

Albemarle County Agricultural Operations FAQs

Note: Licensed farm wineries, farm breweries, and farm distilleries should refer to their own FAQ sheets, as the agricultural operations regulations do not apply to these uses.

Q: Do I need a permit for production & harvesting?

A: No. Production and harvesting are by right activities in the Rural Areas zoning district and do not require a permit.

Q: I'm interested in hosting events or activities at my agricultural operation. What kind of permit do I need?

A: In order to be eligible to host events or activities at an agricultural operation, you must qualify as an agricultural operation and agriculture must be a primary use of the property. An agricultural operation is defined in the Albemarle County zoning ordinance as “any operation devoted to the bona fide production of crops, or animals, or fowl, including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. This term includes aquaculture and plant nurseries.”

Please review the following chart to see what permits may apply to you.

No Permit Required	Zoning Clearance	Special Use Permit
Harvest-your-own activities	Outdoor amplified music	Structures for farm sales over 4,000 sf
Agritourism, events or retail sales generating 50 or fewer vehicle trips* per day and occurring on sites 21 or more acres in size Up to 4 farm tours per year with 200 or fewer attendees at any time Up to 4 educational programs, workshops, or demonstrations related to agriculture or silviculture per year with 200 or fewer attendees at any time	Agritourism, events or retail sales generating either over 50 vehicle trips* per day or occurring on sites under 21 acres in size Over 4 farm tours per year and farm tours with over 200 attendees at any time Over 4 educational programs, workshops or demonstrations related to agriculture or silviculture with 200 or fewer attendees at any time	Events or activities (including educational programs, workshops or demonstrations related to agriculture or silviculture) with over 200 attendees at any time Over 24 events of any size/year
Structures for farm sales 4,000 sf or less		

* Note: A vehicle coming to and leaving a site counts as 2 vehicle trips.

Q: Do farm vehicle trips and deliveries count toward the 50 vehicle trip threshold?

A: No. Vehicle trips generated by the normal day-to-day operations of a farm are excluded from the daily vehicle trip threshold.

Q: What's involved in getting a zoning clearance?

A: A zoning clearance is an administrative review process with a \$54 application fee and typically a 2-3 week turnaround time. The zoning clearance review process serves as a means of educating the property owner about County standards and verifying compliance with our ordinance requirements as

well as VDOT and Health Department standards. Provided that these requirements are met, staff does not have the discretion to deny a zoning clearance. The zoning clearance application form may be downloaded from the County website.

Q: What's involved in getting a special use permit?

A: A special use permit is a legislative review process where impacts on adjacent properties as well as the cumulative effects of multiple uses are considered. Special use permits must be acted upon by the Board of Supervisors and they usually include conditions of approval. The cost of a special use permit is approximately \$2,500 and it typically takes a minimum of 6 months to go through the review process. Visit the [Community Development website](#) to learn more about the special use permit process and application requirements.

Q: What kinds of events and activities can I have on my property?

A: Events at agricultural operations may include tastings, farm-to-table dinners, agricultural festivals, auctions or livestock shows, events that promote the sale of agricultural or silvicultural products, fundraisers, charity events, or other events that are usual and customary at Virginia agricultural operations. Agritourism activities may include, but are not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture. Weddings are not considered usual and customary at Virginia agricultural operations and are subject to the special events regulations in [Section 5.1.43](#) of the zoning ordinance.

Q: I'm interested in having outdoor amplified music at my event. What do I need to know?

A: Outdoor amplified music is subject to the County's noise regulations and may not exceed 60 dBA during the day and 55 dBA at night. Any use of outdoor amplified music requires a zoning clearance. As part of the zoning clearance review process, staff will verify that sound equipment can comply with the applicable standards in [Chapter 18 \(Zoning\) Section 4.18.04](#) or that the property owner has and will use a properly calibrated sound meter to monitor sound while outdoor amplified music is being generated. Music occurring in structures with open windows or doors is considered outdoor amplified music.

Q: If a group visits my farm and other farms in the same day, is that considered a farm tour?

