

Chapter 6: Agricultural Resources Plan

INTRODUCTION

This chapter provides an analysis of agricultural resources (See Chapter 11: Agricultural Resources Inventory), a discussion of their importance to the Region's vitality and rural character, and recommendations for the preservation of farmland and the agricultural industry in



the Region. Municipal leaders in the Northern Federation consider Agriculture an integral component of northern Chester County and an essential element in maintaining the rural character and historic integrity of the Region.

Municipalities in the Northern Federation have taken a proactive approach to preserving agriculture by permitting and/or promoting development options that are sensitive to agriculture, such as conservation development, in their respective zoning ordinances. However, these actions and

regulatory efforts primarily seek to protect agriculture through the protection of open space. And while agricultural uses can be successfully preserved through the implementation of development options such as conservation subdivision, agriculture uses must compete with other types of open space for preservation. Therefore, the Northern Federation may begin to implement options to help preserve agriculture as a use and industry, not only as a type of open space.

The recommendations in this Chapter serve to support the current practices of protecting agriculture through protecting open space, while expanding municipal options (e.g. effective agricultural zoning) which will allow the Northern Federation to engage in the debate of agriculture as a viable economic industry, and thereby looking at the types of protection measures necessary to implement such a practice.

ORGANIZATION OF CHAPTER

The recommendations included in this chapter are organized as follows:

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GOAL AND OBJECTIVES

The following goal for the protection of agricultural resources guides planning in the Region:

AGRICULTURAL RESOURCES GOAL: Support the preservation of agriculture as a viable business, an open space resource, and a component that defines the character of the Region.

The focus of this Agricultural Resources Plan is how to best achieve this goal and implement its related objectives. To help the reader understand how the recommendations in this Plan relate to the goal and objectives each recommendation is followed by one or more of the following objectives (the assigned number/letter) that corresponds to the recommendation.

OBJECTIVES

- 6-A. Provide support and assistance for farmers to continue to use their land for agricultural production, animal husbandry, and related businesses while recognizing their full range of property rights.
- 6-B. Encourage and support farmland protection through the use of private and public measures including, but not limited to Agricultural Security Areas, conservation easements, property tax relief programs, and public bond act programs.
- 6-C. Encourage the conservation of prime agricultural soils for agricultural purposes.
- 6-D. Encourage and promote farmland protection through alternative development options such as: conservation development, effective agricultural zoning, and transferable development rights.
- 6-E. Reduce or eliminate undue restrictions on agricultural operations in order to promote their continuation.
- 6-F. Encourage the location of compatible land uses adjacent to agricultural areas to reduce the potential for border conflicts.

INVENTORY OF AGRICULTURAL RESOURCES IN THE REGION

Although the number of active farms has declined in the last few decades as a result of increased economic and/or development pressure, the farms that remain have a significant impact on the character of the Region. Farmland is somewhat scattered throughout the northernmost portion of the Region, with large contiguous areas of farmland located in the townships of East Nantmeal, East and West Vincent, South Coventry, Wallace, and Warwick as shown on Map 6-1¹.

Sixty-three percent of all soils in the Region have been classified as prime agricultural soils by the USDA Soil Conservation Service (see Chapter 11: Agricultural Resources Inventory for more information). The parcels that are identified on Map 6-1 consist primarily of class I, II, and

¹ Map 6-1 was reviewed and edited by the Northern Federation (June 2005).

III Soils. A review of Map 11-1 also identifies a number of these parcels as being protected under easement in perpetuity as agricultural or open space uses.

The parcels currently in farmland, as identified on Map 6-1, represent approximately 22,500 acres or 29% of the total acres of the Region. Farmland still represents a significant land use in the Region and more importantly an important component of the Region's character and a link to its agrarian history. The recommendations that follow focus on the preservation of this valuable resource.

