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
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:

<table>
<thead>
<tr>
<th>Commercial Agricultural Uses:</th>
<th>P If in NYS Ag District, SUP if not</th>
<th>P If in NYS Ag District, SUP if not</th>
<th>P If in NYS Ag District, SUP if not</th>
<th>X</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture—animals</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Agriculture—crops, hay</td>
<td>SUP</td>
<td>SUP</td>
<td>SUP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aquaculture, Fish Hatchery (See Section V, J)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Barns and Stables</td>
<td>P If &lt; 1000 sf, ASPR If 1000 sf or ASPR If 1000 sf</td>
<td>ASPR If in NYS Ag District, SUP if not</td>
<td>P If &lt; 1000 sf, ASPR If 1000 sf or ASPR If 1000 sf</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Beekeeping</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Christmas Tree Farm</td>
<td>ASPR</td>
<td>ASPR</td>
<td>ASPR</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Equipment sheds</td>
<td>ASPR If in NYS Ag District, SUP if not</td>
<td>ASPR If in NYS Ag District, SUP if not</td>
<td>P If in NYS Ag District, SUP if not</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Farm stand</td>
<td>ASPR</td>
<td>ASPR</td>
<td>P</td>
<td>ASPR</td>
<td>X</td>
</tr>
<tr>
<td>Fences</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>X</td>
</tr>
<tr>
<td>Greenhouse, Hot house</td>
<td>ASPR</td>
<td>SUP</td>
<td>P</td>
<td>SUP</td>
<td>X</td>
</tr>
</tbody>
</table>
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
PROC EDURES 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/acre)
• 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

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• Example of Audit:  

• NYS Ag and Markets Guidance Documents  
  https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws