



## Comparative Summary:

### Loudoun County to Other County Zoning Ordinances

*(For representative/illustrative comparison purpose, not all VA Zoning)*

Feature	Loudoun County	Albemarle County	Clarke County	Fauquier County	Greene County
<b>Zoning Districts</b>	AR-1, AR-2, JLMA-1, JLMA-2, JLMA-3, JLMA-20, TR-10, TR-3	Rural Area	Agricultural land in AOC (Ag-Open Space-Conservation & FOC (Forestal-Open Space-Conservation)	RA, RC Farm Winery (FW): Written notice from ZA to all adjoining property owners 30 days prior to Admin permit, issues for 1 yr (renewable).	Agricultural
<b>Minimum Lot Size</b>	10 acres for Limited Brewery Not specified for Farm Winery or Limited Distillery	Min. 5 acres of ag production (fruit, grain or ag products) planted on-site or abutting lot under same ownership, used in production of beverages is required to hold ag operation events.	Min. 5 acres unless lot is part of Agricultural Operation on multiple contiguous lots in common ownership.	No uses granted by Admin Permit if less than 11 acres  Special Events: 25 ac contiguous parcels under common ownership	10 acres
<b>Hours of Operation</b>	Not specified	Not specified	Not open to public between 9pm to 8am (Fri-Sat) 8pm to 8am (Sun-Thu)	6pm to 8pm May-Aug, 6pm to 7pm Sept. Closing time for special events no later than 9pm Mon-Thu, 11pm Fri & Sat, 10pm Sunday.	
<b>Events</b>	Regulated by Section 3.04 Temporary Uses, E. Special Events  <b>2021 DRAFT Text to ZOC</b> <i>Limited Brewery Event. For the purposes of this section, a "Limited</i>	Not more than 200 persons in attendance at any time.  FWBD was established before December 9, 2015, may hold events as described below.		By-right accessory uses:  Private personal gatherings by owner, up to two (2) per calendar month Special Event,	By-right production, harvesting, storage, sales, tasting, ag tourism with less than or equal to 200 vehicle trips/day on sites greater



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Events (Continued)	<p><i>Brewery Event" is any planned event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes any of the following: receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brewmasters' dinners where beer is paired with food; agritourism promotions; fundraisers and charity events; or similar activities. On-premises sale, tasting, or consumption of beer during regular business hours within the normal course of business, and private parties are not deemed "Limited Brewery Events."</i></p> <p><i>1. Permitted By Right. Limited brewery events are permitted by-right at a limited brewery if no more than 250 persons are in attendance at the brewery at any time and the events are related to agritourism or beer sales.</i></p> <p><i>2. Parking. All parking for those events must be provided on site.</i></p>	<p>FWBD after 12/9/2015 must have 5 acres of land devoted to ag products to hold events described below.</p> <p>For sites larger than 21 acres in size and with fewer than 50 visitor vehicle trips per day (25 vehicles in and out of the site), no zoning clearance is required for agritourism activities. For sites smaller than 21 acres in size or with more than 50 visitor vehicle trips per day (25 vehicles in and out of the site), a <u>Farm Winery, Brewery, or Distillery Clearance</u> is required for agritourism and events.</p> <p>By-right agritourism includes: exhibits, museums, and historical segments related to alcoholic beverages, guest winemakers, brewmasters, or distillers and trade accommodations of invited winemakers, brewmasters, or distillers, hayrides, picnics, provision of finger foods, soups, and appetizers to visitors, and tours.</p> <p>By-right farm winery, brewery, or distillery events include: wine, beer or distilled spirits fairs, festivals, or receptions</p>		<p>limited to 35 invitees or ticketed attendees when FW is closed to the general public</p> <p>ZA grant or reissue of Admin Permit:</p> <p>The capacity of access roads to accommodate the expected vehicular traffic, including road designation on the Rural Road Classification Map 10.1 in the Comprehensive Plan;</p> <p>ii. The road safety based on factors such as sight distances, road surfaces, road width and shoulder width;</p> <p>iii. The designed capacity of the entrance;</p> <p>iv. approved by Health Department; provided that no Special Events may have a number of attendees in excess of the approved by the Health Department; and</p>	<p>than or equal to 10 acres.</p> <p>Less than or equal to 24 agritourism or FW/LB events per year with less than or equal to 400 attendees,</p> <p>Less than or equal to 4,000 sq ft.</p>



