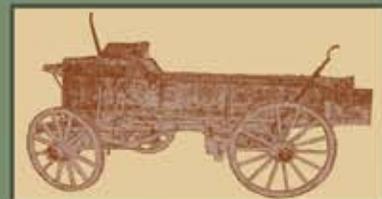
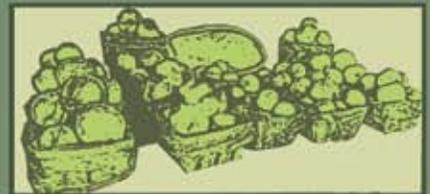


Agritourism Guidelines

For the Promotion and Regulation
of Farm-based Tourism Enterprises

Lancaster County, Pennsylvania



Lancaster County Planning Commission
Lancaster County Tourism Development Council



GUIDELINES FOR THE PROMOTION AND DEVELOPMENT OF SUSTAINABLE AGRITOURISM ENTERPRISES IN LANCASTER COUNTY, PENNSYLVANIA

February 2009

Prepared by

Lancaster County Planning Commission
 Lancaster County Tourism Development Task Force

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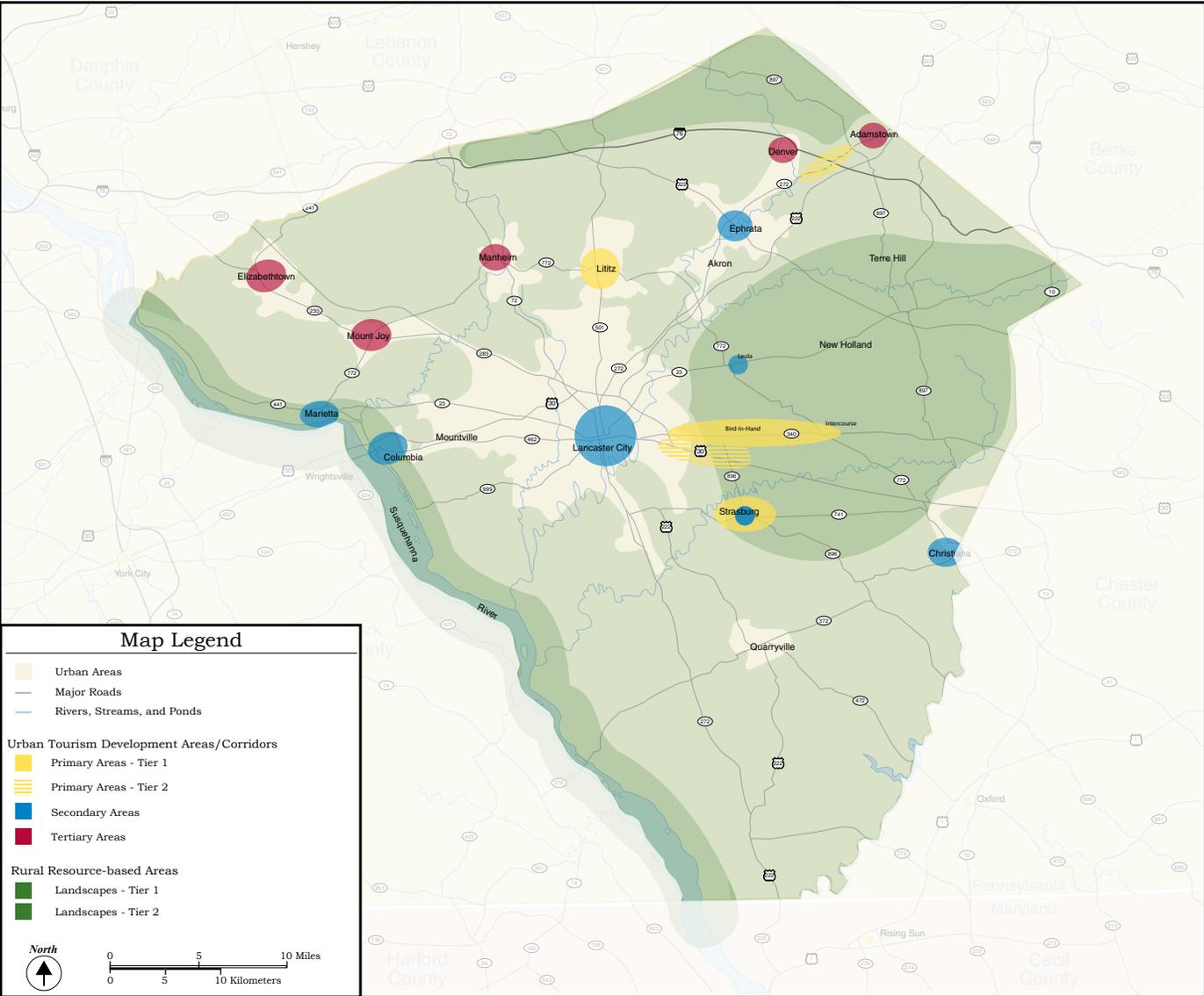
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LANCASTER COUNTY PROPOSED TOURISM DEVELOPMENT AREAS/CORRIDORS



Tier 1 areas are those that are generally recognized currently or are in the process of creating sustainable tourism development such as the Susquehanna River Valley, the Northern Highlands and the Eastern Lancaster County Cultural Landscape.

