

**MOTION:**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-**

**SECOND:**

**RE: ZONING TEXT AMENDMENT #DPA2016-00007, AGRITOURISM AND ARTS  
OVERLAY DISTRICT – COUNTYWIDE**

**ACTION:**

**WHEREAS**, on May 20, 2014, the Prince William Board of County Supervisors (Board) in Resolution Number (Res. No.) 14-353 initiated an amendment to the Zoning Ordinance to address the requirements of 494 of the 2014 Acts of Assembly; and

**WHEREAS**, the proposed Zoning Text Amendment creates a new overlay district, Agritourism and Arts Overlay District; and

**WHEREAS**, the Agritourism and Arts Overlay District includes A-1, Agricultural, lots in the rural area greater than 2 acres and A-1 lots in the development area greater than 20 acres; and

**WHEREAS**, the Agritourism and Arts Overlay District provides more flexibility in by-right uses, provides reasonable standards to protect the health, safety, and general welfare of the public, and promotes agritourism and stimulating the local economy. It allows for agritourism and arts uses to occur in a more flexible policy environment through the overlay district.; and

**WHEREAS**, on June 24, July 30, and September 24, 2019, the Planning Office held public meetings to discuss the Agritourism and Arts Overlay District as well as other recommendations from the Rural Area Study; and

**WHEREAS**, on July 15, 2020, the Planning Commission held a work session for the Agritourism and Arts Overlay District at which the zoning text amendment was available for review and input; and

**WHEREAS**, on December 15, 2020, the Board re-authorized the initiation of #DPA2016-00007, Agritourism and Arts Overlay District; and

**WHEREAS**, the Prince William County Planning Commission held a public hearing on the Zoning Text Amendment on January 13, 2021, recommending approval as stated in Res. No. 21-004; and

**WHEREAS**, the Board duly ordered, advertised, and held a public hearing on February 16, 2021, at which time the merits of the above-referenced zoning text amendment were considered; and

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**WHEREAS**, the Board has considered, and taken into account, the economic impact of the ordinance on agricultural operations and the agricultural nature of the activities addressed by the ordinance; and

**WHEREAS**, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare, and good zoning practice, and is consistent with Section 15.2-2283 of the Code of Virginia, Ann;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby adopts Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District.

ATTACHMENT: Text Amendment

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

ATTEST: \_\_\_\_\_  
**Clerk to the Board**

## Prince William County Agritourism and Arts Overlay District

### ARTICLE V. – OVERLAY DISTRICTS

#### PART 510. - AGRITOURISM AND ARTS OVERLAY DISTRICT

##### Sec. 32-510.01. - Purpose and intent.

The purpose of the Agritourism And Arts Overlay District (AAOD) is to facilitate investment involving improvements to land and structures within the AAOD while encouraging agricultural and small business, artistic (including music and performing arts) uses. The AAOD overlay properties are already zoned A-1, Agricultural. The objective is to offer more flexibility in small business uses allowed and the development standards related to those uses in the AAOD as incentives for investment in agritourism and arts-related businesses. An intended result of the AAOD is to help establish an area with agritourism and art-related businesses integrated together in a manner that maintains the rural character of the Rural Area. The AAOD uses an innovative approach allowing artists and owners and operators of support businesses to occupy joint living and commercial space within the same structure that would otherwise not be allowed.

##### Sec. 32-510.02. - General requirements for Agritourism and Arts Uses.

The following requirements shall apply to agritourism and arts-related uses in the AAOD.

1. The AAOD applies only to A-1, Agricultural, zoned properties containing minimum lot area of two acres in the Rural Area, as well as, A-1 zoned properties of a minimum of 20 acres in the Development Area, as shown on the agritourism and arts overlay district map and on the official zoning map.
2. Hours of operation shall be limited to 7:00 a.m. - 10:00 p.m. daily, except as allowed through a temporary activity permit, subject to the restrictions set forth in Part 210, Temporary Uses. Special event venues hours of operation shall be limited to 7:00 a.m. - 11:00 p.m. on Fridays, Saturdays, and federal holidays.
3. Adequate parking (grass, gravel, impervious surface, or paved) for all employees and customers shall be provided on-site.
4. Outdoor amplified music shall be limited to 65 decibels. Decibels shall be measured at the property boundary of the sound source.
5. If provided, lighting shall be in accordance with County Code Section 32-250.202. With the exception that free standing lighting shall be limited to 16 feet in height.
6. The following limitations apply to signage:
  - (a) One sign, no more than 32 square feet, and no more than six feet in height or one façade sign, no more than 20 square feet, mounted on the front face of a building or placed within a front window, per site is permitted.
  - (b) Signage shall have no internal illumination.

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7. Agritourism and arts uses shall have frontage on a public street. An applicant may apply for a special use permit for an agritourism and/or arts-related use with frontage on a private street, subject to Board of County Supervisors approval.
8. Unless specifically stated otherwise in this part, any general zoning requirements, including in the A-1, shall apply in the AAOD.

**Sec. 32-510.03.- General requirements for agritourism uses.**

1. The following requirements shall apply to agritourism uses in the AAOD. Agritourism uses shall be accessory to a bona fide agricultural use and may include the following:
  - (a) Retail area for sale of agritourism-related products;
  - (b) Area for instructional teaching which is related to the agricultural use on-site;
  - (c) Outdoor display of goods for sale during the hours of operation of the agritourism use;
  - (d) Allow sales of goods (not produced on-site when goods produced on site are also sold) related to agriculture; and
  - (e) Special event venue, provided the performance standards in Section 32-510.03.3(a) are met.
2. Agricultural and agritourism uses within the AAOD may utilize sea containers for storage provided they meet the following performance standards:
  - (a) Are screened, per Design and Construction Standards Manual (DCSM) section 802.49, from adjacent properties and right-of-way.
  - (b) Provide a minimum of 75-foot setback from any lot line.
  - (c) Sea containers shall not be stacked vertically.
3. Agritourism uses shall meet the following performance standards:
  - (a) Special event venue accessory to a bona fide agricultural use shall be subject to the above regulations and those provided below:
    - i. A Special event venue is permitted on a property with a minimum of 20 acres. A Special event venue is permitted on a property with a minimum of 10 acres, subject to the restrictions set forth in Part 210, Temporary Uses.
    - ii. No more than 150 guests are permitted on-site at any one time, unless a temporary activity permit is obtained subject to the restrictions set forth in Part 210, Temporary Uses.
  - (b) An applicant may apply for a special use permit for an agritourism use(s) in the AAOD that is unable to meet these performance standards, subject to approval by the Board of County Supervisors.
4. Accessory activities.

## Prince William County Agritourism and Arts Overlay District

An agritourism activity may include one or more of the following accessory uses.

- a) Value-added agricultural products or activities, including, but not limited to educational tours or processing facilities.
- b) Bakeries selling on premise baked goods.
- c) Playgrounds or equipment, such as slides, swings, climbing and bouncing apparatus (not including motorized vehicles or rides).
- d) Petting farms, animal display, and horse and domestic equine rides.
- e) Wagon, sleigh, and hayrides.
- f) Nature trails.
- g) Open air or covered picnic area with restrooms.
- h) Educational classes, lectures, and seminars.
- i) Historical agricultural exhibits.
- j) Kitchen facilities, for processing/cooking items for sale.
- k) Retail sale of agricultural products and agricultural-related products.
- l) Retail sale of non-agricultural-related products such as antiques or crafts, where sales of the non-agricultural-related products do not exceed 25 percent of gross sales of the agritourism activity.
- m) Farm stay (overnight stay at farm for rural living experience).
- n) Arts-related uses identified in Section 32-510.04.3. (Subject to - General requirements for arts related uses stated in Sec. 32-510.04.)

### Sec. 32-510.04. - General requirements for arts-related uses.

The following requirements shall apply to arts-related uses in the AAOD.

1. The arts-related use shall be accessory to the residential use and may include the following:
  - (a) Retail area for sale of artwork created on-site;
  - (b) Area for instructional teaching;
  - (c) Outdoor display of goods for sale during the hours of operation of the arts-related use;
  - (d) Employees who work in the art-related business.
  - (e) Lighting shall be shielded and downward facing. Any ground lighting shall be limited to walkways and will be the minimum light necessary for safety; and
  - (f) Allow limited sales of retail goods (not created on-site) related to the artistic use on the property.
2. All arts-related uses shall have a principal residential use.

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3. The following limited list of nonresidential arts-related live/work uses are permitted within the AAOD:
  - (a) Art studio (including music and performing arts).
  - (b) Art gallery.
  - (c) Art classes.
  - (d) Culinary classes.
  - (e) Photographic studio.
  - (f) In-home catering, including an area of not more than 500 square feet to serve food.
  - (g) Tea and coffee room (outdoor seating allowed).
  - (h) Writing studio, including an area to sell books and serve coffee, food, or similar.
  - (i) Picture framing studio.
  - (j) Pottery/ceramics studio.
  - (k) Jewelry-making/assembling studio.
  - (l) Seamstress/tailor/sewing/quilting studio.
  - (m) Barber/beauty salon.
  - (n) Flower shop.
  - (o) Antique store.
  - (p) Bakery and Bakery Café (outdoor seating allowed).
  - (q) Ice cream parlor where some of the products are made on-site (outdoor seating allowed).
4. At least one person who is employed by an arts-related activity on the property shall be a resident of that property.
5. In buildings with both a residential and nonresidential component, no more than 50 percent of the total floor area shall be designated or used for nonresidential purposes. Shared residential and nonresidential spaces shall be considered residential. If nonresidential use is operated from one or multiple accessory buildings, the aggregate gross floor area of all accessory buildings shall not exceed 50 percent of the gross floor area of the principal residential building. Accessory buildings shall otherwise comply with the underlying zoning regulations.
6. The residential component shall contain sleeping space, cooking facilities, and complete sanitary facilities.
7. Arts-related uses shall meet the following performance standards:
  - (a) No more than 20 guests are permitted on-site at any one time, unless a temporary activity permit is obtained subject to the restrictions set forth in Part 210, Temporary Uses.

