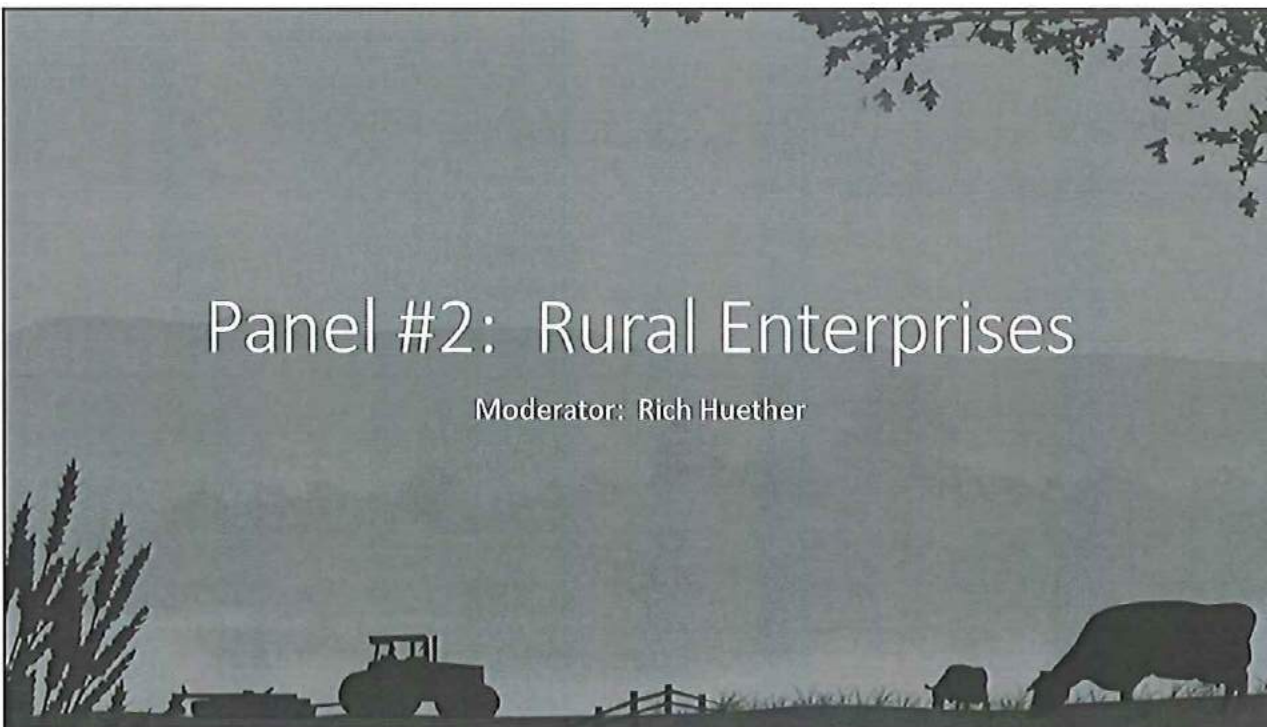
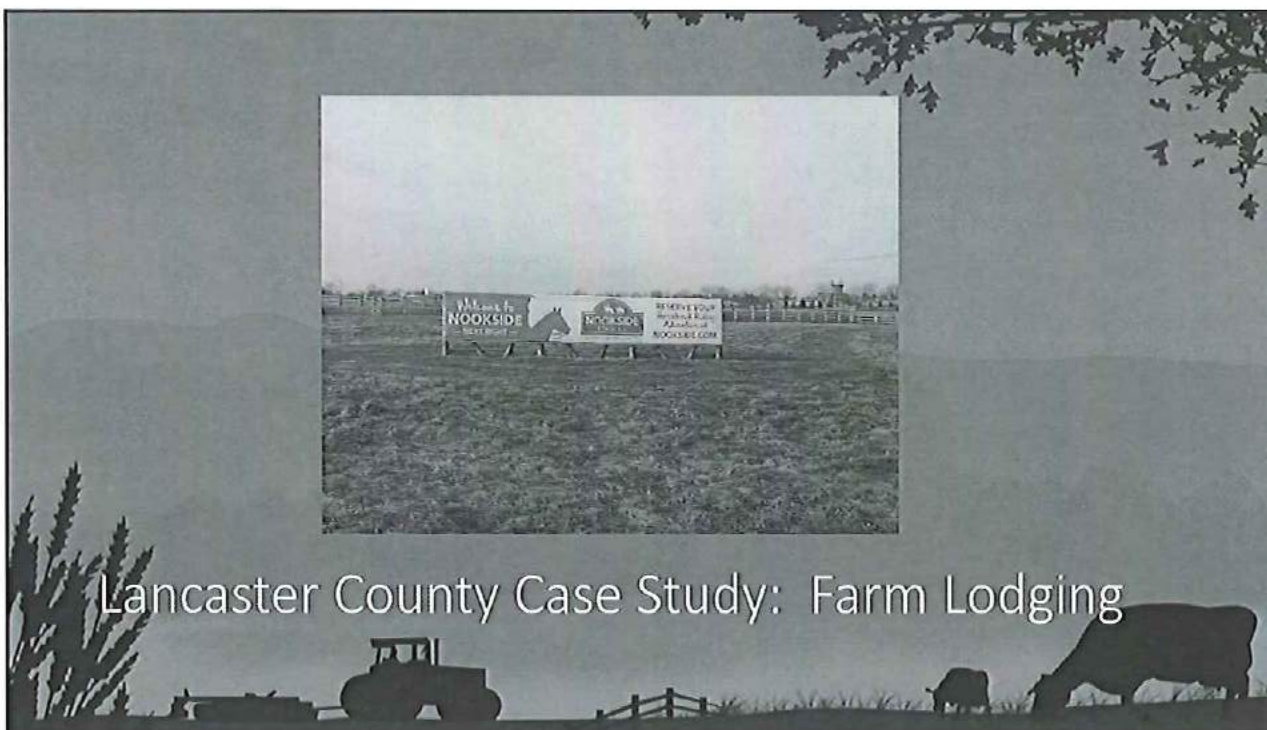


