

**APPLICANT COPY**  
**AARC Decision Tree**  
**A Tool for Evaluating Agri-Tourism/Business Proposals**

All applicants for an accessory and/or conditional use permit for an agri-tourism/business enterprise are required to complete the following application and include a site plan. The application form will facilitate evaluation of agri-tourism/business proposals by identifying aspects of the proposed activity that may or may not be “of the same general character as the above (other conditional uses) or contribute to keeping a farm active as an agricultural enterprise.”

In this decision tree, you are asked a series of questions designed to assess the impacts of the proposed activity on various qualities associated with an agricultural district. In addition, the series of questions serves as an informational tool, highlighting for you, critical issues that should be considered as you develop your agri-tourism enterprise.

Each answer yields a point score and a possible 845 points can be accumulated by those proposed agri-tourism/business activities most likely to be “of the same general character” as those in an agricultural district. Proposals accumulating at least 676 points (80% of potential points) should be recommended for approval by AARC, proposals receiving 541 – 675 points (65 – 79% of potential points) need additional review by the Board of Adjustment, and proposals receiving less than 540 (64% or less) points should be recommended for rejection by AARC.

*NOTE: \*If a conditional use permit is approved with a set number of event days, applicants will need to have an on-line calendar or maintain a log of events that can be reviewed by the public or the Zoning Administrator that reports each event day so that the Board of Adjustment and neighbors can track whether the applicant is meeting the conditional requirements.*

**GENERAL INFORMATION**

**Will the proposed activity be daily, seasonal or event-based?** (Check all that apply)

- DAILY**
- SEASONAL**
- EVENT/ACTIVITY-BASED\***

*NOTE \*An event day is any activity such that paying customers are there to participate in activities associated with the event. For example, a wedding may be one event day (ONLY the wedding and the reception on the property) or two days (BOTH the rehearsal dinner AND the wedding and/or the reception occur on the property).*

## IMPACT QUESTIONS

**1. Will the proposed event or activity occur on a Woodford County farm currently being operated as an active agricultural enterprises? (POSSIBLE 100 POINTS)**

- YES (Go to Question #2)
- NO Will the proposed activity contribute to keeping open land (i.e., land that is not currently being operated as an agricultural enterprise) as green space?
  - YES
  - NO

*Rationale: The purpose of permitting agri-tourism/business activities in an agricultural district is to open opportunities for farm land owners to maintain their land in agricultural activities or as open land. If the proposed activity does not accomplish these two objectives then it should not be permitted in an agricultural district.*

**2. Will the proposed enterprise affect the quality of rural life of adjacent home owners? (POSSIBLE 100 POINTS)**

**2a. How close is the proposed activity to an existing residence? (POSSIBLE 60 POINTS)**

*(Beginning at 600 ft. distant from the nearest residence, for every 300 ft of distance separating the nearest residence from the proposed activities additional points will be earned)*

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**2b. Will the headlights of vehicles Participating in the agri-tourism activity impact the residence or other buildings on a neighbor's property? (POSSIBLE 40 POINTS)**

- NO
- YES

*Rationale: The agri-tourism activity should not diminish the quality of rural life of adjacent home owners and intrusive vehicle headlights represents a form of light*

*pollution for neighbors.*

**3. Will the proposed activity or event affect the existing agricultural operations of adjacent property owners? (POSSIBLE 100 POINTS)**

- 3a.** Distance of proposed activities or events to adjacent property owner's existing agricultural activity could be detrimentally affected by the proposed activities.