Tier 2 areas are those that have the potential for rural resource-based tourism opportunities in the future.

Lancaster County, Pennsylvania is a well known destination for visitors and a magnet for visitor-related attractions, facilities and services. The county's rural atmosphere and scenic countryside attract millions of visitors every year, generate billions of dollars in annual revenue, and play an integral role in the county's economic health.

And yet, tourism in Lancaster County is at a crossroads. The recently adopted Lancaster County Strategic Tourism Plan, an element of the County's Comprehensive Plan *Envision Lancaster County*, has identified the many challenges and opportunities that will need to be addressed in the years ahead if the county is to remain competitive in the tourism arena.

The strategic plan entitled *Tourism* clearly notes that there is no single solution, product, or "silver bullet" that can be put in place to ensure that the county's tourism remains a viable industry in the future. Rather, the plan calls for the county to build on its existing strengths as a destination and develop new sustainable and authentic tourism products and experiences that are based on the unique natural, cultural and historical heritage characteristics that define Lancaster County's unique and identifiable "sense of place."

With that in mind, the Strategic Tourism Development Plan identified key areas of focus, both geographically and thematically, within the county. One significant opportunity for future sustainable tourism growth is within the plan's designated rural resource based tourism areas illustrated on the inside front cover. These areas include the county's large rural and natural landscapes, generally outside of recognized Urban Growth Areas. Preservation and conservation of agriculture, natural resources and cultural traditions is paramount in these areas. The most appropriate types of visitor attractions and services in these sensitive areas include agritourism and eco-tourism based opportunities, which would have minimal impact on agricultural, natural and cultural resources and are the least disruptive of traditional and primary rural economic activities.

To help municipalities and the tourism industry begin implementing the agri-tourism goals and strategies in the Lancaster County Strategic Tourism Development Plan, key opportunities and challenges were first identified. To assist in that effort, the Lancaster County Planning Commission (LCPC) convened an Agritourism Task Force made up of municipal officials, the tourism industry and the LCPC staff.

In general, the purpose of the task force was to identify ways in which agritourism opportunities could be created to help ensure that the county's family farms continue to prosper and remain sustainable in the future.

More specifically, the task force was charged with addressing the following tasks:

1. Identifying the types of "authentic" agritourism related activities, experiences, and uses that would support the primary use of the farm, which is farming, and that should be permitted within local agricultural and/or rural zoning districts
2. Developing guidelines which will ensure that the agritourism related activities that are permitted in an Agricultural or Rural District meet the legitimate public health, safety and welfare concerns of the local governments, and
3. Create a recommended administrative process for reviewing and permitting proposed agritourism related ventures within a municipality.

The following sections address each of these three areas in detail:

The Lancaster County Strategic Tourism Plan states that successful tourism depends upon the quality of the natural and built environments. Lancaster County's distinct character and quality resources provide the foundation for developing appropriate types of authentic tourism products that would ensure the county remains a unique and competitive destination in the future. Therefore, any tourism venture or experience that would be permitted in the agricultural and rural areas of the county must be directly related to supporting the primary agricultural use of the farm by interpreting the agricultural heritage of the county and providing a distinctly Lancaster County experience.

Based on that foundation, certain types of uses are more appropriate than others in an agricultural or related zoning district because of the direct nexus to experiencing Lancaster County's agricultural heritage. Other uses that do not meet this basic threshold or are not incidental to the primary agricultural use should not be permitted uses. In other words, in the agritourism related uses or experiences identified below, the visitor to the attraction, event or experience must leave the enterprise with a better understanding and appreciation of Lancaster County's agricultural heritage, processes and culture.