# Panel #2: Rural Enterprises

Moderator: Rich Huether



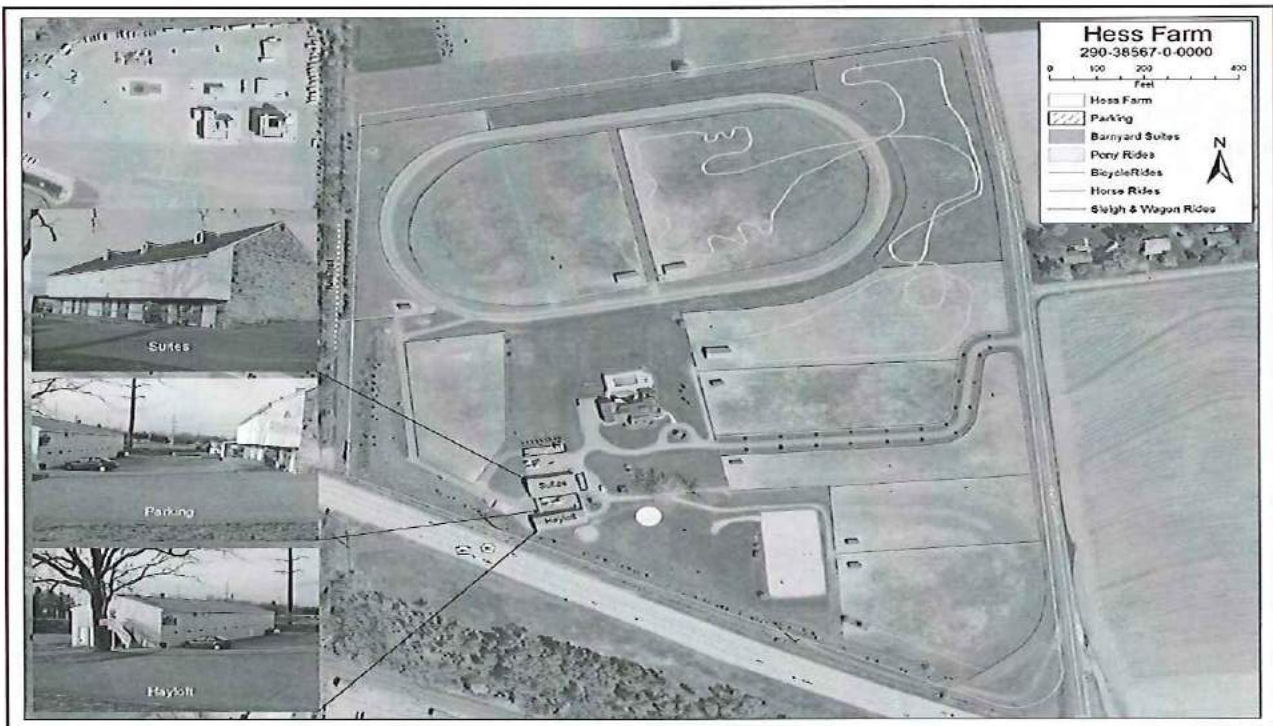
