

## **SECTION 4.24: AGRICULTURAL TOURISM**

### **Section 4.24.1 Intent, Goals, Purposes, and Limits**

The intent of this zoning provision is to support the economic sustainability and resiliency of local farming by allowing flexibility for a farmer to meet changes in market, social and environmental conditions through agricultural tourism and accessory uses compatible with the rural character of the township. Agricultural tourism means the practice of visiting an agricultural operation for the purposes of purchase, recreation, education, or active involvement in the operation; not as a contractor or employee of the operation. For farms that are actively growing products for sale, agricultural tourism uses can provide improved sales, marketing and additional income opportunities.

#### **A. The goals of these provisions are:**

1. To maintain and promote agriculture and related activities.
2. To preserve open space and farmland.
3. To maintain the township's agricultural heritage and rural character.
4. To increase community benefits by having fresh, local agricultural products for sale and working classrooms to educate school children and other residents and tourists.
5. To increase agriculturally related businesses that contribute to the general economic condition of the area and region.

#### **B. The purposes of these provisions are:**

1. To provide standard definitions related to agricultural tourism uses.
2. To provide a list of permitted agricultural tourism uses for working farms.
3. To provide a mechanism for allowing creative uses that need a special land use permit to guide and regulate agricultural tourism uses on working farms.
4. To provide for a clear understanding of the expectations for agricultural tourism uses for farm operators, local residents, other businesses and local officials.

#### **C. The limits of these provisions are:**

1. Agricultural tourism uses are allowed only on working farms. Working farms are those operations which are providing agricultural products for sale. These sales must contribute to the farm operator's income. The working nature of the farm must be documented including control of the land being farmed and income/expense documentation such as sales receipts, IRS Schedule F, or other documentation that the township agrees is satisfactory.
2. A farm's size must be adequate to accommodate any agricultural tourism use so as not to create a nuisance or a hazard. Issues affected by farm size include, but are not limited to, setbacks for noise abatement, adequate off road space for a farm stand, and adequate parking areas.
3. Agricultural tourism uses must meet all township zoning ordinances plus all health, building, road, safety and all other applicable local, state and federal regulations and codes.
4. Agricultural operations whose gross revenues are solely or primarily derived from alcoholic products are not included under these provisions. This Section does not expand uses permitted for production, processing, or sale of alcoholic products or otherwise reduce the restrictions applicable under state or local laws.
5. Documentation that an agricultural tourism use is operating within these limits must be made available to the township upon request.

**Section 4.24.2 Agricultural tourism uses, within the limits set above, permitted by right for working farms in any zoning district.**

**A. Agriculturally related uses include the following, as well as other substantially similar uses:**

1. Road side stands
2. On-farm market
3. Direct to customer sale and distribution
4. Value-added (other than alcohol products) processing of produce and fruit grown on the farm
5. Baking for sale at the on farm market or local farmers markets
6. Corn & hay mazes
7. Sleigh & hay rides
8. Horse rides
9. U-Pick farms

**B. Small non-agriculturally related events meeting the following:**

1. Under 100 people and no more than 2 events per month with a total of no more than 6 per year
2. Subject to notification to the Zoning Administrator at least 7 days in advance of the event, and the event must comply with the applicable requirements in Section 4.24.3 (i.e. parking, noise, etc.)

**Section 4.24.3 Other agricultural tourism use or uses accessory to a working farm's operation may be approved subject to site plan review per Article 13 of the Zoning Ordinance.**

Potential uses covered under this section are ancillary to the farm on which they are located, but utilize the rural character of the farm and the township as an asset for the business. Examples of uses envisioned under this section include, but are not limited to, wedding venues, lodging options such as inns and cabins, restaurants, and extended homestead and farm experiences including lodging. The intent of this section is to provide guidelines for ideas for such ancillary uses so that the uses can financially benefit the farmer, and still preserve the rural character of the farm's neighborhood and the township.

**A. Uses proposed under this Section require a Special Land Use Permit and a Site Plan Review approved by the Planning Commission. Information required in the Site Plan includes but is not limited to:**

1. Description of activity or event
2. Number of people involved
3. Frequency of events or activity
4. Hours of operation
5. Structures to be utilized
6. Parking plans
7. Set backs and buffering from neighbors and roads
8. Lighting
9. Noise

**B. A Special Land Use Permit shall only be granted if the Planning Commission determines the applicant has submitted evidence demonstrating the following standards are met:**

1. The farm is a working farm
  - a. Working farms are those operations which are growing agricultural products for sale. These sales must contribute to the farm operator's income. The working nature of the farm must be documented including control of the land being used and income documentation such as sales receipts, IRS Schedule F, or other documentation that the township agrees is satisfactory.
2. The farm has adequate space to hold parking away from the road and provide adequate set-back and buffers to neighbors.

**Section 4.24.3 (cont'd):**

3. The use is compatible with adjacent uses of land, the natural environment, the capacities of public services and facilities affected by the land use and will maintain the agricultural character of the location and the visual rural character of the neighborhood.
4. The use will be buffered both visually and acoustically from neighbors.
5. The use meets other applicable township ordinances, including but not limited to signage and lighting.
6. Traffic loads and road access have been reviewed and approved by the road commission.
7. Activity structures, locations and access routes have been reviewed and approved by the fire chief for safety and emergency access.
8. Structures will meet building codes.
9. Health department has reviewed and approved plans for food preparation, bathroom facilities and sanitation.

**C: If potential noise, visual, traffic or other impacts warrant it, the township may expand the notification area beyond that required by state statute (currently 300 feet).**