



Zoning for Agriculture



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Zoning defines and regulates the “what, where, and how” of different land uses. Its purpose is to protect health, safety, and general welfare.

Zoning has various forms. *Euclidean* is the best known. It separates land uses by dividing them into broad categories, typically residential, commercial, and industrial development. Categories also can extend to agriculture, parks, and open space, among other land uses. Zoning takes other forms, as well. For example, instead of focusing on land use, *Form-based zoning* addresses the physical relationships of buildings to streets, sidewalks, and other public spaces. *Incentive zoning* encourages certain types of development with rewards, instead of relying on regulation. *Mixed-use zoning* allows multiple uses which otherwise would be confined to separate zones. *Performance zoning* is market oriented and uses effects-based criteria to guide proposed developments. Zoning also can be used to stimulate investment in economically distressed areas. For example, *enterprise zones* are created to improve economic conditions within a targeted area, as defined by a state, and covering a distinct geographical area of a county, city, or town.

Zoning ordinances define and regulate the scale, scope, and intensity of allowable land uses. They include a definition of terms, maps, and text that outlines their

authority and intent, jurisdictional reach, uses and restrictions, development standards, and administrative procedures. This includes defining what is considered a farm. They can play an important role in supporting agricultural innovation, allowing uses like on-farm processing, marketing, renewable energy, and season-extending infrastructure, like hoop-houses. They also can protect farming operations by requiring developers to construct buffers between a new subdivision and working farms or to restrict locating utility-scale solar installations on prime farmland.

Virginia Program Description

PURPOSE

Virginia’s zoning ordinances are used to promote the health, safety, or general welfare of the public and to achieve legislative objectives. These are detailed in depth in [§ 15.2-2280](#) of the Code of Virginia and include things that support agriculture such as safety from fires and floods, creating attractive communities, and providing for the preservation of agricultural and forestal lands.

HOW IT WORKS

[Code of Virginia Code—Chapter 22. Planning, Subdivision of Land and Zoning](#) authorizes the creation

of local planning commissions and requires local governments to adopt a [Comprehensive Plan](#) which lays the foundation for zoning and other local ordinances. Thus, local governments have authority to designate areas for various types of public and private development, use, and density. This includes classifying territory within their jurisdictions as agricultural¹ as well as Targeted Development Areas (TDA) which are defined in comprehensive plans and depicted on their maps. Implementation may occur through the adoption of zoning standards, and in the case of TDAs, through public capital facility investment. While local governments have authority for zoning, not all of them have used it as a tool.

County governing bodies have jurisdiction over unincorporated territory, whereas municipal governments have jurisdiction over their incorporated areas. Localities design zoning regulations to meet their own unique needs and aspirations. Both may use zoning to determine and permit, as well as regulate and restrict, how land is used and the physical aspects of development, including redevelopment.

When directed by local governments, local planning commissions propose zoning ordinances. They must prepare supporting documents, including maps, that show the division of territory into districts and text to describe the regulations that apply to the different divisions. The governing body then must hold at least one public hearing, address public input, and finalize the ordinance.

The Code addresses some issues that directly affect agriculture. For example, in [§ 15.2-2284. \(Matters to be considered in drawing and applying zoning ordinances and districts\)](#), it calls for zoning ordinances to be drawn and applied with reasonable considerations for the conservation of natural resources and the preservation of agricultural and forestal land. It deems solar facilities “substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under [§ 56-594](#) or [56-594.01](#) or by a small agricultural generator under [§ 56-594.2](#); or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan.” However, most zoning decisions affecting agriculture are made at the local level.

CONSIDERATIONS

Agricultural Protection Zoning (APZ) protects high quality soils and directs new development away from areas with working farms and towards settled areas with community infrastructure. Agricultural overlay zones (AOZ) can strengthen or waive provisions in existing zones and often are used to reduce conflicts between farmers and non-farm neighbors and/or to identify priority areas within zones to support the business of agriculture. For more details, see [Zoning to Protect Farmland](#). Zoning also can be used to determine what kinds of agricultural activities are allowed, whether they are allowed by right or are an accessory or ancillary use, or if they require special permitting. For more information, see [Zoning to Support Agricultural Enterprises](#).

Zoning can be a dirty word if the community believes it infringes on private property rights rather than protecting quality of life. Landowners may threaten to sue—although when ordinances are drafted well, they stand up to legal challenges. When zoning for agriculture, it is important to get input and buy-in from the farming community to ensure that ordinances are farm-friendly and support local agriculture.

To Learn More

- › [Code of Virginia: Article 7. Zoning](#)
- › [Virginia Building Codes](#)
- › [Millman Land: “What structures can be built on agricultural land?”](#)

NOTES

- 1 **Key Zoning Classifications in Virginia:**
 - Agricultural Zoning** (A-1) is meant to protect farmland and rural landscapes, support agricultural activities, and accommodate residences for farmers.
 - Commercial Zoning** regulates business operations, from small local shops (B-1) to large commercial centers (B-2), defining allowed intensity levels which determine the scale, scope, and style of business activities.
 - Industrial Zoning** regulates manufacturing and industrial operations, separating light (M-1) from heavy industrial activities (M-2) that require more controls to protect surrounding areas.
 - Mixed-Use Zoning** encourages a mixture of compatible uses to create vibrant, walkable communities.
 - Residential Zoning** addresses housing developments, ranging from low-density single-family homes (R-1) to higher-density townhouses and apartments (R-2, R-3).