Agritourism Enterprises

Examples of appropriate agritourism enterprises include:

- Farm Markets/Roadside Stands
- U-pick operations
- Ice cream/bakery facilities
- Christmas tree farm/cut your own
- Wineries and winery tours and tastings
- Local products retail operations (local crafts, food products)
- Corn mazes (with educational/interpretation)
- Farm-related interpretive facilities and exhibits
- Agriculturally related educational and learning experiences
- Agriculturally related events / fairs / festivals
- On site farm, garden, nursery tours
- Walking and bicycling tours and trails
- Farms stays
- Bed and breakfast establishments
- Recreation related operations (outfitters/cross country skiing/fishing and hunting facilities/bird watching)
- Horseback riding
- Others that may be determined on a case by case basis if it meets the purpose and intent of the regulations

Benefits and Issues Related to Agritourism Development

With all land use related ventures, such as the promotion of agritourism development, a sensible balance must be found between the legitimate public health, safety and welfare concerns of local government; the preservation of the rural character of the county; and the provision of opportunities for growing a sustainable tourism industry in rural areas.

Benefits:

Several benefits have been identified that could be directly attributed to the development of a successfully managed and regulated agritourism program in Lancaster County. These opportunities would also further the goals of the Lancaster County Comprehensive Plan and the Blue Ribbon Commission on Agriculture Report issued in 2006. These benefits include:

- Enhancing the economic viability of the farm and providing on-site employment opportunities
- Generating additional income or off season income for the farmer
- Interacting and educating locals and visitors about the importance of farming in Lancaster County.
- Increasing awareness of local agricultural products
- Developing a new consumer market niche

Public Health, Safety and Welfare Issues:

The major issues and concerns that have been identified as obstacles for promoting agritourism development include the following:

- Liability & Safety issues
- On site visitor management
- Farm size (minimum acreage)
- Size of the operation
- Hours of operation
- Signage
- Motorcoach issues / parking / impact on rural roads
- Special events management
- Application and approval process not clearly defined
- Coordination between municipalities for regional tours
- Quality of agritourism experience

Taking into account the benefits and issues identified previously, the Lancaster County Planning Commission recommends that the following items be included when drafting specific effective agritourism regulations at the local level. *Please refer to the discussion of Pennsylvania's Right to Farm law later in this report regarding limitations in regulating farm businesses.*

Farm Size and General Definitions:

- Farm must be an existing and operating working farm
- Agritourism enterprise must be incidental to and directly supportive of the agricultural use of the property and will not have significant impacts on the agricultural viability or rural character of neighboring properties.
- Permanent farm structures shall meet the requirements for other farm related businesses in the district
- Operators of the Agritourism enterprise shall be limited to the farm owner, his/her immediate family and no more than XX full-time employees (the same number of employees as permitted for other farm businesses. If the municipality does not have zoning regulations for number of employees for other farm businesses, this requirement is not applicable.)

Liability and Safety Issues:

- It is the opinion of the LCPC that the municipality is not required to obtain proof of adequate liability insurance from the applicant unless municipal endorsement/ publicity and/or municipal participation is proposed; however, the municipality is strongly encouraged to have its solicitor review the need for proof of adequate liability insurance by the applicant
- Municipality requires proof that all required governmental permits and licenses have been obtained for proposed agritourism enterprises.

Visitor Management:

- Requirement of a sketch plan/land development plan identifying the location and dimensions of all structures, parking areas, existing and proposed driveways, parking and vehicular turning areas, sanitary facilities, areas where visitors will be permitted and restricted, and landscaping if required to buffer adjacent properties
- Sanitary facilities must be provided in accordance with PADEP requirements
- Hours of operation shall be identified
- Signage shall meet the requirements for other farm businesses in the district
- A plan for any special event which identifies transportation needs

Visitor Service:

- Food and/or beverages provided for sale and/or consumption on the farm must meet all federal, state, and local regulations
- Food and/or beverages should be limited to only those value-added products that are produced from or grown on the farm, unless they are secondary and incidental to the primary agri-tourism business. In all cases the use of locally grown or produced food and/or beverages is encouraged
- "Authentic" local products that are handcrafted on the farm are permitted

Transportation:

- Adequate off-street parking is provided, parking areas and driveways are treated as necessary to control dust and parking areas are screened from neighboring properties
- No vehicles may be parked on adjacent shoulders of roads
- Design of driveways and adequate sight distance to accommodate expected traffic must be provided

Possible Zoning Ordinance Language for Agritourism Uses

Definitions:

Agritourism: The practice of visiting a working farm or any agricultural, horticultural or agri-business operation for the purpose of enjoyment, education or active participation and involvement in the activities of the farm or enterprise.

Agritourism Enterprise: Activities conducted on and accessory to a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation. These activities must be directly related to agricultural or natural resources and incidental to the primary operation of the farm.