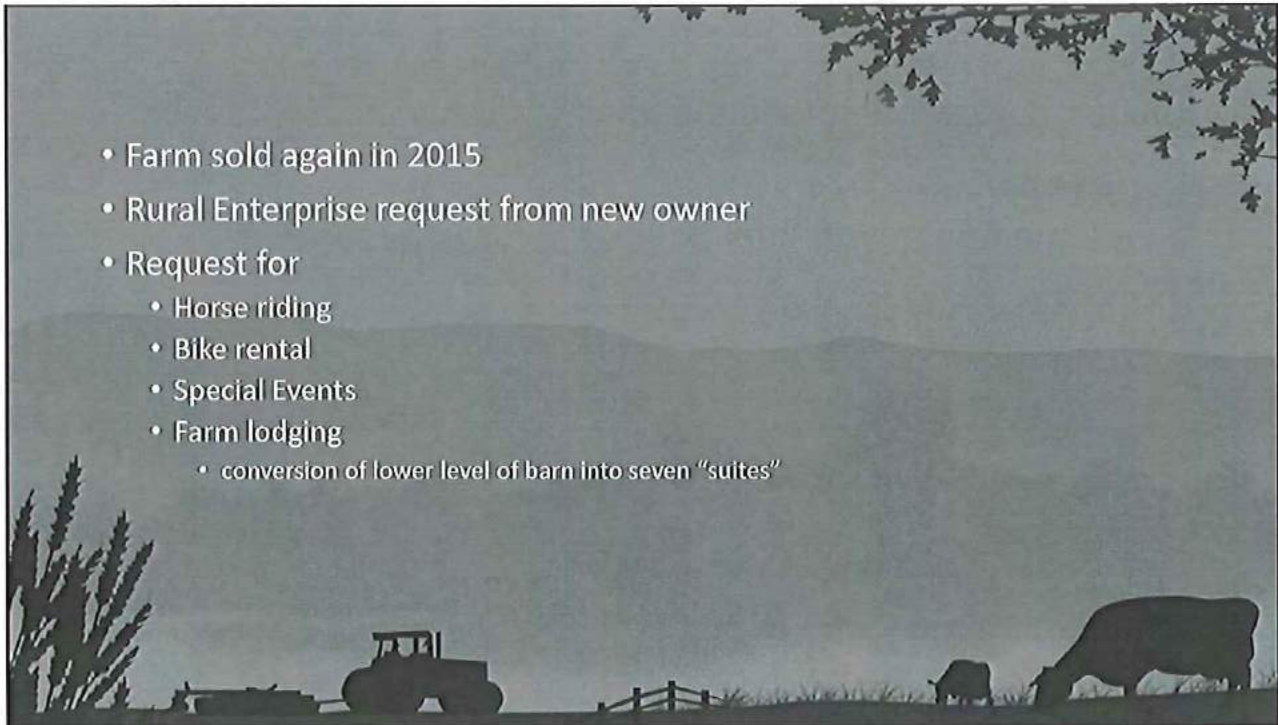
## Lancaster County Case Study: Farm Lodging