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Events (Continued)	<p><i>Parking must meet the standards and requirements of Section 5.05.03</i></p> <p><b>2023 Draft Text to PC:</b> <i>A limited brewery may host events subject to approval of a temporary special event permit pursuant to Section 10.04, or approval of a banquet/event facility as a separate principal use, subject to 3.01.F. A structure or building used for events with no direct association to agriculture must conform to the Building Code and Fire Marshall requirements</i></p>	<p>where wine, beer or distilled spirits are sold or served, club meetings and activities, tasting educational seminars, tasting luncheons, business meetings, and corporate luncheons with a focus on selling wine, beer or distilled spirits, gatherings with the purpose of promoting sales to the trade, winemaker, brewmaster, or distiller dinners where wine, beer or distilled spirits are paired with food, agritourism promotions, fundraisers and charity events, and weddings or receptions.</p>		<p>v. The availability and location of parking facilities</p> <p>Distance to nearest non-FW residence</p> <p>Effect of headlight glare, noise, capacity of event facility, written comments of nearby property owners to ZA,</p>	
Agritourism Events	<p>Not specified</p>	<p>AGRITOURISM EVENT</p> <p>- By-right if est. before 5-15-2019</p> <p>- 5 acres of ag production to qualify to hold ag op events.</p> <p>Sites &lt; 21 acres in or with more than 50 visitor vehicle trips per day (25 in &amp; out), an <u>Agricultural Operations Clearance</u> is required for agritourism and events.</p> <p>By-right agritourism includes: educational programs, workshops, and demonstrations, farm tours,</p>	<p>Agritourism Activity Zoning Permit required for Temporary activity conducted as an accessory use to an agricultural operation that allows members of the general public to view or participate in agricultural activities for recreational entertainment or education.</p> <p>Activity shall be accessory and shall be subordinate to an agricultural operation on the same lot.</p>		



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<b>Agritourism Events (continued)</b>		and direct sales (excluding harvest-your-own activities). By-right agricultural operation events include: farm-to-table dinners, agricultural festivals, livestock auctions, livestock or agricultural product shows, events that promote the sale of agricultural or silvicultural products, events that promote the sale of food products related to the agricultural operation, and fundraisers and charity events. By-right attendance increased to 200; no limit on number of events	Live music and similar performances-based entertainment shall be incidental and accessory to permitted agritourism activity.  Advertised, promoted or events with admission fee shall not be considered incidental and accessory to agtourism activity.		
<b>Special Events</b>	<i>Not specified</i> <b>2021 Draft Text to ZOC Limited Brewery Special Event. For purposes of this section, a "Limited Brewery Special Event" is any planned event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes beer festivals or any event identified as a Limited Brewery Event in which more than 250 persons are in attendance at the brewery at</b>	Special Use Permit required for events more than 200 persons, including weddings, receptions, and other event-space rental activities without a <u>special use permit</u> . - No events with more than 200 people in attendance without a <u>special use permit</u> . - No agritourism activities or agricultural operations events on sites smaller than 21 acres in size without an <u>Agricultural Operations Clearance</u> .	Chapter 57 Special Use Permits (Special Events) required for events with more than 150 persons. Event hours: no music or performance activity 12am to 7am Sound levels shall comply with Sec 120-9(d)	FW: Requires 25 ac including contiguous parcels under common ownership.  Up to 18 Special Events/calendar yr with up to 200 attendees.  FW over 50 ac: Up to 24 Special Events/yr, up to 250 attendees, and one (1) event up to 500 attendees.  No more than two (2) Special Events per	Zoning Clearing required for Agritourism or events generating greater than 200 vehicles trips/day or on sites less than 10 acres  Greater than 24 agritourism or events / yr with less than 400 attendees.  Special Use permit for weddings, events more than 400 persons



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<b>Special Events (Continued)</b>	<p><i>any time. On-premises sale, tasting or consumption of beer during regular business hours within the normal course of business, and private parties are not deemed "Limited Brewery Special Events."</i></p> <p><i>1. Frequency. Within a single calendar year, the same property may host no more than 10 limited brewery special events pursuant to this subsection. The temporary use permits for these special events may be reviewed and approved concurrently. At least 14 days shall lapse between special events on any one property, or the subsequent special event shall be at least 2,000 feet from the location of the previous event.</i></p> <p><i>2. Parking. All parking for limited brewery special events should be provided on site out of the public right-of-way. If any special event parking is provided off-site, a shuttle service must be provided.</i></p> <p><i>3. Approval. Special events shall receive approval pursuant to Section 3.05.</i></p>	<p>No agritourism activities that create more than 50 visitor vehicle trips (25 vehicles in and out of the site) without an <u>Agricultural Operations Clearance</u>.</p> <p>Sketch plan with parking, stage, traffic mgmt., egress, etc required.</p>		<p>calendar month in addition to by-right uses.</p> <p>In addition to activities or events in Sec. 6-401(9), one Special Event per calendar month may be authorized; Provided that such Special Event shall not exceed 150 invitees or ticketed attendees (or if less, the occupancy limits referenced in Sec 6-402.6)</p> <p>Each calendar day of any multi-day event shall be counted as a separate Special Event</p> <p>No outdoor uses granted by Admin Permit if Special Event location is within 300' of a private residence not on the Farm Winery property (in existence on the date the Farm Winery was licensed by VABC)</p>	