A-Agricultural Zoning District

Zoning District Purpose

Uses Permitted by Right

Uses Permitted as Accessory to the primary agricultural use of a working farm:

1. Agritourism Enterprises (see Section **ZZZ**)

Or: Uses Permitted by Special Exception:

1. Agritourism Enterprises (see Section **ZZZ**)

Or: Uses permitted by Conditional Use

1. Agritourism Enterprises (see Section **ZZZ**)

(Pennsylvania's Right to Farm law requires that direct commercial sales by a landowner who owns and operates the property and produces not less than 50 percent of the commodities sold be permitted by right. A municipality can place conditions on these uses by special exception or conditional use if the owner does not produce 50 percent of the products sold or the owner is not the operator of the property. Municipalities should consult with their solicitor to assess the applicability of the Right to Farm law.

Municipalities should carefully consider how agri-tourism enterprises are permitted. Some municipalities may wish to review applications at a public meeting of either the elected body or Zoning Hearing Board, requiring a conditional use or special exception. Others may wish to minimize review requirements and costs to the applicant and have an application checklist reviewed and acted on by the zoning officer. It is recommended that municipalities permit agritourism enterprises as a use permitted as accessory to the primary agricultural use of a working farm, perhaps as a checklist to be reviewed and approved by the zoning officer. This process will minimize the administrative costs and application time for these types of businesses.

Section ZZZ Agritourism Enterprises

Purpose: The Lancaster County Strategic Tourism Plan states that successful tourism depends upon the quality of the natural and built environments. Lancaster County's distinct character and quality resources provides the foundation for developing appropriate types of authentic tourism products that would ensure that the county remains a unique and competitive destination in the future. Therefore, any tourism venture or experience that would be permitted in the Agricultural District must be directly related to supporting the primary use of the farm by interpreting the agricultural heritage of the county and providing a distinctly Lancaster County experience.

Therefore, certain types of uses are more appropriate than others in the Agricultural District because of the direct nexus to experiencing Lancaster County's agricultural heritage. Other

uses that are determined by the (Zoning Hearing Board/ Board of Supervisors) that do not meet this basic threshold and are not incidental to the primary agricultural use are not permitted.

Typical agritourism enterprises include, but are not limited to: **ZZZ** (*see list of typical agritourism enterprises listed above. This list is intended to be illustrative in nature*)

1. Agritourism enterprises are only permitted on farms, minimum lot size of **ZZZ** acres. Farms must be existing and in operation. *The minimum farm size is that which is identified elsewhere in the Agricultural zoning district.*
2. Applicants must submit a sketch plan/ land development plan identifying the location of the agritourism enterprise, all farm buildings, dwellings, existing and proposed driveways, access drives, parking areas, vehicle turn around areas, location of sanitary facilities (if required) and buffering and landscaping in accordance with Section **ZZZ** . *Some activities may require a land development plan to be prepared, submitted and approved. Others will require a sketch plan to be prepared and reviewed.*
3. Parking must be in compliance with Section **ZZZ**. Parking is not permitted in the street right-of-way.
4. A driveway occupancy permit must be approved by the township for access to township roads and must be reviewed by the *zoning hearing board/board of supervisors* for access to state roads.
5. Sanitary facilities shall be provided in accordance with PADEP requirements.
6. All prepared food available for sale must be prepared in accordance with applicable federal, state, or local regulations. Produce grown on the farm is permitted. *See earlier discussion of Pennsylvania's Right to Farm law*
7. If a permanent structure is proposed as part of the agritourism enterprise, the maximum size of that structure shall be *the same size for structures used in other farm businesses.*
8. The maximum permitted size for signs used for the agritourism enterprise shall be **ZZZ**. *See sign regulation section of the zoning ordinance or the same as for other farm businesses.*
9. Agritourism enterprises shall not be operated earlier than **Z** a.m. nor later than **Z** p.m. *The operating hours for an agritourism enterprise should be consistent with the operating hours for other, similar business permitted in the Agricultural zoning district. If the municipality does not have zoning regulations for operating hours for other farm businesses, this requirement is not applicable.*
10. Permit renewals for agritourism enterprises, as with other farm businesses, shall be required on a regularly scheduled basis; inspections by the zoning officer shall be permitted. *If the municipality does not require permit renewals and inspections by the Zoning Officer for other farm businesses, these requirements are not applicable.*
11. The applicant shall submit evidence that all state and federal requirements have been met prior to the issuance of a final occupancy permit. Applicants must consult with the municipality's building code officer to determine if a building permit is required for any building proposed as part of the agri-tourism enterprise:
There are no permits for agritourism per se. However each potential business is responsible for ensuring that their particular type of agritourism meets state and federal requirements for that type of business. The following list of permitting agencies is meant to be illustrative but is by no means exhaustive.
 - a. Pennsylvania Department of Agriculture (Food Handling/Food Service)
 - b. Pennsylvania Department of Environmental Protection (Sanitary Facilities)