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- (b) Are screened, per Design and Construction Standards Manual (DCSM) section 802.49, from adjacent properties and right-of-way.
- (c) Provide a minimum 50-foot setback from any lot line.
- (d) Arts-related uses that cannot meet these performance standards may apply for a special use permit subject to approval by the Board of County Supervisors.

### Sec. 32-510.05. - Approval criteria.

All new development and additions, expansions, or modifications of existing structures within the AAOD shall meet the following criteria:

1. Landowners desiring to improve their property have the option to proceed using the underlying A-1 zoning district regulations and/or requirements of the AAOD.
2. The placement or erection of outdoor sculpture and murals within the AAOD which is intended to be viewed from a public right-of-way or other public property shall not be subject to setback standards of the A-1 zoning district and shall not require permit approval; provided, that:
  - (a) The art is not for sale as the product of an art studio within the AAOD; and
  - (b) The placement does not impede the flow of pedestrian, bicycle, or vehicular traffic, and does not block traffic visibility at intersections, alleys, or driveway entrances.
  - (c) Outdoor sculpture and murals shall be limited to one per frontage of property with a maximum height of 10 feet, and overall cubic footage of 320 feet.
3. Agritourism and arts-related live/work uses in an existing or new structure shall obtain zoning approval. Zoning approval shall require a site plan. Any addition, expansion, remodeling, parking, and similar changes to any agritourism or arts-related use in the AAOD requires zoning approval prior to issuance of any other County permits. A live/work use or other nonresidential use proposed within a new structure shall be approved as part of a residential lot grading plan review. In addition to a site layout, floor plans shall also be provided that show the residential and nonresidential areas within the structure.

## ARTICLE I. - TERMS DEFINED

### PART 100. - DEFINITIONS

*Agricultural products* shall mean any livestock, aquaculture, poultry, horticultural, floricultural, viticulture, silvicultural, or other farm crops.

*Agricultural-related products* shall mean items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and

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beverages, jams, honey, gift items, food stuffs, clothing, and other items promoting the farm and agriculture in Virginia, and value-added agricultural products and production on-site.

*Agriculturally related uses* shall mean those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes. This is not an exhaustive list of possible uses.

*Agricultural tourism* shall mean the practice of visiting an agritourism, horticultural, or agricultural activity, including, but not limited to, a farm, orchard, winery, greenhouse, or a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as an owner, contractor or employee of the activity.

*Agritourism activity* shall mean any agricultural activity that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, breweries, distilleries, ranching, historical, cultural, harvest-your-own activities, natural activities and attractions, or other purposes of agricultural tourism, whether or not the agritourism participant paid to participate in the activity.

*Agritourism participant* shall mean any person, other than an agritourism professional, who engages in an agritourism activity.

*Agritourism professional* shall mean any person who is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

*Aquaculture* shall mean land or activities devoted to the hatching, raising, harvesting and breeding of fish, shellfish, and aquatic plants for sale.

*Farm or ranch* shall mean one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products.

*Farm stay* shall mean visiting a farm at least overnight as a paying guest, providing some experience of rural life.

*Non-agriculturally related products* shall mean those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

*Non-agriculturally related uses* shall mean activities that are part of an agritourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides and concerts and may be subject to obtaining a temporary activity permit.

*Seasonal* shall mean a recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

*Special event venue* shall mean an indoor or outdoor venue at an agricultural operation as defined in Virginia Code § 3.2-300 located within the Agritourism and Art Overlay District; where people gather for an event including, but not limited to, business meetings and conferences, banquets, dinners, weddings, receptions, music, art, or other entertainment, recreational, educational, and cultural activities. Such event may be for personal or business purposes, regardless of whether the people attending the event paid to participate in it. Such venue may include an on-site commercial kitchen(s) or provide for catered meals.



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*Value-added agricultural product* shall mean the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming, packaging, educational presentation, activities, and tours.

DRAFT



## **STAFF REPORT**

<b>BOCS Meeting Date:</b>	February 16, 2021
<b>Agenda Title:</b>	Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District
<b>District Impact:</b>	Countywide
<b>Requested Action:</b>	Adopt Zoning Text Amendment # DPA2016-00007, Agritourism and Arts Overlay District.t
<b>Department:</b>	Planning Office
<b>Case Planner:</b>	Alexander Stanley

### **EXECUTIVE SUMMARY**

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This is a request to create an overlay district that allows new agritourism and arts uses on agriculturally zoned parcels. These added uses help landowners participate in agritourism and arts activities.