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<b>Food Service</b>	Limited to farm-to-table events; full-service kitchens or restaurants require separate zoning approvals. Not a full-service kitchen; may apply for separate restaurant use	Wineries may operate kitchens to provide finger foods, appetizers, and soups; full-service restaurants prohibited	Prohibited “Food establishment” or “Temp Food Est” Food trucks and prepackaged foods allowed. Temporary food vendors allowed.	Foods other than Light Accompaniment, including meals, at Special Events per Admin Permit provided i. food prepared off-site by caterer or on-premises in food card, and ii. No Food Establishment or which requires Temporary Food Establishment Permit from Health Dept.	Limited to farm-to-table events; full-service kitchens or restaurants require separate zoning approvals
<b>Noise Entertainment/ Amplified Music</b>	Limited Brewery and Winery, Farm 7.05.03.F county wide noise ZO apply  Limited Distillery: County-wide noise regulations not specified	Noise must not exceed 60 dBA during the day and 55 dBA at night, as measured at your property line.  Outdoor amplified music is prohibited from 10pm – 7am on Sunday through Thursday and from 11pm – 7am on Friday and Saturday.  Music occurring in structures with open windows or doors is considered outdoor amplified music.	Incidental live music; Amplified sound prohibited after 7 p.m. (Sun–Thu) and 9 p.m. (Fri–Sat) Bldg w/ live music 300’ minimum from all property lines Allowed with noise restrictions. Live music and similar performance-based entertainment activities shall be incidental and accessory to the farm winery, farm brewery, or farm distillery. Amplified sound from live music or similar entertainment, generated indoors or outdoors, shall not be audible at or beyond the property lines of subject property.	Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. No noise exceeding Sec. 9-700	Sound amplification shall be limited in the time range of 10am to 10pm EST.



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Noise Entertainment/ Amplified Music (continued)			Any such activities that are advertised and/or promoted as a separate event or for which a separate admission fee is charged shall not be considered incidental and accessory.		
Exterior Lighting	County-wide 7.05.02.C.2 does not apply		ZO Section 7.4.3. Lighting for safe egress turned off w/in 1 hr of closing or 10pm, whichever earlier	Shielded lighting per Sec. 9-1005. Special Event structures subject to all lighting limitations applying to commercial uses.	
Road Access	County-wide 7.07.01.F does not apply		Direct access public road, shared use does not constitute direct access. Approved VDOT entrance required.	Direct Access to a public street (not private access easement or road) For Special Events: Frontage on major collector or higher class street	
Parking	LB and FW: 8 spaces/1000sf INDOOR area ( <b>excludes outdoor tasting area sqft</b> )  LD: Not specified	After 1/18/2017: Front: 75', 25' internal public or private road Side: 125' Rear: 125'	ZO Section 7.2.5. No min. parking for agriculture uses	Off-street areas no closer than 100 ft from any property line and shall be screened using fencing &/or landscaping material.	
Prohibited Activities	Not specified  <b>2021 Draft Text to ZOC F. Prohibited Uses. The following uses/activities are</b>	Restaurants and helicopter rides are prohibited at farm wineries, breweries, and distilleries (FWBD).	Retail sales of merchandise not related to wine, beer, or alcoholic beverages Minor commercial public assembly activities, such as weddings and private parties Personal services such as spa and	1. Restaurants, Food Establishments as defined by the Health Department, or any activity which requires a Temporary Food	1. Restaurants 2. Helicopter rides