- c. Pennsylvania Liquor Control Board (Wineries)
 - d. Bureau of Alcohol, Tobacco, and Firearms (Wineries)
 - e. Pennsylvania Fish and Boat Commission (Regulated Fishing Lakes)
 - f. Pennsylvania Game Commission (Regulated Hunting Land)
 - g. Pennsylvania Department of Agriculture (Amusement Rides and Attractions)
 - h. Pennsylvania Department of Agriculture (nursery license)
 - i. Pennsylvania Department of Agriculture (petting zoo license)
12. If the applicant proposes municipal endorsement/publicity and/or municipal participation, the applicant shall submit an Indemnity Agreement in favor of the municipality and include the municipality as an “Additional Insured” on its public liability insurance policy. It is the opinion of the LCPC that the municipality is not required to obtain proof of adequate liability insurance from the applicant unless municipal endorsement/publicity and/or municipal participation is proposed. However, the municipality is strongly encouraged to have its solicitor review the need for proof of adequate liability insurance by the applicant.
13. If the activities will involve periodic “Special Events,” compliance with the regulations for each activity shall be required. (See Appendix for model Special Events Ordinance.)

AGRI-TOURISM WEB RESOURCES: PENNSYLVANIA

Agritourism in Pennsylvania: An Industry Assessment; The Center for Rural Pennsylvania
<http://www.ruralpa.org/agritourism2006.pdf>

Agmap; Penn State
<http://agmap.psu.edu>

Pennsylvania Agritourism; Pennsylvania Department of Agriculture
<http://www.agriculture.state.pa.us/agriculture/>

Pennsylvania Farm Vacation Association, Inc.
<http://www.pafarmstay.com>

AGRI-TOURISM WEB RESOURCES: NATIONAL

Agritourism: A web-based resource for Farmers; University of Vermont
<http://www.uvm.edu/tourismresearch/agritourism.html>

Agritourism: Health and Safety Guidelines for Children; The National Children's Center for Rural and Agricultural Health and Safety
<http://www.marshfieldclinic.org/nfmc/Pages/Proxy.aspx?Content=MCRF-Centers-NFMC-NCCRAHS-keyprojects-AgTourism2.1.1.pdf>

Alternative Enterprises – For Higher Profits, Healthier Land; Information Sheet; Natural Resource Conservation Service, United States Department of Agriculture
<ftp://ftp-fc.sc.gov.usda.gov/Economics/AltEnterprise/Alternatvbroch.pdf>

Alternative Enterprises and Agritourism: Farming for Profit and Sustainability Resource Manual; Natural Resource Conservation Service, United States Department of Agriculture
<http://www.economics.nrcs.usda.gov/altenterprise/resmanual.html>

Entertainment Farming and Agritourism: Business Management Guide; National Sustainable Agriculture Information Service, National Center for Appropriate Technology
<http://attra.ncat.org/attra-pub/PDF/entertn.pdf>

How to Direct Market Farm Products on the Internet; United States Department of Agriculture
<http://agmarketing.extension.psu.edu/Retail/PDFs/HowDirectMktOnIntrnet.pdf>

Taking the First Step: Farm and Ranch Alternative Enterprise and Resource Evaluation Guide; Southern Maryland Resource Conservation and Development (RC&D) Board, Inc.
http://www.somdrd.org/articles/uploads/1/Taking_the_First_Step.pdf

FUNDING OPPORTUNITIES

Pennsylvania Department of Agriculture
 Agritourism Grant - (717) 787-6041

Pennsylvania Department of Agriculture
 Small Business First – 1(888) PA GROWS
<http://www.newpa.com/programDetail.aspx?id=33>

FUNDING OPPORTUNITIES (cont'd)

Pennsylvania Department of Agriculture & Department of Community and Economic Development

First Industries Fund

<http://www.newpa.com/programDetail.aspx?id=47>

Agricultural Program

<http://www.newpa.com/download.aspx?id=229>

Tourism Program

<http://www.newpa.com/download.aspx?id=230>

DCNR- Heritage Areas Program

Contact Regional Advisor offices: (717) 772-3839

_____ TOWNSHIP
 BOARD OF SUPERVISORS
 LANCASTER COUNTY, PENNSYLVANIA
 ORDINANCE NO. _____

AN ORDINANCE REGULATING THE CONDUCT OF SPECIAL EVENTS WITHIN THE TOWNSHIP OF _____, INCLUDING DEFINITIONS, NOTIFICATION REQUIREMENTS, REQUIREMENTS FOR CONTROL OF TRAFFIC AND PARKING, AND REQUIREMENTS FOR THE PREVENTION OF NUISANCE CONDITIONS UNDER AND BY VIRTUE OF THE AUTHORITY CONTAINED IN THE SECOND CLASS TOWNSHIP CODE, 53 P.S. 65101, ET SEQ, THE BOARD OF SUPERVISORS OF _____ TOWNSHIP, LANCASTER COUNTY, DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

Section 1. Short Title and Purposes.