It is the recommendation of the Planning Commission and staff that the Board of County Supervisors approve Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District.

## BACKGROUND

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- A. Purpose of the Zoning Ordinance - Under § 15.2-2283 of the Code of Virginia, the zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.
- B. Limits to Zoning Control – § 15.2-2288.6 of the Code of Virginia, addresses the County's authority to regulate these uses.
- C. Current Zoning Ordinance Language Impact – The current zoning ordinance does not provide needed flexibility of uses to agricultural landowners.
- D. Proposed Remedy – The proposed overlay district provides additional flexibility of uses to agricultural landowners. The overlay district establishes protects the health, safety, and general welfare of the public, while allowing for by-right arts and agritourism uses. Additionally, the proposed language reflects the input provided by the community and the Planning Commission during previous work sessions. Lastly, the proposed overlay will help allow new businesses and industries to thrive in areas of the County that have generally needed more land use options to support their economic viability.
- E. Text Amendment Initiated – On May 20, 2014, the BOCS initiated Zoning Text Amendment #DPA2016-00007 to address the Virginia Code provisions applicable to these uses and allow new agritourism uses. (See Attachment BOCS Initiating Resolution.)
- F. Development and Ordinance Review Advisory Committee (DORAC) – The committee reviewed the proposed Zoning Text Amendment on June 26, 2020. Committee recommendations were incorporated into the proposed text.
- G. Public Meeting – The Planning Office held three public meetings/information sessions on the draft language:
  - a. Public Information meeting – June 24, 2019
  - b. Public Information meeting – July 30, 2019
  - c. Public Information meeting – September 24, 2019
- H. Planning Commission Work Session – The Planning Commission held work sessions for the proposed rural area study recommendations which included the proposed ZTA on October 23, 2019, and November 13, 2019, and expressed general support for the amendment. The Planning Commission's feedback has been incorporated into the draft text. Additional work sessions were held on July 15, 2020 and September 16, 2020.
- I. Planning Commission Deferral, Text Amendment Re-initiation, and Minor Revisions – On the advice of the County Attorney's office, staff requested a deferral of the scheduled Planning Commission public hear on October 7<sup>th</sup>, 2020 for the purposes of reinitiating the subject zoning text amendment. The Planning Commission deferred the public hearing to December 16, 2020. The reinitiation is scheduled for December 15<sup>th</sup>, 2020. The reinitiation is procedural.

- J. Planning Commission Public Hearing – At the January 13, 2021 public hearing, the Planning Commission recommended approval of #DPA2016-00007, Agritourism and Arts Overlay District.

## **STAFF RECOMMENDATION**

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Staff recommends adoption of Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District for the following reasons:

- The overlay provides more flexibility in by-right uses.
- The overlay provides reasonable standards to protect the health, safety, and general welfare of the public.
- The district promotes agritourism and stimulating the local economy. It allows for arts and agritourism uses to occur in a more flexible policy environment through the overlay district.

### **Community Input**

As required by § 15.2-2204, Code of Virginia, notice of the Zoning Text Amendment has been advertised and the proposed amendment has been published on the Prince William County government web site and has been available in the Planning Office. The Planning Office also received feedback during a public meeting held April 24, 2019, and at various times since initiation of the zoning text amendment.

### **Legal Issues**

Legal issues, if any, are appropriately addressed through the County Attorney's Office.

### **Timing**

There is no time requirement for the Board of County Supervisors to take action on zoning text amendments.

## **STAFF CONTACT INFORMATION**

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Alex Stanley | (703) 792-7359  
astanley@pwcgov.org

## **ATTACHMENTS**

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BOCS Initiating Resolution  
BOCS Reinitiating Resolution  
PC Resolution

## BOCS Initiating Resolution

**MOTION: CANDLAND**

**May 20, 2014**

**SECOND: PRINCIPI**

**Regular Meeting**

**Res. No. 14-353**

**RE: AUTHORIZE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE COUNTY CODE TO BE EFFECTIVE JULY 1, 2014, MANDATED BY CHANGES TO STATE LAW MADE BY THE GOVERNOR AND THE 2014 GENERAL ASSEMBLY: PROPOSED AMENDMENTS TO CHAPTERS 2 (ADMINISTRATION), 4 (ANIMALS AND FOWL), 11.1 (LICENSES GENERALLY), 13 (MOTOR VEHICLES AND TRAFFIC), 26 (TAXATION) AND 29 (VEGETATION); DIRECT STAFF TO INITIATE ZONING TEXT AMENDMENT; AND DIRECT STAFF TO INITIATE AMENDMENT TO SUBDIVISION ORDINANCE**

