



# Zoning and Health Considerations in Agritourism

Agritourism businesses are subject to zoning and other regulations related to individual and environmental health. Such regulations are determined and enforced by federal, state, county, and/or municipal governments. Regulations can vary greatly by region, and it's important to be aware of and comply with regulations related to operating an agritourism business.

## Zoning Considerations

Zoning is "the division of a city or county by legislative regulations into areas (zones), specifying the uses allowable for the property in these areas" (<http://www.entrepreneur.com/encyclopedia/term/82024.html>). Zoning ordinances can often be seen as a hurdle for beginning agritourism businesses. One survey found 13% of agritourism businesses surveyed had difficulties with zoning ([University of Tennessee Extension 2005](#)), and an online survey found that more than 50% had difficulties ([Eckert 2007](#)). Ordinances may prohibit particular commercial activities or require that specific facilities and/or structures be present. In some regions, ordinances have been altered to be more accommodating for farms involved in agritourism.

Zoning ordinances are generally handled by county or municipal governments. You can contact these entities (see backside) to determine which ordinances may be in place in your area. The nature of zoning ordinances and the ability to obtain zoning variances will vary greatly with each locality. For a discussion of zoning and home-based businesses visit <http://www.entrepreneur.com/encyclopedia/term/82024.html>.

### Examples of Zoning Ordinances:

- Limiting or prohibiting specific commercial recreational activities in an area
- Requiring flush toilets and other facilities for sanitation
- Prohibiting attractions, restaurants, or bed and breakfasts in certain areas
- Regulating location and size of structures

## Health Considerations

Like zoning, there are legislative regulations in place aimed at protecting the health of both individuals and the environment. Health regulations will vary from place to place, but generally your county/local health department will handle these. Food preparation and safety, and waste disposal regulations, are often especially important considerations. Licenses and permits are generally required. Your County/Local Extension Agent should be able to provide the necessary information.

### Examples of Health Regulations:

- Limiting the number of visitors allowed on a "home stay" farm or ranch
- Requiring one or more persons involved with food preparation or handling to obtain food handlers' permits or certificates
- Requiring certain types of equipment needed for food storage
- Requiring a certain amount of drinking water be available for visitors and placing requirements on water quality
- Enforcing specific requirements for septic systems and sewage disposal

## The Bottom Line

Due to the variability of zoning and health regulations, it is important to check with local, county, state, and federal governments, and other organizations to identify which regulations may apply to your agritourism business. Useful agencies to contact include:

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| <input type="checkbox"/> State Agencies or Departments of Health/Agriculture | <input type="checkbox"/> Chambers of Commerce                       |
| <input type="checkbox"/> County/Municipal Health Departments                 | <input type="checkbox"/> Secretary of State's Office                |
| <input type="checkbox"/> County/University Extension Offices                 | <input type="checkbox"/> Tax Commission or Department               |
| <input type="checkbox"/> Zoning or Planning Boards                           | <input type="checkbox"/> U.S. Department of Agriculture             |
| <input type="checkbox"/> Economic Development Offices                        | <input type="checkbox"/> Agritourism Organizations and Cooperatives |
| <input type="checkbox"/> Tourism or Visitors Bureaus                         | <input type="checkbox"/> State Farm Bureau Federations              |

## References and Sources for Further Information

- **Americans with Disabilities Act (ADA) Regulations and Technical Assistance Materials.** ADA web site: <http://www.ada.gov>
- **Food Safety at Farmers Markets and Agritourism Venues, University of California Small Farms Program.** [http://sfp.ucdavis.edu/farmers\\_market/safety](http://sfp.ucdavis.edu/farmers_market/safety)
- **Food Safety for Agritourism, University of Vermont Extension.** <http://www.uvm.edu/tourismresearch/agritourism/?Page=agfoodsafety.html>
- **Lancaster Country Smart Growth Toolbox**, including model zoning ordinance language for agritourism uses. <http://www.co.lancaster.pa.us/toolbox/cwp/view.asp?a=3&q=623913>
- **Changing the Rules: Planning for and Regulating Agritourism in California, University of California Small Farms Program.** <http://sfp.ucdavis.edu/agritourism/planners>
- **Zoning Laws a Challenge to Farms Wanting to Grow.** Eckert, Jane (2007). Available at <http://www.eckertagrimarketing.com/articledir/eckert-agritourism-zoning-laws-a-challenge.shtml>
- **Legal Structure Rules & Regulations for Direct Marketing Enterprises. From Direct Marketing and Tourism Handbook.** Gibson, Richard D. (1995). University of Arizona, Department of Agriculture. Available at <http://cals.arizona.edu/arec/pubs/dmkt/dmkt.html>
- **The National Children's Center for Rural and Agricultural Health and Safety** Available under Resources at: <http://www.marshfieldclinic.org/nfmc>
- **Agritourism in Focus: A Guide for Tennessee Farmers.** University of Tennessee Extension (2005). Available at <http://www.extension.purdue.edu/extbusiness/stories/PB1754.pdf>



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