The title of this Ordinance shall be the “Special Events Ordinance of _____ Township.” The purposes of this Ordinance are to (i) assure proper control of traffic and parking during the conduct of Special Events within the Township, (ii) prevent such activities from creating nuisance conditions; in pursuit of these purposes to establish rules and regulations for the conduct of Special Events.

Section 2. Definitions.

As used herein, the following terms shall have the meanings set forth herein below:

- A. Owner. The owner or owners of the property or properties upon which a Special Event will be held.
- B. Nuisance Conditions. Any of the following conditions, when occurring in conjunction with, or as a result of, a Special Event, shall constitute a Nuisance Condition.
 - 1. any violation of one or more of the Performance Standards for air quality, fire and explosive hazards, glare and heat, liquid and solid waste, noise, odors, vibrations, radio or electrical disturbances, or public health and safety as set forth within § ____ of the _____ Township Zoning Ordinance;
 - 2. the failure to provide sufficient trash receptacles for the deposit of trash, resulting in the littering of trash either across the property or on adjacent roadways or properties;
 - 3. the failure to provide sufficient parking areas on the property for all vehicles arriving

at the Special Event, resulting in the parking of vehicles on adjacent or nearby public roads;

4. the failure to provide for traffic control on all nearby state or Township public roads, by the use of qualified traffic control personnel, including personnel of the _____ Township Police and the _____ Fire Company's Fire Police, or other entity approved for traffic control pursuant to § 4.A of this Ordinance;
 5. the serving of food and/or beverages without obtaining necessary permits or licenses from governmental agencies having jurisdiction thereof, including, but not limited to, the Health Official and/or the Pennsylvania Liquor Control Board, where applicable;
 6. the failure to provide, where necessary, security personnel on, and/or near the site of a Special Event, where such Security personnel are necessary to (i) prevent panic or other conditions threatening public safety, or (ii) prevent or immediately stop any physical violence, or threat of physical violence, among individuals;
 7. the failure to adequately control the serving or consumption of alcoholic beverages so as to prevent a disturbance or other behavior that could threaten public safety or general welfare either on the premises or offsite; and
 8. the carrying of any firearm by any individual attending a Special Event, with the exception of the Pennsylvania State Police, the _____ Township Police or personnel of a similar law enforcement agency approved by the _____ Township Police.
- C. "Special Event" or "Event". Any Event held within _____ Township resulting in either (a) the assemblage of 200 or more persons, or (b) the arrival of 80 or more vehicles at the location of the Event, whether held on private property, public property, or public roads. Special Events shall not occur over a continuous period of greater than 72 hours, excluding preparation and clean up times, and shall include community fairs, carnivals, parades, horse shows, horse trials, dog shows, sporting events (including, but not limited to, steeplechase racing), music or art festivals, holiday celebrations such as Fourth of July fireworks and similar special events, where the number of persons in attendance and/or the number of vehicles arriving for the event exceed the minimum thresholds set forth above. Excluded from the definition of Special Events and, hence, from the regulations of this Ordinance, are any event sponsored by the Armed Forces of the United States or the State of Pennsylvania, the forces of state or local police or fire departments, and events sponsored by an agency of the state, county or local government. Activities that are part of the regular operations of a principal use, such as weddings at a church, annual fund raising/social events at a grange, typical accessory events at educational, scientific or institutional sites are also excluded from this definition. Activities with a significant emphasis on the sale, marketing and/or promotion of products or services to be consumed, utilized or provided off the premises shall not be considered a Special Event under this Ordinance and shall be subject to regulation as a commercial Event under the applicable provisions of the Township Zoning Ordinance.
- D. Sponsor. The person, group or entity responsible for conducting the Special Event and/or inviting, either by special invitation or publicity, the individuals in attendance at a Special Event. (The Sponsor may, in some circumstances, be the Owner or, in other circumstances, a tenant or licensee of the Owner, as the case may be.)

Section 3. Notification Procedures: Penalties for Violation.