## Timeline

- Farm preserved in 2002 by East Hempfield Township
- Sold to new owner in 2003
- New house constructed
- Equine facilities constructed





## Review Process

- Applicable Regulations

- ACE, Permitted Acts, Commercial Equine Activity
  - "...boarding of equine, training of equine, the instruction of people in handling, driving or riding equines, the use of equines for riding or driving purposes, the pasturing of equines all of where a fee is collected..."
- Rural Enterprise Guidelines, Agritourism and Agritainment Activities
  - "Farm-related tourism or farm-related entertainment activities, which are permitted or authorized by a landowner, sometimes in return for a fee, for recreational or educational purposes and which are incidental to agricultural production, with ongoing agricultural production at all times required on the restricted land"

- Rural Enterprise Guidelines, Agritourism and Entertainment Activities (cont.)

- Permissible so long as the landowner demonstrates compliance with all of the following:
  - Shall remain incidental to the agricultural use and character of the farm
  - Does not render any portion of the land incapable of being immediately converted to agricultural use
  - Shall, unless the nature of the proposed Agritourism or Agritainment Enterprise is such that this criteria does not apply, be located within the curtilage of the existing residential or agricultural structures
  - No excavation, paving, graveling, construction of permanent nonagricultural structures or other activity that would diminish the productive capacity of the soils is permitted in connection with such activities

- Rural Enterprise Guidelines, Agritourism and Entertainment Activities (cont.)
  - Rural Enterprises that the County Board may deem appropriate for the restricted land
    - Operation of nonmotorized vehicles
    - Corn mazes
    - Farm tours
    - Hay rides
    - Petting zoos
    - Bed and breakfast accommodations or similar farm lodging
    - Wedding receptions
    - Family dining
    - Activities in conjunction with local seasonal festivals to promote the local availability of agricultural products
    - Others that may be determined on a case by case basis to be an agritourism or agritainment enterprise by the County Board

- Rural Enterprise Guidelines, General Provisions

- ... shall not detract from primary use ... agricultural production... defined by the Agricultural Area Security Law...
- ... shall be owned or operated by the owner of the restricted land or farmer in residence on the restricted land
- ... may not harm the economic viability of the restricted land or adjacent restricted land for agricultural production, or negatively impact or limit the use of the restricted land or adjacent restricted land for agricultural production...
- ...the burden of proof shall be with the landowner of the restricted land...
- ... the landowner of the restricted land shall provide written confirmation that the proposed Rural Enterprise is permitted according to applicable township zoning ordinance requirements, for example: zoning permit, Zoning Hearing Board decision, letter from Zoning Officer

## Board Action

- Horse riding
  - Approve as Commercial Equine Activity
- Bike rental
  - Approve as Agritourism/Agritainment Rural Enterprise
- Special Events
  - Approve as Agritourism/Agritainment Rural Enterprise
- Farm lodging
  - Deny
    - proof of township approval not provided
    - does not meet Board's mission statement

## Next Steps

- Review Rural Enterprise Guidelines
  - Tighten up language to reflect Board's intent
    - "bed and breakfast accommodations or similar farm lodging" would permit this proposal
  - Consider permissibility of septic and storm water facilities
    - does not render any portion of the land incapable of being immediately converted to agricultural use
    - No excavation, paving, graveling, construction of permanent nonagricultural structures or other activity that would diminish the productive capacity of the soils

## Lessons Learned

- Thoroughly interview landowner/applicant
- Consumes significant staff time
- Consider a Staff Recommendation
  - "follow our rules"
- Boards will be Boards
- Continually review your County Program language

