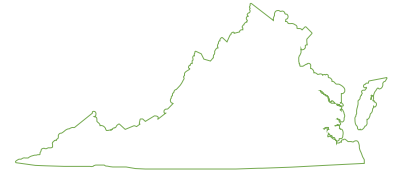


# Agritourism



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**A**gritourism combines agricultural production with farm entertainment and/or education to attract visitors to the farm. Usually pursued to diversify farm income, it also stimulates rural tourism. A growing industry, the Census of Agriculture definition includes recreational services like hayrides, farm or wine tours, U-pick operations, corn mazes, and harvest festivals. It also can allow the renting of farmland for hunting, fishing, and other rural activities.

Most states have enacted agritourism legislation either directly or through secondary laws. However, it is typically regulated in local zoning ordinances as an accessory or conditional use. Ordinances may address minimum parcel sizes, maximum facility sizes, setbacks, parking, signage, noise, nuisances, and hours of operation. Large events, like concerts, festivals, and weddings, often have tougher local regulations which address issues like traffic control, number of guests, amplified sound, and outdoor lighting.

## Virginia Program Description

Virginia addresses agritourism in [Virginia Code Chapter 64](#), defining it broadly to include “any activity carried out on a farm or ranch that allows members of

the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, horseback riding, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.”

Note, the Virginia Right to Farm law prohibits localities from enacting zoning ordinances that unreasonably restrict farming and forestry practices in agricultural districts, including agritourism enterprises. (See [Right to Farm](#) fact sheet.)

## PURPOSE

The Code of Virginia defines agritourism and limits the liability of agritourism professionals. It also authorizes local governments to regulate agritourism activities that substantially affect public health, safety, and general welfare.

## HOW IT WORKS

The law requires agritourism professionals to post visible warning signs, directional signs, and “off limit” areas to receive liability protection for injuries or deaths caused by inherent risks of agritourism activities.



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Inherent risks include dangers from land, equipment, animals, and the potential for participants to act negligently. Signs must have black letters of at least one inch in height and include the following notice: “WARNING” or “ATTENTION” followed by “Under Virginia law, there is no liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such injury or death results from the inherent risks of the agritourism activity.” ([§ 3.2-6402.](#))

Because the law allows local governments to regulate agritourism activities, communities set their own parameters for what is—or is not—allowed so long as the activities fall under the general guidelines of Virginia’s code. Thus, communities approach agritourism differently through zoning and other local policies, which may require things like filing a Determination Form.

### CONSIDERATIONS

Agritourism offers many benefits—from educating the public about agriculture to economic development. It provides farmers with alternative income streams and preserves rural heritage. But it requires careful planning

and appropriate local ordinances to address potential challenges like increased traffic and congestion on rural roads, noise, and legal liability. (See [Zoning to Support Agricultural Enterprises](#) fact sheet).

### To Learn More

- › [American Planning Association: “Knowledge Base Collection: Agritourism”](#)
- › [Esther Akwii and Sophia Kruszewski, “Defining and Regulating Agritourism: Trends in State Agritourism Legislation,” Vermont Law School, 2024.](#)
- › [Heather Wheeler, “Virginia Department of Agriculture and Consumer Sciences: PowerPoint”](#)
- › [Virginia Cooperative Extension: “Agritourism”](#)
- › [USDA Economic Research Service: “2022 Census of Agriculture: The majority of U.S. counties generate some agritourism income”](#)