

# OR #24-004: Agritourism Ordinance Amendments

Public Hearing – Board of Supervisors  
Staff Presentation  
February 24, 2026

# Purpose of the Ordinance Update

- Update agritourism regulations

- Improve clarity and enforceability

- Balance farm viability with public health, safety, and welfare

## Why an Agritourism Ordinance?

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- Comprehensive Plan support since 2010

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- State law limits regulation of bona fide agriculture

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- Adopted in 2015 to support farm viability

## Concerns Identified Since 2015

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- Noise and outdoor amplification

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- Traffic and parking

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- Lighting impacts

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- Food service and restrooms

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- Event size and frequency

# Zoning Certification vs. Special Use Permit

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- Zoning Certification: administrative approval

- SUP required for higher-impact activities

# Zoning Certification vs Special Use Permit

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- Zoning Certification is a legal document written by the Zoning Administrator (Ministerial or Administrative Action) or agent that confirms compliance with the zoning ordinance regulations to ensure the use is permitted in the zoning district and adheres to specific regulations in the zoning ordinance as adopted by the Board of Supervisors.
  - Zoning permit, zoning determination, zoning certification, or zoning clearance
  - >200 zoning permits and 80 zoning cert/determination/clearance on average the last three years
  - Importance:
    - Real Estate Purchases
    - Building and Construction
    - Business operations

# Zoning Certification vs Special Use Permit

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- A special use permit (also known as a conditional use permit or special exception) is a legislative act by the governing body that allows for land use that is not typically permitted by the existing zoning ordinance but is allowed under specific conditions and requirements.
  - Granted by the governing body and are legislative in nature.
  - Uses allowed by special use permits are considered to have a potentially more significant impact than those allowed as a matter of right.
  - Impacts from special uses are addressed through conditions.
  - Conditions must be reasonably related to the impacts to be addressed, and the extent of the conditions must be roughly proportional to the impacts.
  - BOS has granted 7 permits on average in the last three years.

# Current Ordinance Template

Table A	By right	By right with Zoning Clearance	Special Use Permit
<b>Farm Wineries</b>	<p>Production, harvesting, storage, sales, tasting, agritourism activities;</p> <p>Agritourism or farm winery events or retail sales generating Less than or equal to 200 vehicle trips/day &amp; occurring on sites greater than or equal to 10 acres in size.</p> <p>Less than or equal to 24 agritourism or farm winery events/year with less than or equal to 400 attendees at any time;</p> <p>Structures for agritourism or farm winery sales Less than or equal to 4,000 square feet</p>	<p>Outdoor amplified music (new establishments)</p> <p>Agritourism or farm winery events or retail sales generating either greater than 200 vehicle trips/ day or occurring on sites less than 10 acres in size<sup>1</sup>; greater than 24 agritourism or farm winery events per year with less than 400 attendees at any time</p>	<p>Structures for agritourism or farm winery sales greater than 4,000 square feet;</p> <p>Events greater than 400 attendees at any time</p>

Table A

By right with a zoning permit

Special use permit (SUP)

Production, harvesting, storage, sales, tasting, and agritourism activities.

Noise associated with outdoor wedding ceremonies, including speaking and music. This does not apply to receptions or celebrations held before or after a wedding.

Events or retail sales for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations generating less than or equal to 150 vehicle trips per day.

Occurring on sites greater than or equal to 10 acres in size.

Less than or equal to 30 agritourism events, farm winery events, farm brewery events, farm distillery events, and activities at agricultural operations events per year with less than or equal to 150 attendees at any time.

Structures for agritourism, farm winery events, farm brewery, limited distillery, and activities at agricultural operations with a building footprint of less than or equal to 4,000 square feet with no more than two stories above grade.

Outdoor amplified music

Events or retail sales for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations generating greater than 200 vehicle trips per day

Greater than 30 agritourism or farm winery, farm brewery, farm distillery, and activities at agricultural operations events per year,

Greater than 150 attendees at any time.

Structures for agritourism, farm winery, farm brewery, farm distillery, and activities at agricultural operations greater than 4,000 square feet building footprint with more than two stories above grade.