**ACTION: APPROVED**

**WHEREAS**, the Board of County Supervisors of Prince William County, Virginia, pursuant to both general and specific authority granted by the Code of Virginia, has enacted certain provisions of Chapters 2 (Administration), 4 (Animals and Fowl), 11.1 (Licenses Generally), 13 (Motor Vehicles and Traffic), 26 (Taxation), and 29 (Vegetation) of the Prince William County Code to parallel certain provisions of the Code of Virginia; and

**WHEREAS**, the parallel provisions of the Code of Virginia have been amended by the 2014 General Assembly and the Governor of Virginia; and

**WHEREAS**, it is the Board's desire to conduct a public hearing for the purpose of considering adoption of corresponding amendments to the Prince William County Code; and

**WHEREAS**, the Board has enacted Chapter 32 of the Prince William Code, Zoning, the Governor and General Assembly have enacted Chapters 365 and 494 of the 2014 Acts of Assembly, which impose limitations on the extent to which localities, under their zoning powers, may regulate various uses and activities associated with agricultural operations and limited breweries; and

**WHEREAS**, the Board has enacted Chapter 25 of the Prince William Code, Subdivisions, the Governor and General Assembly have enacted Chapter 393 of the 2014 Acts of Assembly, which removed the requirement that developers submit preliminary plats for subdivisions with fewer than 50 lots;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors does hereby determine that it shall conduct a public hearing to be scheduled on June 17, 2014 by the Clerk to the Board to consider the adoption of the amendments to Chapters 2, 4, 11.1, 13, 26 and 29 of the County Code, all to be effective July 1, 2014. The Clerk is further directed to make copies of all proposed amendments available to the public upon request;

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**BE IT FURTHER RESOLVED** that the Clerk to the Board properly advertise notice of the public hearing for the stated purpose in a newspaper of general circulation in Prince William County;

**BE IT FURTHER RESOLVED** that the Board does hereby direct the Planning Commission and County staff to initiate appropriate amendments, if necessary, to Chapter 32 of the Prince William Code, which is the Zoning Ordinance, to address the requirements of Chapters 365 and 494 of the 2014 Acts of Assembly;

**BE IT FURTHER RESOLVED** that the Board does hereby direct County staff to initiate appropriate amendments to Chapter 25 of the Prince William Code, which is the Subdivision Ordinance, to address the requirements of Chapter 393 of the 2014 Acts of Assembly.

**Votes:**

**Ayes:** Caddigan, Candland, Covington, Jenkins, May, Nohe, Principi, Stewart

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** None

**For Information:**

County Executive

Police Chief

Finance Director

Planning Director

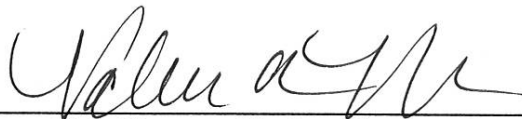
Development Services Director

Zoning Administrator

Commonwealth's Attorney

Sheriff

ATTEST: \_\_\_\_\_



Chief Deputy Clerk to the Board

# BOCS Reinitiating Resolution

**MOTION:** BAILEY **December 15, 2020**  
**SECOND:** BODDYE **Regular Meeting**  
**Res. No. 20-827**  
**RE:** RE-AUTHORIZE INITIATION OF THE AGRITOURISM AND ARTS OVERLAY  
DISTRICT ZONING TEXT AMENDMENT - COUNTYWIDE  
**ACTION:** APPROVED

**WHEREAS**, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Prince William Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

**WHEREAS**, on May 20, 2014, the Board of County Supervisors approved Resolution Number 14-353 which directed staff to prepare initiation of a series of state mandated code changes including changes regarding agritourism; and

**WHEREAS**, the current zoning ordinance does not provide needed flexibility of uses to agricultural landowners to allow by-right agritourism uses; and

**WHEREAS**, the current zoning ordinance is restrictive in allowing commercial uses on agricultural zoned properties and discourages small businesses and arts-related uses; and

**WHEREAS**, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practices require the initiation of this Zoning Text Amendment;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby initiates a Zoning Text Amendment to the Prince William County Zoning Ordinance, to address state mandated changes regarding agritourism and to promote the rural economy.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** None

**For Information:**

Planning Director

County Attorney

ATTEST: Andrea P. Madden  
Clerk to the Board



PLANNING COMMISSION RESOLUTION

**MOTION:** TAYLOR **January 13, 2020**  
**SECOND:** FONTANELLA **Regular Meeting**  
**RES. No. 21-004**  
**RE:** ZONING TEXT AMENDMENT #DPA2016-00007  
 AGRITOURISM AND ARTS OVERLAY DISTRICT  
 COUNTYWIDE  
**ACTION:** RECOMMEND APPROVAL

**WHEREAS**, on May 20, 2014, the Board of County Supervisors in Res. No. 14-353 initiated an amendment to the Zoning Ordinance to address the requirements of 494 of the 2014 Acts of Assembly; and