What is the distance in feet of proposed activities from adjacent activities?  
**(POSSIBLE 60 of 100 POINTS)**

*(Beginning at 600 ft from the nearest residence, for every 300 ft of distance separating the proposed agri-tourism and the adjacent agricultural activity points will be earned)*

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- 3b.** What type of agricultural activities occur on the adjacent properties?  
**(POSSIBLE 40 OF 100 POINTS)**

List types of agricultural activities occurring on adjacent properties (such as crops, wooded or open space, or livestock, including horses):

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*Rationale: It is important that new agri-tourism enterprises not disrupt the existing agricultural activities of their farm neighbors. Obviously, a livestock operation will have more potential impacts from an adjacent agri-tourism enterprise than an operation based on crops or wooded or open spaces. The potential impact on the adjacent enterprise may be increased or decreased by the distance between the location of the agri-tourism activities and the location of the adjacent agricultural activities.*

**4. Will the owner or a family member live on the property or on an adjacent contiguous parcel? (POSSIBLE 50 POINTS)**

- NO
- YES

*Rationale: When the owner or a family member is present, that individual will have a vested interest in managing the impact of the agri-tourism activities on the property and the neighbors. Owners and their family members have been a part of the neighborhood and know those who live near-by and will have a strong desire to protect their*

*neighbors' privacy and way of life.*

**5. Is the proposed site under 10 acres? (POSSIBLE 20 POINTS)**

YES

NO

*Rationale: It is important that new agri-tourism enterprises not disrupt the existing agricultural activities of their farm neighbors. On very small parcels, it will be difficult to have sufficient distance between the agri-tourism site and the neighbors to buffer the traffic, noise and/or lights from an agri-tourism enterprise.*

**6. Does the proposed activity or event involve producing or using agricultural commodities? (POSSIBLE 50 POINTS)**

*NOTE: Agricultural commodities must be currently available from the farm or from other Woodford County farms*

**NO - Go to Question 7.**

**YES (answer below)**

**6a. Does the proposed activity or event involve producing or using agricultural commodities from other Woodford County farms? (POSSIBLE 10 POINTS)**

YES - List what they are below:

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**6b. Does the proposed activity or event involve producing or using agricultural commodities from the applicant's farm? (POSSIBLE 40 POINTS)**

YES - List what they are below:

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*Rationale: A proposed activity that produces or uses agricultural commodities from Woodford County or adds value to Woodford County agricultural commodities represents an expansion of the market for commodities and thus increases the likelihood that Woodford County farmers can make a profit from their agricultural enterprises.*

### **ENVIRONMENTAL ISSUES**

**7. Will the proposed activity or events affect the quality of the environment? (POSSIBLE 75 POINTS)**

**7a. Will the proposed activity affect water quality on this agricultural enterprise? In other words, will the proposed activity alter the water quality management plan for this farm? (POSSIBLE 25 POINTS)**

- NO (Go to question #8)
- YES - *Explain the water quality impact in detail below and attach the original and the revised water quality management plans for this farm.*
  - No revised Water Quality Management plan attached
  - Revised Water Quality Management plan attached and approved by SCS

*Rationale: The quality of the natural environment is essential to a healthy agricultural ecosystem. Therefore maintaining the quality of the natural environment should be of paramount importance in evaluating any potential impacts of agri-tourism/business proposals. Water quality is the most important environmental impact because groundwater quality affects both rural and urban populations in addition to agricultural production.*

**7b. Is there a plan for managing storm water runoff from the changed use of the land to accommodate the proposed activity? (POSSIBLE 50 POINTS)**

- NO
- YES

**LIABILITY AND RISK ISSUES**

**8. Does the owner/operator carry liability insurance related to the activities? (POSSIBLE 10 POINTS)**

- YES (If YES, attach a copy of proof of insurance)
- NO

*Rationale: Liability and risk management are fundamental business concerns for agricultural enterprises. This question reminds those considering agri-tourism enterprises to determine if their current insurance includes the types of commercial activities being proposed for their farm.*

**9. Will the proposed activity allow visitors to be out of the sight of or control of the farm owner/operator or their employees? (POSSIBLE 10 POINTS)**

- NO (Go to Question #10)
- YES If visitors will be out of the sight of or control of the farm owner/operator or their employees:

9a. Attach a draft of a statement to be provided to visitors defining the boundaries of the farm that will be the site of the agri-tourism business.

- No draft of statement defining property boundaries attached
- Yes draft of statement defining property boundaries attached

9b. As the owner/operator of the agri-tourism business, are you willing to post “no trespassing” signs on your boundary fences?