### 2015 Current Ordinance

- By-right without a zoning certification
  - Less than 200 trips
  - Greater than 10 acres
  - < 400 attendees
  - < 24 events or fewer
  - Structures less than 4,000 ft<sup>2</sup>
- Zoning Certification Required If:
  - Outdoor Amplified Music
  - >200 Vehicle Trips
  - < 10 acres
  - >24 events
  - < 400 attendees
- Special Use Permit
  - > 400 attendees
  - Structures > 4,000 ft<sup>2</sup>

### 2025 Proposed Ordinance

- By-right without a zoning certification has been removed
- Zoning Certification (By Right with a ZC)
  - > 10 acres
  - < 150 attendees
  - < 30 events
  - < 4,000 ft<sup>2</sup> (building footprint and no more than two stories above grade)
- Special Use Permit Required IF:
  - < 10 acres
  - > 30 events
  - > 150 attendees
  - > 4,000 ft<sup>2</sup> (building footprint and no more than two stories above grade)
  - Outdoor amplified music

- Farm Wineries, Brewery, Limited Distillery, Agricultural Events, and Activities at Agricultural Operations



## **Changes that have been included in the recommendations:**

- Change the definition of events to only include activities that have 50 or more attendees.
  - Size of the structure for the events/sales area
  - Number of events allowed by right reduced to 30 per year
  - Outdoor amplification allowed only by Special Use Permit (Wedding Ceremony Excluded)
  - Parking regulations specific to this use
  - Definition of food service at the facility
  - Restroom facility requirements
  - Number of participants by right limited to 150 participants
  - Lighting requirements
  - Calculation of space associated with events, sales or agritourism
  - Addition of Limited Distilleries
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## Changes Made Since July 2025 and October 2025 Joint Sessions

- Ensuring that the language indicates that these uses are subordinate to the agricultural operation.
- Visitors changed to attendees.
- The definition of events has been included in the body of the ordinance.
- Clarifying that agritourism must occur on a parcel that has an agricultural operation and must meet the definition under “bona fide production of crop, animals, or fowl.” Language included in the body and the definitions.
- Agritourism events added to the title of the ordinance.
- Clarified the time reference under the noise section.
- Included a chart under the special use permit section to help guide the size limitations based on the acreage.
- Including language regarding emergency services.
- Include a definition for subordinate.
- Clarified food service to better align with the State Code.



# By-Right: Mitigation of Impacts

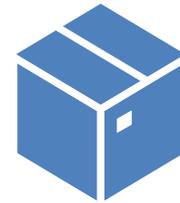
## 1. Parcel size: > 10 acres

### Impacts mitigated

- **Land-use compatibility:** Larger parcels provide physical separation between agrotourism activities and adjacent residential uses.
- **Noise and visual buffering:** a greater area allows for the reduction of impacts regarding noise and viewshed.
- **Traffic dispersion:** Larger parcels allow for internal parking and queuing without backing onto public roads.
- **Preservation of agricultural character:** Ensures the use remains accessory to agriculture rather than functioning as a standalone venue.

### Planning rationale

- Acreage thresholds are used to distinguish low-intensity agricultural accessory uses from rural commercial operations.



# By-Right: Mitigation of Impacts

## 2. Attendance cap: < 150 attendees

### Impacts mitigated

- **Traffic generation:** Limits peak-hour vehicle trips and reduces roadway safety concerns.
- **Parking demand:** Keeps parking needs within what can reasonably be accommodated on-site.
- **Emergency services:** Reduces potential calls for fire, EMS, and law enforcement in rural areas.
- **Intensity of use:** Reduces the overall number of attendees permitted from 400 to 150 per event.

### Planning rationale

- Attendance caps are a recognized benchmark for use intensity when square footage alone is insufficient.

# By-Right: Mitigation of Impacts

## 3. Event frequency: < 30 events per year

### Impacts mitigated

- **Cumulative neighborhood impacts:** Limits repetitive traffic, noise, and activity impacts over time.
- **Enforcement clarity:** Establishes a measurable threshold for compliance.