**WHEREAS**, the proposed Zoning Text Amendment creates a new overlay district, Agritourism and Arts Overlay District; and

**WHEREAS**, the Agritourism and Arts Overlay District includes A-1, Agricultural, lots in the rural area greater than 2 acres and A-1 lots in the development area greater than 20 acres; and

**WHEREAS**, the Agritourism and Arts Overlay District provides more flexibly in by-right uses, provides reasonable standards to protect the health, safety, and general welfare of the public, and promotes agritourism and stimulating the local economy. It allows for agritourism and arts uses to occur in a more flexible policy environment through the overlay district.; and

**WHEREAS**, on June 24, July 30, and September 24, 2019 the Planning Office held public meetings to discuss the Agritourism and Arts Overlay District as well as other recommendations from the Rural Area Study; and

**WHEREAS**, on July 15, 2020, the Planning Commission held a work session for the Agritourism and Arts Overlay District at which the zoning text amendment was available for review and input; and

**WHEREAS**, the Prince William County Planning Commission duly ordered and advertised a public hearing for September 16, 2020 on Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District; and



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**WHEREAS**, on September 2, 2020 the Prince William County Planning Commission deferred Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District to the date certain of October 7, 2020.

**WHEREAS**, the Prince William County Planning Commission duly ordered and advertised a public hearing for October 7, 2020 on Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District; and

**WHEREAS**, on October 7, 2020, the Prince William County Planning Commission deferred Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District to a date certain of December 16, 2020.

**WHEREAS**, on December 15, 2020, the Prince William Board of County Supervisors reinitiated Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District to the Prince William County Zoning Ordinance, to address state mandated changes regarding agritourism and to promote the rural economy.

**WHEREAS**, the Prince William County Planning Commission duly ordered and advertised a public hearing for December 16, 2020 on Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District,

**WHEREAS**, the Planning Commission Public Hearing of December 16, 2020 was rescheduled due to inclement weather to January 13, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William County Planning Commission does hereby recommend approval of Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District.

**Votes:**

**Ayes:** Berry, Fontanella, McKay, McPhail, Moses-Nedd, Perry, Taylor, Milne

**Nays:** None

**Abstain from Vote:** None

**Absent from Vote:** None

**Absent from Meeting:** None

**MOTION CARRIED**

Attest:

  
\_\_\_\_\_  
Robbyn Smith  
Clerk to the Planning Commission

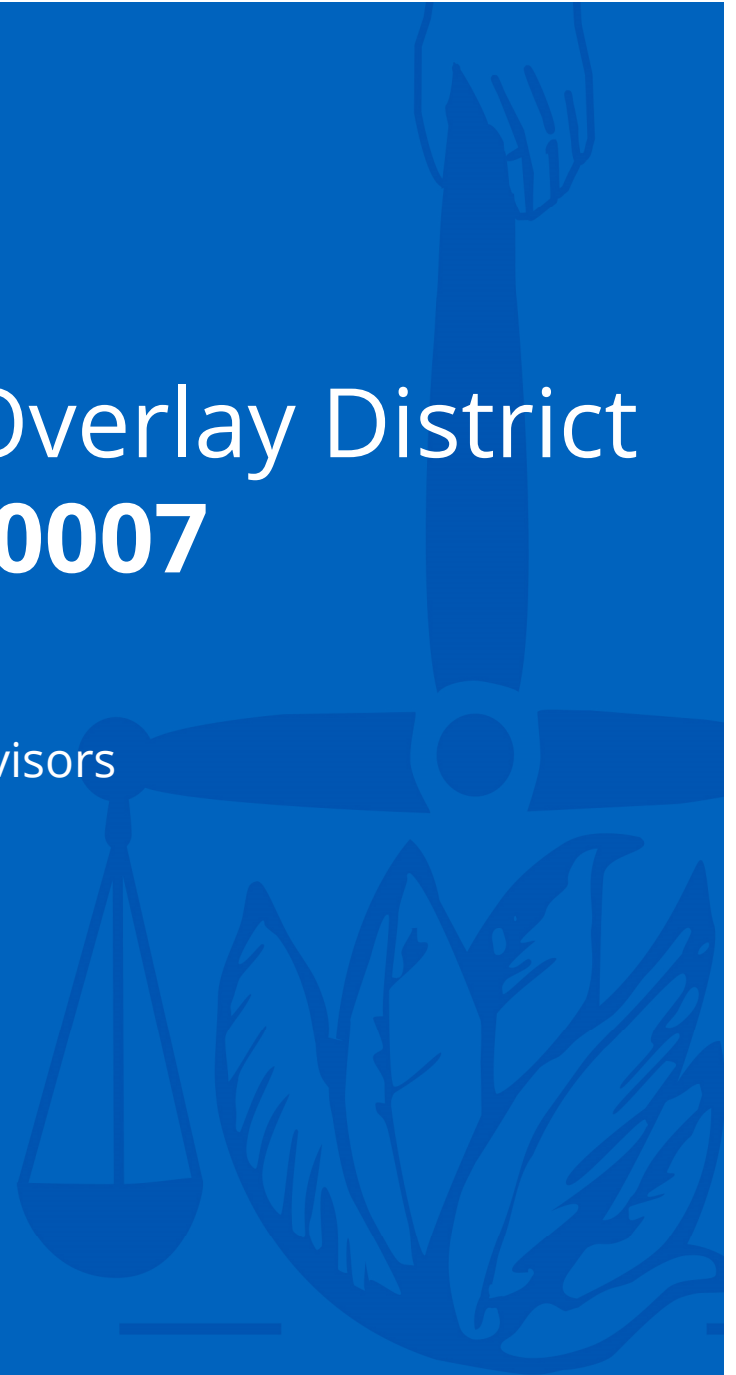


**PRINCE WILLIAM**  
COUNTY

# Agritourism and Arts Overlay District **#DPA2016-00007**

Board Of County Supervisors  
Public Hearing

Alexander Stanley  
Planning Office



## Background

- April 2014 - General Assembly and the Governor of Virginia amended the code of Virginia regarding zoning authority to regulate various uses and activities associated with agricultural operations and limited breweries
- § 15.2-2288.6 states - No locality shall regulate following activities at an agricultural operation, unless there is a substantial impact on the health, safety, or general welfare of the public:
  - Agritourism
  - The sale of agricultural or silvicultural products
  - The preparation, processing, or sale of food products
  - Other activities or events that are usual and customary at Virginia agricultural operations

## Process:

- May 2014 - BOCS initiated Zoning Text Amendment
- September 2015 – PC approved #PLN2014-00373, Mandated Zoning Changes, which included changes to agricultural related activities
- Upon further consideration, the Planning Office withdrew the agritourism section in order to consider the impacts of agritourism activities on the rural area.
- March 2018 - BOCS initiated review of the Rural Area Study with Zoning Text Amendments
- Agritourism and Arts Overlay District included in the public outreach process
- Three public meetings were held:
  - June 2019
  - July 2019
  - September 2019

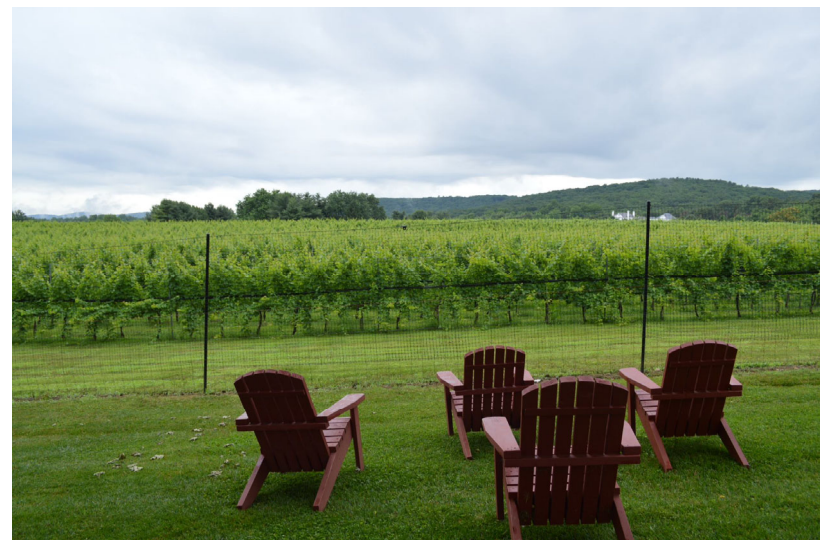
## Process:

- Two PC work sessions:
  - September 2019
  - October 2019
- Development and Ordinance Review Advisory Committee (DORAC)– June 26, 2020
- Planning Commission Work Session – July 15, 2020
- Planning Commission Work Session – September 16, 2020
- Board of County Supervisors Reauthorized the Zoning Text Amendment – December 15, 2020
- Planning Commission Public Hearing – January 13, 2020
- Board of County Supervisors Public Hearing - TBD



## Overlay District Goals:

- Promote Agritourism and stimulate the local economy
- Provide additional uses for agricultural landowners in the rural area and large lots in the development area
- Establishes reasonable standards to protect the health, safety, and general welfare of the public.



