



ADMINISTRATIVE PERMIT FOR FARM WINERIES

Permit # _____

Fauquier County Department of Community Development
Division of Zoning & Development Services
16 Courthouse Square, Suite 100, Warrenton, Virginia 20186

Zoning Phone: 422-8220
Facsimile: 422-8231

Please see the reverse side for more information regarding the requirements and procedures for this permit. No parcel less than 11 acres in size shall be eligible for this permit. No parcel located on a private street or easement shall be eligible for this permit unless application is accompanied by approval, in writing, of the HOA controlling the private street or, in the case of an easement, owner(s) of the easement's servient estate.

Property Owner

Applicant (If different from owner)

Name: _____
Address: _____

Phone: _____
Parcel ID: _____

Winery Name: _____

Identify Request(s):

Extended Business Hours to 8:00 p.m. in May through August, and to 7:00 p.m. in September.

Approval of one Special Event per month for up to _____ people or, if requesting fewer than one Event per Month, please describe request: _____

Please describe any improvements proposed for this site in conjunction with this permit, if any (i.e. screening, creation of parking areas, etc.): _____

Required to be submitted with this application is a sketch drawn to scale or an aerial photograph showing the building(s) or, if outdoors, the location(s) on the property where events will be held, the proposed permanent or temporary parking area(s) and planned entrance and exit routes from the property for the public. A scaled aerial photograph for your property can be acquired from the County's GIS Department (540-422-8260).

Applicant: _____ / _____
Signature **Date**

Upon submission of this application, notice of this application will be sent to all adjoining property owners for comment. Thirty days will be allowed for comment.

The Zoning Administrator will consider the following standards in determining whether or not to grant an Administrative Permit.

- A. The presence or absence of a history of past violations of conditions of permits issued by the County or the Health Department;
- B. The consistency of requested Special Event sizes with:
 - i. 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;
 - ii. The road safety based on factors such as sight distances, road surfaces, road width and shoulder width;
 - iii. The designed capacity of the entrance;
 - iv. The designed capacity of the Farm Winery's septic system, as approved by Health Department; provided that no Special Events may have a number of attendees in excess of the approved capacity of the Farm Winery's septic system, as approved by the Health Department; and
 - v. The availability and location of parking facilities.
- C. The size of the Farm Winery property;
- D. The distance of the Farm Winery's proposed Special Event locations to the nearest non-Farm Winery residences;
- E. The effect of headlight glare from Special Event traffic on neighboring residences;
- F. The effect of noise on residents in the surrounding areas;
- G. The capacity of the Farm Winery's event facilities to accommodate the number of proposed attendees;
- H. The written comments of nearby property owners and residents received by the Zoning Administrator; and
- I. Such other factors as the Zoning Administrator determines may have a substantial impact on the health, safety or welfare of the public.

The Zoning Administrator shall stipulate, where appropriate, conditions and restrictions in conjunction with the granting of an Administrative Permit to assure that the proposed use will be compatible with surrounding uses and to protect the health, safety and welfare of the public.

Limitations

The following standards and use limitations apply to all uses at a Farm Winery:

1. Noise: Sound generated by outdoor amplified music shall not be audible at or beyond the property line of the Farm Winery. Outdoor amplified music shall include amplified music emanating from a structure, including open pavilions and temporary structures such as tents. In addition, no noise emanating from a Farm Winery shall exceed the noise limits set forth in Section 9-700.
2. Lighting: Lighting shall be fully shielded as set forth in Section 9-1005 and shall comply with the general requirements set forth in Sections 9-1006.4 and 9-1006.7. Structures and uses requiring building permit approval because of the extent of Special Events shall be subject to all lighting limitations applying to commercial uses.
3. Setbacks: **Any structure to be utilized as part of a Farm Winery where any Special Events will occur shall be located a minimum of 300 feet from all lot lines;** provided that any existing Farm Winery structure for which the County has issued a Zoning Permit for operation as a Farm Winery prior to adoption of this Farm Winery Ordinance that does not meet the 300-foot setback requirement may remain in operation and may be expanded if such expansion is no closer to any lot line than the existing structure and is otherwise in accordance with all statutes, ordinances and regulations then applicable to such expansion.
4. Parking: **Off-street parking areas shall be located no closer than 100 feet from any property line and shall be screened using fencing and/or landscaping materials;** provided that any existing parking area as of the date of this Ordinance that does not meet the 100 foot setback requirement may remain in use with appropriate screening as aforesaid. The setback requirement shall also apply to driveways providing the ingress and egress to such parking areas, except to the extent such driveways must necessarily intersect the setback area to reach the road.
5. No Food Establishments: In no case shall food be provided which results in a Farm Winery having to be licensed by the Health Department as a *Food Establishment* or *Temporary Food Establishment* as defined by the Virginia Administrative Code 12VAC-421-10.
6. Occupancy: **No activities or events held at a Farm Winery, including Wine Tasting and Consumption and Special Events, shall result in more people being on-site than the authorized occupancy limits under such Farm Winery's Health Department septic permit, or under any other applicable statute, ordinance or regulation.**
7. Closing Time: The Closing Time for any Special Event held at a Farm Winery shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10 p.m. Sunday.
8. Server Training: Every Farm Winery shall be required to cause its employees serving wine to the general public to participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated patrons from a list of approved programs published from time to time by the Zoning Administrator.

For additional information on Administrative Permits, see Sections 6-400, 5-1810.1 & 2 and 15-300 of the Fauquier County Zoning Ordinance. Copies of the entire Farm Winery Ordinance are available from Community Development or online at www.fauquiercounty.gov