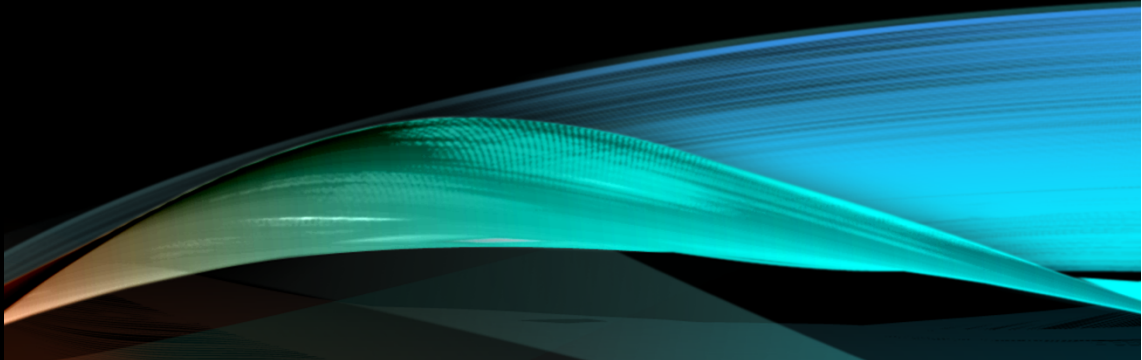




FARM FRIENDLY ZONING

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SESSION WILL COVER...



FARM-FRIENDLY
AUDIT



COMPREHENSIVE
PLANNING



ZONING



FARM-FRIENDLY
TOOLS

FARM-FRIENDLY AUDIT

- Includes a critical review of:
 - Comprehensive Plan
 - Zoning Regulations
 - Subdivision Regulations
 - Others (Solar law, Right to Farm law)



A FARM-FRIENDLY AUDIT WILL...

- Show strengths and weaknesses
- Identify where updates are needed



Does your community support agriculture?

Audit of Comprehensive Plan in _____

Ask this question...	Yes	No	Notes
1. Does the plan have a section on agriculture?			
2. Does the plan include maps of agricultural lands, important farmland soils, agricultural districts, etc.?			
3. Was the plan based on public input that included questions or exploration about the role of agriculture in the community? I.e. did a survey include questions about agriculture? Was there anything in workshops about it?			
4. Does the mission statement or goals address agriculture in any way? Is there any visible demonstration of the value of agriculture to the community in the plan?			
5. Does the plan consider agriculture as an important resource in town?			
6. Does the plan recognize or reference a local or County agriculture and farmland protection plan?			
7. Does the plan include any data on farms and farmland? Income or occupations from farming or other demographic data?			
8. Does the plan establish policies towards farmland and farming?			
9. Does it identify the value of farmland and farms to the community?			
10. Does it offer any recommended actions related to farming or farmland or ways to preserve or enhance farming?			
11. Does the plan establish a policy and/ or future actions for the agricultural use of open space that may be created in a conservation subdivision or clustering?			
12. Does the plan discuss NYS Agricultural Districts and how the town can be supportive of that?			
13. Does it consider farmland a natural resource and encourage easements or other protections of that land? Is there a policy discussed for PDR, LDR or TDR?			
14. Does the plan recommend growth in areas that are currently farmed? Does it recommend extension of infrastructure into core farm areas? Is agriculture a consideration of where growth does or not does not take place?			

FARM-FRIENDLY COMPREHENSIVE PLANS

- Include discussion of agriculture
- Recognize role and value of agriculture
- Include maps and data
- Establishes policies towards farms and farmland
- Offers specific actions & strategies



TO BE FARM FRIENDLY, ZONING MUST INTEGRATE AGRICULTURE IN...



- Purpose Statements
- Definitions
- Use Schedule
- Dimension/Bulk Requirements
- District Standards
- Siting Standards
- Procedures

CONSISTENCY - ZONING & NYS AGRICULTURE DISTRICTS

AML 25-aa – It
rules!

Address
Farmworker
Housing

Site Plan
Review of
Farms

Special Use
Permits for
Farms

Windmills/Solar
on Farms

Ag District vs
Ag Assessment

PURPOSE STATEMENT(S)

- Should be tied to goals of Comprehensive Plan
- Used to elevate role of agriculture in community

Examples:

Town of Halcott, Greene County – “To protect agriculture and aquaculture uses and encourage their future growth.”

