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HOUSE BILL NO. 2409

Offered January 13, 2025

Prefiled January 8, 2025

A BILL to amend and reenact § 3.2-301 of the Code of Virginia, relating to right to farm; minimum area requirements; animal husbandry practices.

Patron—Scott, P.A.

Referred to Committee on Agriculture

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-301 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-301. Right to farm; restrictive ordinances.

In order to limit the circumstances under which agricultural operations may be deemed to be a nuisance, especially when nonagricultural land uses are initiated near existing agricultural operations, no locality shall adopt any ordinance that requires that a special exception or special use permit be obtained for any production agriculture or silviculture activity in an area that is zoned as an agricultural district or classification. Localities may adopt setback requirements, minimum area requirements, *except that minimum area requirements for agricultural operations involving an animal shall be consistent with and not more restrictive than standard animal husbandry practices*, and other requirements that apply to land on which agriculture and silviculture activity is occurring within the locality that is zoned as an agricultural district or classification. No locality shall enact zoning ordinances that would unreasonably restrict or regulate farm structures or farming and forestry practices in an agricultural district or classification unless such restrictions bear a relationship to the health, safety, and general welfare of its citizens. This section shall become effective on April 1, 1995, and from and after that date all land zoned to an agricultural district or classification shall be in conformity with this section.

INTRODUCED

HB2409