



# Albemarle County

## Legislation Text

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**File #:** 22-337, **Version:** 1

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**AGENDA DATE:** 8/3/2022

**TITLE:**

ZTA202200006 Definition of "Agricultural Operation"

**SUBJECT/PROPOSAL/REQUEST:** Public Hearing on Zoning Text Amendment of Definition of "Agricultural Operation"

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Rosenberg, Herrick, Filardo, Rapp, Brumfield

**PRESENTER (S):** Andy Herrick

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Senate Bill 678 from the 2022 Virginia General Assembly amended the definition of "agricultural operation" to "also include the housing of livestock, as defined in § 3.2-6500." The General Assembly indicated that that amendment was declarative of existing law.

*County Code* § 18-3.1 contains the zoning ordinance's defined terms, including a definition of "agricultural operation" that tracks existing state law. The zoning ordinance uses this term primarily to regulate "agricultural operation events" (also a defined term) in *County Code* § 18-5.1.58.

**STRATEGIC PLAN:** Rural Area Character - Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

**DISCUSSION:** With this recent amendment in state law, the County's zoning ordinance now requires a corresponding amendment. Staff has prepared and is recommending a proposed ordinance (Attachment A) to track the newly-amended state law. By conforming the County's ordinance to the new state law, the proposed ordinance also would confirm that the housing of livestock is a type of agricultural operation eligible for "agricultural operation events" and subject to *County Code* § 18-5.1.58.

**BUDGET IMPACT:** No budget impact is expected.

**RECOMMENDATION:**

Following the public hearing, staff recommends that the Board adopt the attached ordinance (Attachment A), conforming the County ordinance definition of "agricultural operation" to the definition of that term in the newly-amended state law.

**ATTACHMENTS:**

A - Proposed Ordinance