A: No. Farm tours are events organized by two or more farms or by a third party to which the public is invited to visit multiple farms on a particular day. Participation by individual farms is voluntary and the tour is typically organized weeks or months ahead of time. A tour of an individual agricultural operation is not considered a farm tour.

Q: If a school plans a field trip to my farm, do I need to get a permit?

A: Farms may host up to four school field trips or similar educational activities per year without a permit. After that, the number of vehicle trips, site acreage, and/or number of attendees on site at any time would dictate which type of permit is needed.

Q: I am selling my products directly from my farm. Do these requirements apply to me?

A: Yes. If on-site sales generate more than 50 vehicle trips per day, a zoning clearance is required. In addition, a farm structure sales area in excess of 4,000 square feet requires a special use permit.

Q: Do I need a permit to process products grown on my farm?

A: Limited processing of products grown or raised on the farm is a by right use, such as the making of jams, pickles, and honey, or the slaughter of chickens raised on the farm. Processing of agricultural products grown off the farm falls into a separate use classification and may require a special use permit within the Rural Areas zoning district. Such uses include sawmills, slaughterhouses or commercial packing plants.

Q: What setback requirements apply?

A: For structures, outdoor event & activity areas, portable toilets and parking, the following setback requirements apply*:

	Front	Side	Rear	Minimum separation from adjacent dwelling
Primary structures	75' – public road 25' – internal or private road	25'	35'	N/A
Accessory structures	75' – public road 25' – internal or private road	6'	6'	N/A
Farm sales structures	35' - public road	25'	35'	N/A
Outdoor event & activity areas	75'	75'	75'	125'
Parking**	75'	75'	75'	125'
Portable toilets	75'	75'	75'	125'

* Minimum setback requirements may be modified by the Board of Supervisors with written permission of the abutting property owner if there is no harm to the public health, safety or welfare, and no detriment to the abutting lot.

** One parking space per 200 square feet of sales area is required. For agritourism activities, farm tours and other programs, one space is required for every 2.5 customers. For special events and festivals, an additional parking space per employee (agricultural operation staff, caterers, musicians & vendors) is required. Additional parking for special events may be provided in a well-drained, suitably graded area adjacent to the required parking area.

Structures may not be located in the flood plain, within stream buffers, or on slopes of 25% or greater. Consult with the Engineering Division in the Community Development Department to

determine whether a Water Protection Ordinance plan is required based on the amount of land disturbance proposed for any parking area or building (see contact information on this sheet).

Q: What kinds of signs can I have?

A: Agricultural operations may have the following signs:

- Up to two 12 square foot freestanding on-site signs, not to exceed 24 square feet total
- Up to two 16 square foot agricultural product signs either on-site or off-site, not to exceed 32 square feet total

Contact the Zoning Division in the Community Development Department for information regarding the necessary sign permits (see contact information on this sheet).

Q: I have a farm winery license – do the agricultural operation requirements apply to me?

A: No. Any property with a Virginia farm winery license is subject to the farm winery regulations in [Section 5.1.25](#) of the zoning ordinance.

Q: I have a limited brewery license – do the agricultural operation requirements apply to me?

A: No. Any property with a Virginia limited brewery license is subject to the farm brewery regulations in [Section 5.1.57](#) of the zoning ordinance.

Q: I have a limited distillery license – do the agricultural operation requirements apply to me?

A: No. Any property with a Virginia limited distillery license is subject to the farm distillery regulations in [Section 5.1.59](#) of the zoning ordinance.

Contact Information

Community Development – Main line (434) 296-5832

Zoning Division – Zoning clearances, signs and permits

Rebecca Ragsdale (434) 296-5832 x3226/ rragdale@albemarle.org

Stewart Wright (434) 296-5832 x3024/ swright2@albemarle.org

Building Services Division – Building permits

Jay Schlothauer, Building Official (434) 296-5832 x3228/ schloth@albemarle.org

Engineering Division – Water protection ordinance & grading permits

Glenn Brooks (434) 296-5832 x3273/ gbrooks@albemarle.org