- A. The Sponsor of a Special Event with permission where applicable of the Owner, shall notify the Township, on a form prescribed by the Township for such purpose, at least thirty (30) calendar days prior to the occurrence of a Special Event. The notification shall be made to the Township Manager, and shall clearly state:
1. the name of the Sponsor;
 2. the group for which the Special Event is planned;
 3. the location of the property upon which the Special Event will be held;
 4. the date and time (including the starting and closing times and number of days) of the Event;
 5. the provisions to be made for trash collection and disposal;
 6. the provisions to be made for parking of vehicles (including the Sponsor's best estimate of the number of vehicles anticipated to arrive at the Special Event);
 7. the provisions made by the Sponsor for traffic control and direction, including the qualified entity from which traffic control services have been contracted;
 8. provisions, if any, for emergency vehicles at the site during the Special Event;
 9. the provision, if any, for medical services on the site during the Special Event;
 10. the provision, if any, of security (over and above traffic control) on the site during the Special Event;
 11. if alcoholic beverages are to be served, the provision for the control of the consumption of alcohol to prevent public intoxication and/or Nuisance Conditions;
 12. an indemnity agreement, indemnifying the Township against any liability, together with a certificate of insurance with a minimum of \$2,000,000 per occurrence in General Liability (including Liquor Liability, if applicable) naming the Township as additional co-insured;
 13. provision for handicapped parking; and
 14. provision for adequate sanitary facilities (including handicapped facilities).
- B. The Township Manager shall review the information contained in the notification form within fourteen (14) calendar days after receiving same. In the event that the Township Manager believes, after such review, that the Sponsor's plans for traffic control, parking and interior circulation, security (if needed) and/or prevention of Nuisance Conditions or compliance with other provisions of this Ordinance are inadequate when compared to the magnitude, intensity, inherent characteristics and/or timing of the Special Event to assure that the conduct of the Special Event will be in accordance with the standards of this Ordinance, the Township Manager may advise the Sponsor of such inadequacies and is hereby authorized to discuss such concerns with the Sponsor and/or the Owner. If, after these discussions, the Township Manager's concerns are not satisfied she may refer the applicant to the Board of Supervisors. The Board of Supervisors may impose conditions on the Sponsor, including with respect to the scope, size and timing of the Special Event, the posting of adequate surety and the reimbursement of expenses incurred by the Township. If the Board of Supervisors

determines that the Sponsor has not or cannot make adequate arrangements to comply with this Ordinance, the Board of Supervisors may prohibit the Sponsor from conducting the proposed Special Event.

- C. No Special Event shall be held in _____Township unless the Sponsor has submitted the required notification form to the Township Manager in accordance with the terms of this Ordinance. Violation of the terms of this Ordinance, by holding a Special Event without providing written notification, failing to comply with any conditions imposed on the Sponsor or otherwise violating the terms hereof, shall subject the Sponsor of the Special Event, and the Owner of the property upon which the Event is held, jointly and severally, to a fine or civil penalty not exceeding \$1,000 for each day that a violation occurs. The provisions of this Ordinance may be enforced by the Township through an action in equity brought in the Lancaster County Court of Common Pleas.

Section 4. Traffic and Parking Controls.

- A. The Sponsor of a Special Event shall, prior to the submission of notification, contract with a qualified entity for traffic control on all state or township roads in close enough proximity to the site of the Event to be affected by the traffic to be generated thereby. The following entities are hereby approved for provision of traffic control services:
 - 1. Pennsylvania State Police;
 - 2. _____Township Police (or other law enforcement agencies or public safety organizations approved by the _____ Township Police);
 - 3. _____ Fire Company's Fire Police.
- B. The Sponsor of a Special Event shall undertake advance planning for the handling of ingress and egress of vehicles to and from the property, interior circulation of vehicles within the property, and parking on the property. All vehicles must be parked on the property, and no vehicles shall be parked on public roads. In the event that the Event's sponsor anticipates the necessity for additional parking facilities, other than those available on the property, the Sponsor may contract with a nearby property owner or owners for overflow parking. So long as either (a) shuttle service from the overflow parking site is provided, or (b) safe pedestrian pathways are available from the overflow parking to the property where the Event is being held. Parking plans must be detailed and shall accompany the notification form.

Section 5. Prevention of Nuisance Conditions.

The Sponsor of a Special Event shall assure that no Nuisance Conditions shall occur as a result of such an Event. Without limiting the foregoing, the Sponsor shall (i) assure that none of the impacts of the Event violates applicable provisions of §_____ of the Township Zoning Ordinance, (ii) provide adequate trash disposal containers, and "police" the grounds for litter, (iii) provide, where the magnitude and/or intensity of a Special Event warrants it, security personnel; (iv) assure that no firearms are brought onto the property during a Special Event; and (v) provide adequate controls over the consumption of alcoholic beverages.

