

2026 SESSION

INTRODUCED

26103089D

1 **HOUSE BILL NO. 509**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

4 *A BILL to amend and reenact § 15.2-2288.6 of the Code of Virginia, relating to agricultural operations;*
5 *rental of accessory dwellings.*

6 Patron—McAuliff

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 15.2-2288.6 of the Code of Virginia is amended and reenacted as follows:**

10 **§ 15.2-2288.6. Agricultural operations; local regulation of certain activities.**

11 A. No locality shall regulate the carrying out of any of the following activities at an agricultural operation,
12 as defined in § 3.2-300, unless there is a substantial impact on the health, safety, or general welfare of the
13 public:

14 1. Agritourism activities as defined in § 3.2-6400;

15 2. The sale of agricultural or silvicultural products, or the sale of agricultural-related or silvicultural-
16 related items incidental to the agricultural operation;

17 3. The preparation, processing, or sale of food products in compliance with subdivisions C 3, 4, and 5 of
18 § 3.2-5130 or related state laws and regulations; or

19 4. Other activities or events that are usual and customary at Virginia agricultural operations.

20 Any local restriction placed on an activity listed in this subsection shall be reasonable and shall take into
21 account the economic impact of the restriction on the agricultural operation and the agricultural nature of the
22 activity.

23 B. No locality shall require a special exception, administrative permit not required by state law, or special
24 use permit for any activity listed in subsection A on property that is zoned as an agricultural district or
25 classification unless there is a substantial impact on the health, safety, or general welfare of the public.

26 C. Except regarding the sound generated by outdoor amplified music, no local ordinance regulating the
27 sound generated by any activity listed in subsection A shall be more restrictive than the general noise
28 ordinance of the locality. In permitting outdoor amplified music at an agricultural operation, the locality shall
29 consider the effect on adjoining property owners and nearby residents.

30 D. The provisions of this section shall not affect any entity licensed in accordance with Chapter 2
31 (§ 4.1-200 et seq.) of Title 4.1. Nothing in this section shall be construed to affect the provisions of Chapter 3
32 (§ 3.2-300 et seq.) of Title 3.2, to alter the provisions of § 15.2-2288.3, or to restrict the authority of any
33 locality under Title 58.1.

34 E. *No locality shall prohibit the rental for 30 days or more of existing accessory residential dwellings*
35 *located on property with an agricultural operation, as that term is defined in § 3.2-300. This subsection shall*
36 *not apply to areas within a town.*

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