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<b>Prohibited Activities (continued)</b>	<i>prohibited accessory uses at any Limited Brewery:</i> <i>1. Helicopter rides</i> <i>2. Grocery, convenience or general stores</i> <i>3. Go-kart, motorized bike or four-wheeler trails, tracks or rides</i> <i>4. Amusement park rides</i> <i>5. Flea markets</i> <i>6. Other uses that the Zoning Administrator determines are similar in nature or in impact to those listed above.</i>	No events with more than 200 people in attendance without a <u>special use permit</u> . No FWBD agritourism activities or events on sites smaller than 21 acres in size without a <u>Farm Winery, Brewery, or Distillery Clearance</u> . No FWBD agritourism activities or events that create more than 50 visitor vehicle trips (25 vehicles in and out of the site) without a <u>Farm Winery, Brewery, or Distillery Clearance</u> . No FWBD events without 5 acres of land devoted to producing agricultural products that are used in your wine, beer, or distilled spirits.	beauty services or educational/recreational classes Amusement devices and similar rides including motorized go-karts, ATVs, hot air balloons, helicopters Overnight accommodations Camping	Establishment Permit from the Health Department 2. Helicopter rides 3. Hot air balloons 4. Fireworks 5. Grocery, convenience or general stores 6. Go-kart, motorized bike or four-wheeler trails, tracks or rides 7. Amusement park rides 8. Flea markets 9. Farmers' markets 10. Bowling Alleys 11. Mini-golf 12. Personal Services, including beauty or spa type services 13. Lodging 14. Such other uses as are determined by the Zoning Administrator to be similar in nature or in impact to those listed above. 6-404	
<b>Signage</b>		Specific guidelines for various types of signs See <a href="#">FWBD FAQs</a>			
<b>Setbacks</b>	Limited Brewery: 50' from outdoor tasting rooms or outdoor activities.  Farm Winery/ Limited Distillery Not specified	Front: 75 ft; 25' internal public or private road Side: 25 ft; Rear: 35 ft Tents/toilets, min front, side and rear yard 125' from abutting lot		Special Event structures shall be located min. of 300 ft from all lot lines.	Shall be in accordance with each zoning district's primary setback





## Albemarle County –

**Sec. 5.1.58 - Events and activities at agricultural operations.** Each event or activity at an agricultural operation authorized below shall be subject to the following:

- a. Purpose and intent. The purpose and intent of this section 5.1.58 is to implement policies of the comprehensive plan and the requirements of Virginia Code § 15.2-2288.6. The stated elements of the county's vision for the Rural Area designated in the comprehensive plan include having a strong agricultural economy with large lots on which to produce agricultural products, opportunities to gain value from processing those products, and accessing local markets; maintaining a clearly visible rural character achieved by supporting lively rural industries and activities; having a significant tourist economy in which the rural landscape augments the visitors' experience; and having diverse, interconnected areas of viable habitat, healthy streams, sustainable supplies of unpolluted groundwater, and protected historic and cultural resources. The comprehensive plan's stated goal to protect the county's agricultural lands as a resource base for its agricultural industries and for the related benefits they contribute towards the county's rural character, scenic quality, natural environment, and fiscal health is achieved, in part, by allowing appropriately scaled low-impact events and activities on farms engaged in agricultural production as provided in this section. The comprehensive plan's stated goal to encourage creative and diverse forms of rural production and support rural land uses is achieved, in part, by allowing the events and activities such as farm sales, low-impact forms of agritourism, and other events and activities provided herein. The comprehensive plan also recognizes that rural land uses depend on natural resources that are irreversibly lost when rural land is converted to residential and commercial uses, and that protecting rural land uses provides an opportunity to conserve natural, scenic, and historic resource - by maintaining farmland, forested areas, and other natural areas - and public fiscal resources - by limiting development and lessening the need to provide public services to wide areas of the County. In addition, the comprehensive plan recognizes that conflicts can arise not only between agricultural and residential uses, but also between different agricultural uses. Thus, to ensure that events and activities at agricultural operations do not conflict with the character of the Rural Area, to promote a vibrant rural economy while controlling the adverse impacts these events and activities may have on public fiscal resources and services, and to minimize possible adverse impacts resulting from events and activities, this section incorporates strategies provided in the comprehensive plan to address potential impacts.

This section shall be implemented and interpreted to achieve the objectives of its purpose and intent.

- b. Findings. The board hereby finds that the standards and restrictions in this section were established by considering their economic impact on agricultural operations and the agricultural nature of the events and activities authorized herein. The board further finds that one or more substantial impacts on the public health, safety, or welfare have been identified when a zoning clearance or a special use permit is required by this section. These substantial impacts, and the thresholds and standards related thereto, are based upon the comprehensive plan, study, experience from authorizing and regulating similar events and activities under this chapter, and existing state standards. In addition, the board finds that the thresholds and standards established herein are the minimum necessary in order to satisfy the relevant policies, goals, and objectives of the comprehensive plan without allowing the events, activities, and structures permitted by this section to cause substantial impacts and thereby endanger the public health, safety, or welfare.

## Fauquier County Sec. 6-404, SEVERABILITY

Should any article, section, subsection, sentence, clause or phrase of the regulations constituting the "Farm Winery Ordinance," to include the definitions set forth in Section 15-300, the provisions relating to by-right accessory uses set forth in Sections 6-400, or the provisions related to Administrative Permits or Special Exceptions for a Farm Winery set forth in Sections 5-1810.1 and 5-1810.2 be held unconstitutional, in violation of the restrictions set forth in Virginia Code Section 15.2-2288.3, or otherwise invalid by a court of law, such decision or holding shall have no effect on the validity of the remaining provisions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section and