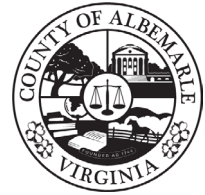


# Outdoor Amplified Music Zoning Clearance



Albemarle County  
Community Development

401 McIntire Rd.  
Charlottesville, VA 22902  
Phone 434-296-5832  
www.albemarle.org

This application packet is designed to provide prospective applicants with the steps and requirements to successfully apply for an outdoor amplified music zoning clearance.

Please contact Zoning staff Lea Brumfield with any questions.

## Why get an outdoor amplified music zoning clearance?

Any outdoor amplified music at a farm winery, farm brewery, farm distillery (FWBD), or agricultural operation (aka farm) requires an outdoor amplified music zoning clearance. This clearance involves demonstration of a plan to ensure these activities remain in harmony with their surrounding areas. When outdoor amplified music is played, the FWBD or agricultural operation must measure and record sound levels.

Outdoor amplified music includes any amplified music, including wedding music, live bands, DJs, and pre-recorded music, regardless of the volume of the music.

## How to get an outdoor amplified music zoning clearance:

- Make sure the activities requiring the outdoor amplified music zoning clearance are permitted and approved on the parcel. E.g. A farm winery must obtain a zoning clearance for events or activities at a FWBD to hold weddings and special events, and agricultural operations may not hold weddings and special events without a special use permit.
- Purchase and familiarize yourself with a sound level meter.
- Submit an outdoor amplified music zoning clearance application with an outdoor amplified music plan and proof of ownership of a sound level meter.
- Zoning staff will contact you to set up an on-site sound check and site inspection.
- Zoning staff will review your application and send you an approval if the application meets the requirements.

## What goes into an outdoor amplified music plan?

- Sketch plan depicting location(s) where outdoor amplified music will occur and at least two locations where sound level tests will be performed. Sound level test locations must be situated to demonstrate that sound levels will meet the noise ordinance at the nearest residential neighbor's parcel boundaries.
- Hours when music will be played.
- Specifications of the sound level meter to be used. Replacement sound level meters must meet or exceed the specifications of the original sound level meter listed in the outdoor amplified music plan.

## How do I stay in compliance with my outdoor amplified music zoning clearance?

- Whenever music is played outdoors, test and log the expected noise levels with the sound level meter at the locations specified on the plan. The noise levels must be tested prior to the outdoor amplified music (e.g. during sound check) and during the music.
- The Zoning Administrator may request noise level logs to verify compliance with the noise regulations for outdoor amplified music. These logs must be provided to the Zoning Administrator's satisfaction.

Sound level at parcel boundary	Daytime max sound level	Nighttime max sound level
RA or residential neighboring parcel	60 dBA	55 dBA
Commercial neighboring parcel	65 dBA	65 dBA

### FAQs

**Do I need my farm winery zoning clearance approval before I submit my outdoor amplified music zoning clearance?**

No, you may submit them both simultaneously.

**Do I need an outdoor amplified music zoning clearance if I am not doing weddings and special events?**

If you are having any kind of outdoor amplified music, including live musicians or playing pre-recorded music during tasting room hours, you need an outdoor amplified music zoning clearance.

**What kind of sound level meter do I need?**

A class 2 or greater handheld sound level meter, with a windscreen. Measurements must be expressed in dBA, in accordance with American National Standards Institute specifications for sound level meters.

# Sound level measurement standards

## Calibration

1. By an acoustic calibrator authorized by the manufacture within 12 months prior; and
2. By user 1 hour prior to measurements.

## Weather

No measurements are to be taken during rain or during weather conditions in which wind sound is distinguishable from and louder to the ear than the sound being tested.

## Windscreen

Always use windscreen.

## Scale

Measurement to be expressed in units of the sound level ( dBA) using the A- weighted scale with fast response, following the manufacturer's instructions. Impulse sounds are to be measured as the maximum reading and not the equivalent sound level.

## Place of sound measurement

Sound measurement to be taken no closer to the sound source than the property line of the receiving zone properties or the property line along street front. If the property line is not readily determinable, sound measurement should be taken from any point inside the nearest receiving zone property.

## Orientation of microphone

To the extent practical, the microphone should be positioned 4 to 5 feet above the ground unless this conflicts with the manufacturer' s recommendation.

## Duration of measurement

Measurement to be taken over five continuous minutes unless it is an impulse sound, each of which should be taken during the impulse or omission of that sound.

## Ambient sound measurement

Ambient sound level must be averaged over a period of time comparable to that for the measurement of the amplified music – i.e., five minutes for non-impulse sounds.

## Determining source sound level

Except for new equipment for which the owner provides manufacturer's specifications related to sound levels accepted by the zoning administrator, the sound level from a sound source shall be determined by correcting the total sound level for ambient sound in accordance with the following procedure:

1. Subtract the maximum measured ambient sound level from the minimum measured total sound level.
2. In Row A below, find the sound level difference determined under paragraph (1) and its corresponding correction factor in Row B. To determine your music sound level, subtract the maximum measured ambient sound level from the minimum measured total sound level.

Row A Sound Level Difference (Decibels)	0.5	1	2	3	4	5	6	7	8	9	10
Row B Correction Factor (Decibels)	9.6	7	4	3	1.8	1.6	1.2	1.0	0.75	0.6	0.5

3. Subtract the value obtained from Row B under paragraph (2) from the minimum measured total sound level to determine the source sound level.
4. If the difference between the total sound level and the ambient sound level is greater than 10 dBA, no correction is necessary to determine the source sound level.

# Outdoor Amplified Music

## Zoning Clearance Application



Albemarle County  
Community Development  
401 McIntire Rd., North Wing  
Charlottesville, VA 22902  
Phone 434.296.5832

**Application fee: \$62.40**

Application \$60 + Technology Surcharge \$2.40

Submit this completed application with the following [online](#), or to the address above:

1. Outdoor amplified music plan showing an aerial plan of the music location(s) and at least two sound level test locations; the hours when music will be played; and specifications of the sound meters to be used.
2. Proof of purchase of a sound meter in the form of a photo of the sound meter.
3. Certification that notice of this application has been provided to the property owner of the business address, if owner is different from applicant.

### 1. Business Information

NAME OF BUSINESS:			
TAX MAP PARCEL:		ACREAGE OF SITE:	
STREET ADDRESS:			
CITY, STATE, ZIP:			

### 2. Applicant

NAME:			
STREET ADDRESS:			
CITY, STATE, ZIP:			
PHONE NUMBER:		EMAIL:	

### 3. Property owner

NAME:			
STREET ADDRESS:			
CITY, STATE, ZIP:			
PHONE NUMBER:		EMAIL:	

### 4. Signature of applicant

I hereby apply for approval for outdoor amplified music at the site listed above, and certify that this business will measure sound levels created by outdoor amplified music twice per day during which outdoor amplified music is being played, and will record the measurements for provision to the Zoning Administrator upon request. I also acknowledge that outdoor amplified music at a farm winery, brewery or distillery is prohibited between the hours of 10 pm – 7 am Sunday through Thursday and 11 pm – 7 am on Friday and Saturday, and will abide by this restrictions.

SIGNATURE:		DATE:	
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### FOR OFFICE USE ONLY

Fee Amt: <b>\$62.40</b> Date Paid: _____	Site/meter inspection date: _____	Sound level meter	OAM plan
Receipt #: _____	Inspection by: _____		
Ck#: _____	Notes: _____	Reviewed By: _____	
Received by: _____		Date: _____	
CLE # _____		Approved	Denied