## Eligible Properties:

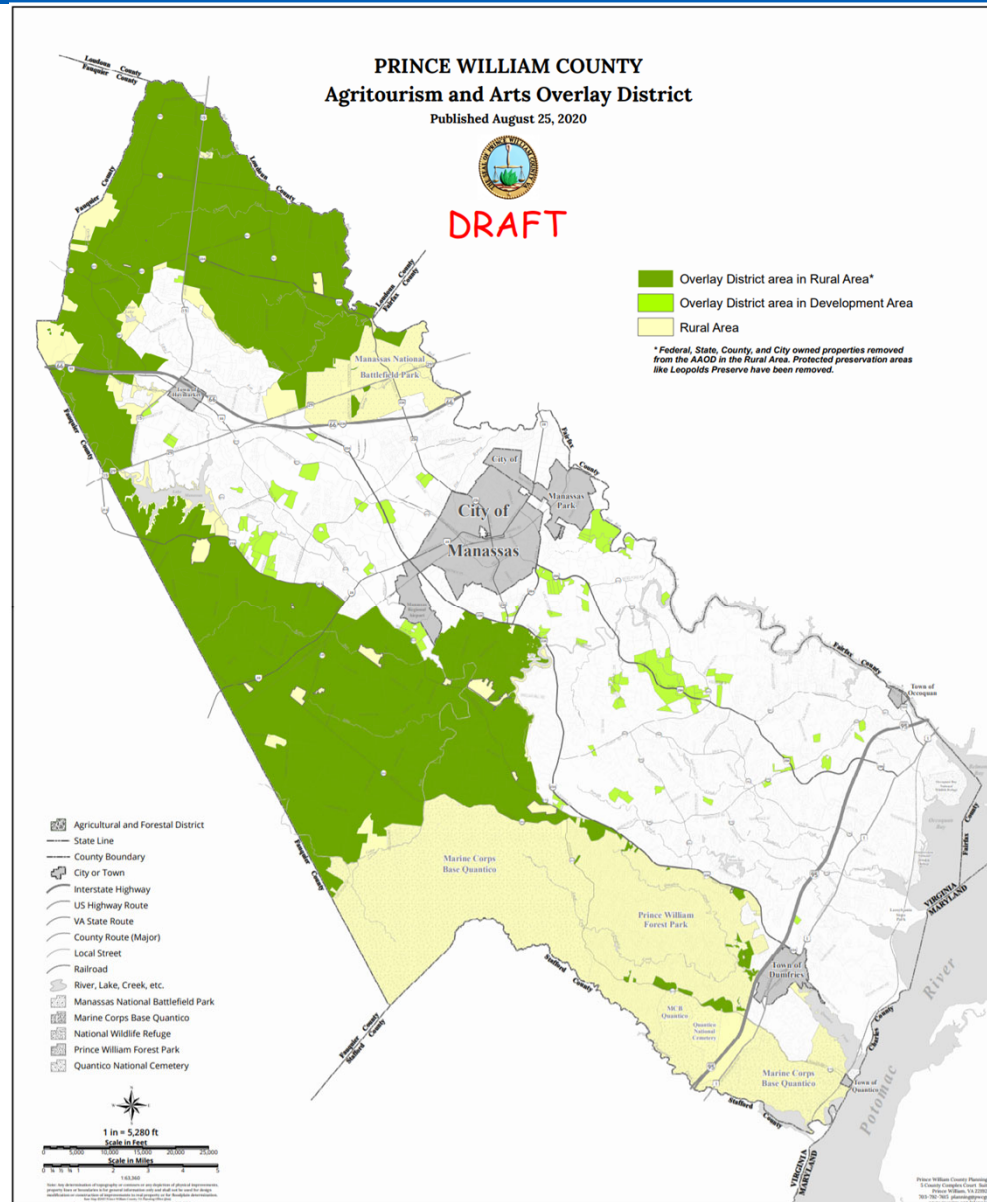
- All properties in the Rural Area zoned A-1 with 2 or more Acres.
- All properties in the Development Area zoned A-1 with 20 Acres or more.



# Agritourism and Arts Overlay District, #DPA2016-00007



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## New Agritourism Uses

- Retail area for selling goods and related products
- Weddings and events
- Instructional teaching related to on site agricultural uses
- Trail, Playgrounds, or equipment, such as slides, swings, climbing and bouncing apparatus
- Wagon, sleigh, and hayrides
- All Arts related uses



## New Art Uses

- Art studio, gallery, and/or classes
- Culinary classes
- Pottery/ceramics studio
- Jewelry-making
- Flower shop
- Bakery
- Photographic studio
- Etc...





## General Regulations

- Hours of operation
- Noise limits for outdoor amplified music
- Limited design standards for lighting and signage
- Additional performance standards for sea containers, special events venues, and arts related uses

**Planning Commission Recommendation:** Recommends approval of Zoning Text Amendment, #DPA2016-00007, Agritourism and Arts Overlay District

**Planning Office Recommendation:** Staff recommends approval of Zoning Text Amendment, #DPA2016-00007, Agritourism and Arts Overlay District, for the following reasons:

- The overlay provides more flexibility in by-right uses.
- The overlay provides reasonable standards to protect the health, safety, and general welfare of the public.
- The district promotes agritourism and stimulating the local economy. It allows for arts and agritourism uses to occur in a more flexible policy environment through the overlay district.