- YES
- NO

*Rationale: Liability and risk management are fundamental business concerns for agricultural operators. If agri-tourism/business activities are going to be permitted in the agricultural district, they must not increase the liability risks for neighbors since this could lead to high and potentially devastating economic costs for neighbors. Therefore, it is imperative that the individual proposing the agri-tourism/business demonstrate reasonable and prudent efforts to protect neighbors from increased liability. There is no net gain to Woodford County if we permit activities in agricultural districts that benefit one agricultural enterprise at the expense of others. It is important to insure equity and*

*fairness in burden unless compensation for losses can be provided.*

**IMPACT ON NEIGHBORING PROPERTIES AND THE VIEWSHED**

**10. Will the proposed activity or event have noise that can be heard by neighbors or be disruptive to neighbors' livestock? (POSSIBLE 100 POINTS)**

- NO (Go to Question #11)
- YES if noise occurring on farm where adjacent properties are open land or crop land, OR
- YES on farm where adjacent properties are livestock based but noise mitigated by buffering AND ending by 10:00 PM, OR
- YES no buffering on farm where adjacent properties are livestock based or will affect neighbors.

*Rationale: The average noise level in rural/agricultural areas is lower than in urban area and the "quiet" is a component of the "character" of rural areas. But it must also be acknowledged that agricultural activities can also produce noises from the operation of equipment. So, the issues with respect to noise are: Is the nature of the noise similar to or different from the noise that normally occurs in rural/agricultural areas? If not, will the noise associated with the activity be daily, seasonal or event-based? And, is it possible to buffer the noise? Noise diminishes the quality of life for neighbors, and so must be a factor in evaluating development proposals.*

**11. Will amplified music/sound (any music other than acoustic) be permitted as part of the agri-tourism activity?(POSSIBLE 50 POINTS)**

- NO
- YES *Amplified music must be concluded by 10 PM at which time the amplified music becomes a nuisance that can be acted upon legally.*

**12. Will the proposed activity have lighting that will trespass on neighbors' homes or other structures or adjacent livestock? (POSSIBLE 30 POINTS)**

- NO *Shielded lights or string lights are examples of lighting that does not trespass*

- YES

*Rationale: Light trespass reduces everyone's privacy and it is important that the lighting for agri-tourism activities helps maintain and compliment the agricultural character of the surrounding area. Appropriately designed lighting that is correctly focused can avoid dangerous and annoying glare, light trespass, and the unnatural brightening of the night sky.*

**13. Will the proposed activity involve the construction of new structures that would be visible from the road? (POSSIBLE 100 POINTS)**

- NO (Go to Question #14)
- YES Will the structure be designed to fit the scale and character of the agricultural setting? Attach a rough draft of the structure to be constructed.
  - No, the structure will not be appropriate to an agricultural setting
  - Yes, the structure will be designed to fit the scale and character of the agricultural setting

*Rationale: A key non-economic value of the agricultural district is the viewshed – the open landscape that can be seen from the road. In Woodford County, this viewshed is a significant component of the tourism value of our agricultural lands. As a result, development proposals that involve structures not in keeping with an agricultural district would diminish the visual quality of the district. But it is acknowledged that it is possible to architecturally design structures that are physically appropriate for an agricultural district although their function may not be agriculturally-related (e.g., the library/conference building at Keeneland). Therefore, while structures or other activities in the viewshed of the agricultural district diminish the value of the viewshed, it is possible to mitigate these effects.*

**14. Is there a plan for parking visitors that takes into account good traffic flow, the material surface of the parking area, the impact of the parked cars on the land surface, and minimizes the visual impact of the parked cars on the viewshed? (POSSIBLE 50 POINTS)**

- YES (please attach plan)
- NO



**TOTAL POINTS =845 MAXIMUM POSSIBLE**

- **845 - 676 POINTS (100 - 80%) = RECOMMENDED FOR APPROVAL BY AARC**
- **675 - 541 POINTS (79 - 65%) = NEEDS ADDITIONAL REVIEW BY THE BOARD OF ADJUSTMENT**
- **540 POINTS or LESS (64%) = RECOMMENDED FOR REJECTION BY AARC**