft	smaller / denser
Residential — neither	43,560 sq ft (1 ac)	32,670 sq ft (¾ ac)	smaller / denser
Forest Rec. — water & sewer	12,000 sq ft	20,000 sq ft	larger / less dense
Forest Rec. — neither	32,670 sq ft	43,560 sq ft (1 ac)	larger / less dense
Open Space Conservation	2 acres	2 acres	unchanged
Max. building height (all)	60 feet	40 feet	lower

The proposal also allows more housing *types* by right in Residential — two-family (duplex), townhouses, and condominiums of four or fewer units — where the 2003 code permitted essentially single-family and small multi-family. Accessory-building side and rear setbacks in Commercial and Industrial rise from 5 to 15 feet.

6. More commercial uses can reach into Residential

Under the 2003 code, the Residential district allows roughly a dozen uses by special exception, most of them institutional or residential in character (golf course, hospital, nursing home, child care, bed-and-breakfast, larger multi-family). The proposal’s Residential conditional-use list runs to about 39 entries and newly includes commercial uses such as automobile repair, gas station, bakery, brewery*, tavern/drinking establishment, tattoo parlor, retail store, catering, and reception/event facility. All still require a hearing, but the menu of what a hearing can approve in a residential zone expands substantially.

7. Whole categories the 2003 code never addressed

This is the part of the rewrite most easily missed. A large share of the proposal is not a change to existing rules but a first-time framework for uses the 2003 code simply does not mention. Two the community has focused on:

- **Mass gatherings.** The 2003 code has no mass-gathering provision of any kind. The proposal creates one — defining the use and setting permit terms: up to 36 permitted events per parcel per year on five or more contiguous acres, with events held privately by the landowner exempt from permitting.
- **Agritourism.** No agritourism category exists today. The proposal establishes one, subject to a short set of conditions — sanitation, food safety, and parking.

Beyond those two, the proposal introduces a broad set of use categories that are entirely new relative to the code in force today:

- **Alcohol production & hospitality:** breweries, brewery pubs, wineries and farm wineries, distilleries, and cideries; short-term rentals; special-event permitting; and reception/event facilities as a named use.
- **Energy & telecom:** small and large solar energy systems; wind energy systems; and a dedicated wireless/small-cell framework with a new Telecommunication Facilities Overlay. (The 2003 code addressed only tall communication and broadcasting towers.)
- **Health & residential:** accessory dwelling units (one per single-family lot, capped at 50% of the primary dwelling); emergency shelters; continuing-care facilities and medical adult day care centers as named categories; and medical cannabis dispensing, growing, and processing.
- **Other:** tattoo parlors and body-piercing studios; recycling facilities; and an Airport Overlay district governing height and use near the airport.

Some of these arrive with only light standards attached — a point developed in the companion redline analysis. And a caution on reading the list: several *familiar* uses are modernized rather than created. Manufactured, mobile, and modular homes are already defined in the 2003 code and are here realigned to federal standards; recreational vehicles, slaughterhouses, livestock markets, and roadside stands likewise already exist in current law. Those are changes in treatment, not new establishments.

8. Where the proposal is more restrictive

The rewrite is not uniformly permissive. Compared to the 2003 code, it lowers maximum building height across districts from 60 to 40 feet, raises accessory-building setbacks in Commercial and Industrial, raises Forest Recreation minimum lot sizes, and introduces overlay-district controls (airport, telecom) and a documented preemption-verification process that the current code lacks.

9. How to read this comparison

- This is a **structural comparison** of two complete ordinances, organized by subject. It is not a line-by-line redline — because the documents share no common text, a redline between them would be almost entirely replacement.
- It covers the provisions most likely to affect a resident or landowner. It is **not exhaustive**; both ordinances contain further detail.
- Where a figure depends on the Official Zoning Map (notably which parcels are zoned at all), that map is not part of either PDF and must be checked with the county.

Prepared by Mike Sheridan Digital as an independent demonstration of document-analysis work, using publicly available documents. It takes no position on the merits of the proposed ordinance and is not legal advice; anyone acting on a zoning question should consult qualified counsel.

Sources: existing — https://www.greenbrierwv.gov/document_center_uploads/ev_zoning-ordinance.pdf

proposed — https://www.greenbrierwv.gov/document_center_uploads/4i_greenbrier-county-zoning-ordinance-cc-redlines-3.27.26.pdf