Town of Peru, Clinton County – “To protect farms, farmland, and promote agricultural economic growth.”

Town of Chatham, Columbia County - “A further purpose is to sustain a viable agricultural economy and protect farmland.”

DEFINITIONS

- Broadly define all agricultural terms
- Specifically define related terms
- Do not limit or place acreage restrictions on what a farm must be, especially in definition.
- Tie to NYS AML definitions

Farm Operation

Agri-tourism

Ag Business

Farm Worker Housing

Farmland

Brewery/Distillery/Cidery



USE SCHEDULE

- In NYS Ag District – Permit with limited use of site plan review, rare Special Use Permit, Use Modified Site Plan Review
- Allow agricultural uses in more than 1 zoning district
- Allow for farm business flexibility.
- Allow for businesses that serve farms such as vets, slaughterhouses, equipment and repair, etc.
- Beware of mixing farm and non-farm use.



EXAMPLE OF USE TABLE:

Commercial Agricultural Uses:						
Agriculture – animals	P if In NYS Ag District, SUP if not	P if In NYS Ag District, SUP if not	P	P if In NYS Ag District, SUP if not	X	P
Agriculture—crops, hay	P	P	P	P	X	P
Aquaculture, Fish Hatchery (See Section V, J)	SUP	SUP	P	SUP	X	P
Barns and Stables	P if < 1000 sf, ASPR if 1000 sf or greater if in NYS Ag District; SUP if >1000 sf if not in NYS Ag District	ASPR if In NYS Ag District, SUP if not	P if < 1000 sf, ASPR if 1000 sf or greater if in NYS Ag District; SUP if > 1000 sf if not in NYS Ag District	ASPR if In NYS Ag District, SUP if not	X	P if < 1000 sf, ASPR if 1000 sf or greater if in NYS Ag District; SUP if >1000 sf if not in NYS Ag District
Beekkeeping	P	P	P	P	X	P
Christmas Tree Farm	ASPR	ASPR	P	ASPR	X	P
Equipment sheds	ASPR if In NYS Ag District, SUP if not	ASPR if In NYS Ag District, SUP if not	P if In NYS Ag District, SUP if not	ASPR if In NYS Ag District, SUP if not	X	P if In NYS Ag District, SUP if not
Farm stand	ASPR	ASPR	P	ASPR	X	P
Fences	P	P	P	P	X	P
Greenhouse, Hot house	ASPR	SUP	P	SUP	X	P

DIMENSION/BULK REQUIREMENTS

- Restrictions on height, building size, lot coverage, setbacks, yard requirements for farms are not farm-friendly.
- Limiting # of animals or restricting types of farm animals allowed not farm friendly.
- Some setbacks from streams, water supplies, other environmentally sensitive areas would be OK, but front yard setbacks for barnyards, new barns, etc. would not

EXAMPLE

Farm Friendly

- Lot sizes shall average 3 acres
- No size restrictions on farms
- Agriculture shall be a permitted use in all zoning districts
- Building envelopes shall avoid prime soils and soils of statewide significance

Not Farm Friendly

- Minimum lot size shall be 3 acres
- A farm may not be established on a lot smaller than seven acres
- Agriculture shall require a special use permit
- Regulation does not define building envelope, productive lands, prime soils, or include siting standards for new uses in farming areas

PROCEDURES ARE IMPORTANT



- Submissions to include ag-related information (put agriculture at same level for review as wetlands, streams, other environmental features).
- Ask for NYS Ag District status, whether ag is taking place, farmland soils, etc.
- Require Ag Data Statement as per NYS AML 25-aa.
- Discuss impact on agriculture via SEQRA

TOOLS TO CONSIDER

- Establish density that works with farming
- DENSITY instead of minimum lot size (du/ac)
- Lot size averaging
- Farm buffers (provided by non-farmer)
- Conservation subdivisions/Allow ag in open space
- Incentive zoning (Bonuses)
- Ag Overlay Districts
- Modified Site Plan Review
- Limit conflicting land uses

FOR MORE INFORMATION

- Contact: Nan Stolzenburg, AICP CEP
www.planningbetterplaces.com
nan@planningbetterplaces.com
- Example of Audit:
<https://www.dutchessny.gov/Departments/Planning/Docs/farm-friendly-audit-topics.pdf>
- NYS Ag and Markets Guidance Documents
<https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws>