

 **§500-89 Agritourism Enterprises Same as old §500-50.1 with noted changes.**

The following standards and requirements shall apply to an agritourism enterprise activity:

- A. Location; Parcel Size. Agritourism enterprises shall be on the same parcel or lot where the farming activities take place, which shall have a minimum lot area of 10 acres.
- B. Permitted Activities. The following activities, and activities that the applicant proves are closely similar in use and operations, shall be permitted as an agritourism enterprise.
 - (1) U-pick operations (i.e., berry or fruit picking).
 - (2) ~~Farm Limited~~ wineries, distilleries, breweries and microbreweries, tours and tasting rooms associated with these facilities.

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- (3) Production of products from items grown/raised on the farm (including, but not limited to, wine, cider, dairy products, ice cream, baked goods, and clothing products), provided that at least 25 percent of all the raw materials used in the production of the items are grown/raised on the farm or from a facility in same ownership for sale of products. Borough Council may grant a modification to this provision to allow for a farm production start-up period. **Only the ZHB can grant a variance.**
- (4) Local farm products retail operations (including crafts, food products made from products grown/raised on the farm, garden and nursery products grown on the farm, and clothing products made from wool of animals raised on the farm, etc.), provided that at least 25 percent of all of the items for display or sale are grown, raised or produced on the farm or from a facility in same ownership for sale of products
- (5) Farm-related interpretive facilities and exhibits
- (6) On-site farm, garden, greenhouse and nursery tours.

- (7) Walking and bicycle tours and trails
- (8) Christmas tree farm, cut-your-own
- (9) Corn mazes
- (10) Horseback/pony rides
- (11) Petting zoos, in accordance with the following:
 - (a) Shall be located not less than 100 feet from any property line.
 - (b) Shall be located not less than 125 feet from any residential use on adjacent properties.
 - (c) Shall be located on a minimum of 25 acres.

Must Discuss

- (12) Accessory uses and structures (subject to land development):
 - (a) Lodging.
 - [1] Bed-and-breakfast.
 - [2] Cabins and camping (with required facilities, subject to a vegetative buffer and a one-hundred-foot setback from all property lines). NOTE: Hotels or motels are not included.
 - (b) Storage buildings and sheds.
- C. Prohibited Activities. Activities that are not permitted as part of an agritourism enterprise include, but are not limited to, the following:
 - (1) Concentrated animal feeding operations (CAFO).
 - (2) Any other use not in compliance with this §500-89.
- D. Food Service. Packaged snacks, catered food and food vendors are permitted on site during activities for any permitted agritourism use. All food and/or beverages sold for consumption on site shall comply with federal, state, and local regulations.
- E. Impacts. Agritourism enterprises shall not have significant impacts on the agricultural viability or rural character of neighboring properties.

Must Discuss

- F. Hours of Operation. The applicant shall identify the anticipated hours of operation for the agritourism enterprise. Hours of operation for agritourism enterprises shall be determined through the land development process for each application ????. **The enterprise may not be a land development. E.g., a simple farm tour.**
- G. Outdoor Lighting. Outdoor lighting shall be limited to that needed to provide illumination of parking areas for three or more cars after dark and for pedestrian accessways. Lighting shall comply with §500-67 ~~Lights must be full cut-off lights pointed downward to minimize sky glow and shall be extinguished no more than one hour~~

after close of business.

- H. Parking. Off-street parking shall be provided in accordance with §500-29. The applicant shall provide a reasonable explanation as to how the number and type of spaces provided will meet the needs of the proposed use. In no case shall parking be permitted in a location that would require visitors to have to cross a public road.



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- I. Building Appearance. All buildings shall maintain a residential or agricultural appearance. ?????
- J. Coverage Requirements. The total for all building floor areas used for agritourism enterprise uses, including buildings used for production, storage and retail operations, are subject to the zoning regulations regarding building and lot coverage requirements.
- K. Land Development. When a permanent building is proposed for use by the public, land development plans shall be required to be approved by Jim Thorpe Borough. **The conversion of an existing building may not be a land development.**
- L. Moved to "D" above. ~~All food and/or beverages sold for consumption on site shall comply with federal, state, and local regulations.~~
- L. Outside Items. Outside display, sales, or storage of items shall be limited to items grown or produced in Pennsylvania, including products associated with the agritourism business.