Section 6. Validity and Severability.

If any section, subsection, paragraph, clause or provision of this Ordinance shall be declared, in a final decision by a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of the remainder of this Ordinance, nor of any other portions thereof.

Section 7. Effective Date.

This Ordinance shall be effective five (5) days after its enactment.

ENACTED AND ORDAINED by the _____ Township Board of Supervisors this
___ day of _____, 200__.

ATTEST:

AGRI-BUSINESS APPLICATION

Date _____

Name of Applicant _____

Address of Enterprise _____

Phone _____

Fax _____

E-mail _____

Type of proposed Agritourism Enterprise (Please check all that apply)

- Farm Market/Roadside Stand
- U-pick Operation/Cut your own Christmas Tree
- Wineries and winery tours and tastings
- Local Products Retail Operations (local crafts, food products)
- Ice cream/bakery
- Farm Stays/ Bed and Breakfast
- Farm Tours/Interpretive Facilities/Educational Experiences
- Agriculture events/fairs/festivals/corn maze
- Walking or bicycle tours and trails/ Horseback riding / Outdoor recreation Facilities and Outfitters
- Other (Please elaborate) _____

General Description of proposed Enterprise

Occurrence of proposed Enterprise

- Year-round
- Seasonal
- Event: Single or Periodic

General Standards

Size of existing farm (acres) _____

Is the farm currently in operation? _____

Will there be any permanent farm structures constructed as part of this proposal? _____

Will the Enterprise be operated by the farm owner, his/her immediate family? _____

Will there be any additional full-time employees to assist in the agritourism enterprise? _____

CHECKLIST

- All legal requirements are met and all necessary licenses and permits have been obtained [Attach copies of all licenses and permits.]
- Business hours are posted and adhered to [Describe business hours.]
- The business has adequate insurance, including public liability, if required [Attach policy or commitment, minimum of \$2,000,000 liability.]
- Sanitary facilities are provided [Describe sanitary facilities by type and location.]
- Access road or driveway is safe and well maintained
- Safe, adequate off-street parking is provided for customers [Identify locations for tour bus parking.]
- Adequate screening is provided [Show screening proposed on sketch plan.]

SKETCH PLAN OF OPERATION

The sketch Plan is meant to provide a rough estimate of your Enterprise's layout. While the plan does not need to be drawn to scale, approximate distances from buildings should be noted. Please submit the sketch on a separate piece of paper.

The following should be clearly shown on the sketch:

- Layout and footprint of the agritourism enterprise: all existing farm buildings and dwellings
- Areas where visitors will be permitted and restricted
- Existing and proposed driveways, access drives, parking areas, vehicle turn around areas
- Location of existing sanitary facilities (if required)
- Landscaping (if necessary to buffer adjacent properties)
- All proposed additional buildings, structures, access drives, driveways, parking areas, vehicle turnarounds, and sanitary facilities

RECOMMENDED ADMINISTRATIVE PROCESS

If the municipality decides to utilize a process whereby the applicant submits a sketch plan and requests either a conditional use approval through the governing body or special exception approval through the zoning hearing board, the municipality should ensure that the conditions of approval are clearly delineated and based on the submitted materials. This will assist the zoning officer in future inspections of the property to determine if the original conditions of approval have been maintained. For municipalities that utilize a process that requires the approval of a land development plan, the municipality should require that any future substantive increase in the scale of operation of the agritourism business necessitates the submittal and approval of a revised land development plan.)

FOR MUNICIPAL ADMINISTRATION

The application is:

- Complete
- Incomplete

The application:

- Is in compliance with all zoning and regulatory requirements, or
- Does not comply with:
[Variance application is necessary for the enterprise to be permitted.]

Mandatory insurance coverage (if required):

- Is demonstrated
- Is not demonstrated

The application:

- Will constitute a “land development” and require the applicant to file for land development approval, or
- Does not constitute a “land development”

The application:

- Will involve a “special event,” subject to the requirements of the Special Events Ordinance
- Will not involve a “Special Event”

Mandatory insurance coverage (if required):

- Will request municipal publicity and/or participation. Applicant must provide Indemnity Agreement in favor of the municipality, or
- Will not request municipal publicity and/or participation [no Indemnity Agreement needed]

AGRITOURISM GUIDELINES

Lancaster County Planning Commission

150 North Queen Street • Suite 320 • Lancaster, PA 17603 • (717) 299-8333
www.co.lancaster.pa.us/planning

Lancaster County Tourism Development Council