### Planning rationale

- Frequency caps address how long and how often an activity occurs, which is often a primary source of rural land-use conflict.

# By-Right: Mitigation of Impacts

## 4. Building size: < 4,000 sq. ft., no more than two stories

### Impacts mitigated

- **Visual scale and rural character:** Prevents larger-scale structures from impacting the rural character and viewshed.
- **Stormwater and impervious area impacts:** Limits runoff and erosion potential.
- **Fire and building code complexity:** Smaller structures reduce potential life-safety and infrastructure demands.
- **Adaptive reuse incentive:** Encourages use of existing barns or modest new construction.

### Planning rationale

- Building footprint and height are objective measures that correlate with occupancy, infrastructure demand, and visual impact.

# By-Right: Mitigation of Impacts

## 5. No outdoor amplified music

### Impacts mitigated

- **Noise propagation:** Prevents off-site noise impacts that are difficult to contain or enforce.
- **Quality-of-life impacts to neighbors:** Reduces evening and weekend disturbances.
- **Enforcement disputes:** Removes subjective decibel or time-of-day determinations.

### Planning rationale

- Outdoor amplified sound is consistently one of the most frequent complaints associated with rural event venues.

# By-Right: Mitigation of Impacts

6. Overall impact mitigation achieved by combining these limits

Taken together, these standards mitigate:

- **Traffic and roadway safety impacts**
- **Noise impacts**
- **Visual and scale incompatibility**
- **Stormwater and erosion impacts**
- **Potential impacts to public safety and emergency**
- **Neighbor conflicts and complaint frequency**

Exceed By Right  
Thresholds?

SPECIAL USE  
PERMIT

Any agrotourism use exceeding the by-right thresholds shall require approval of a Special Use Permit.

At that point, each site application is reviewed on a case-by-case basis, allowing the Planning Commission and Board of Supervisors to evaluate site-specific impacts and impose reasonable conditions to mitigate identified impacts.

# Planning Commission Recommendation

- The Planning Commission held a public hearing on December 17, 2025, and recommended approval of the changes with a 4-1 vote. The commissioner who voted against recommending approval felt that the number of events allowed by-right was too few to support the investment required to open an agritourism business.





Agricultural  
Forestral District  
Committee  
Recommendation

- The Agricultural Forestral District Committee met on January 5, 2026, at the request of the Board of Supervisors to review the definitions for **“agricultural operation”** and **“devoted to bona fide production of crops, animals, or fowl”**. The committee recommended minor changes to the definitions and recommended that the definition and use of the word **“subordinate”** be removed from the proposed ordinance. The committee stated that it is too difficult to differentiate one agricultural activity from another and that attempting to define any activity as subordinate added unnecessary confusion.
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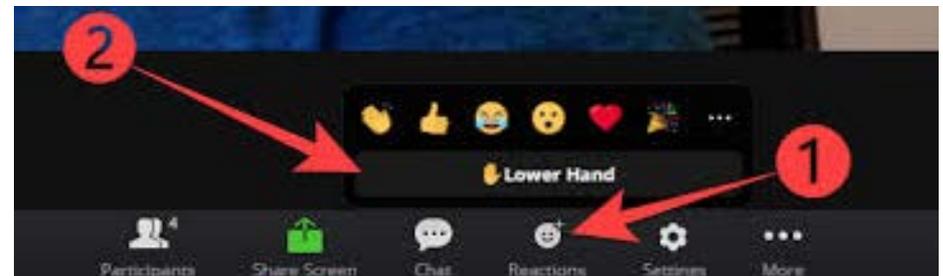
# Public Participation: Zoom Instructions

## Phone controls for participants

- The following commands can be entered via using your phone's dial pad while in a Zoom meeting:
- \*9 - Raise hand
- You will be asked to unmute yourself
- \*6 - Toggle mute/unmute

## Online Meeting Controls for Participants

1. Find the “Reactions” control on your toolbar and click.
2. Select “Raise Hand”
  - You will then be asked to unmute yourself





# Questions and Discussion

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