AGRICULTURAL RESOURCE PROTECTION RECOMMENDATIONS

Agricultural Resources in the Region are being threatened by the impacts of development and conflicts with adjacent land uses and must be protected from these impacts and conflicts or the Region will risk losing the remainder of its agrarian character and an economic resource. The municipalities in the Northern Federation will need to take action in order to preserve agricultural uses and, in turn, a remainder of the historic way of life and the rural character of the Region. Recommendations for the protection of agricultural uses come in the form of the implementation of preservation programs, public and private sector cooperation, favorable municipal regulatory action, and the education of current and new residents.

PRESERVATION AND CONSERVATION PROGRAMS

There are many preservation programs designed to protect agricultural resources. Many of the programs are designed to be taken advantage of by landowners, however municipalities in the Northern Federation should continue to support landowner efforts. (See Chapter 11: Agricultural Resources Inventory for more detail.)

AGRICULTURAL SECURITY AREAS (ASA)

Agricultural security areas (ASA) are intended to protect the production of agricultural foods, natural resources, open spaces, and help retain the scenic quality of the Commonwealth. In addition, ASA's provide several benefits to landowners such as additional protection against public nuisance claims, and local eminent domain condemnation. Many preservation programs require that land be in an ASA as a threshold to eligibility.

Program Designed For:	Farmers/Landowners
Program is:	Voluntary and On-going
Program Requires:	Municipal Involvement to establish ASA

- Recommendation for the promotion of agricultural security areas

The actions that follow are in sequential order:

ACTION 6-1 Continue to promote and support agricultural security areas at the municipal level as a first step toward preservation efforts, therefore, it is critical that each municipality continue to adopt proposed ASA's. Municipal support of ASA's, and the protection they provide will help farmers in the Region. In addition, many programs require land be in an ASA before being eligible for preservation.

- ACTION 6-2 Inform and update the county on the location of adopted ASA's so that landowners will be eligible to participate in county programs.
- ACTION 6-3 Provide educational information to new residents (via the websites, newsletters, or workshops) to help explain how ASA's work and the nuisance laws that protect farm operations. In addition, share conservation successes and benefits with residents. This will indicate the importance of agriculture in the Region and may help educate new residents of the impacts of living near agricultural areas.

See ACTIONS 1-2 and 1-3

Objective(s) addressed by Actions 6- 1, 6-2, and 6-3: 6-A, 6-B, 6-C, 6-E, 6-G, and 6-H.

COMMONWEALTH OF PENNSYLVANIA AND CHESTER COUNTY AGRICULTURAL CONSERVATION EASEMENT PURCHASE PROGRAM

Administered by the Chester County Agricultural Land Preservation Board (ALPB), the Agricultural Conservation Easement Purchase Program enables landowners to sell the development rights of their property to the county, through partnerships with the Commonwealth and municipalities.

- Program Designed For:** Farmers/Landowners
- Program is:** Voluntary and Selection is on an annual basis
- 2005 Requirements:**
- ▶ Land must be in an ASA consisting of 500 or more acres.
 - ▶ Be contiguous acreage of at least 50 acres in size unless the tract is at least 10 acres in size and is either utilized for a crop unique to the area or is contiguous to a property that has a perpetual conservation easement in place. (Another alternative for "county only easements" is at least 25 acres if tract is owned and operated as an integral piece of an agricultural operation unit that has a tract of at least 25 acres already permanently preserved. The tracts need not be adjacent.)
 - ▶ Have at least 50% of the soils which are available for agricultural production and are of capability classes I-IV.
 - ▶ Contain the greater of 50% or 10 acres of harvested cropland, pasture, or grazing land.

- Recommendation for the Agricultural Conservation Easement Purchase Program:

The actions that follow are in sequential order:

- ACTION 6-4 Support the Commonwealth of Pennsylvania and County of Chester Agricultural Conservation Easement Purchase Program. This involves several steps (see additional actions below). The municipalities must first support ASA's as only agricultural lands located in locally adopted ASA's will be eligible for agricultural conservation easement acquisition.

- Consider participating in the Agricultural Conservation Easement Purchase Program by offering funds and partnering with the county or Commonwealth to purchase agricultural easements help preserve farmland. Any municipality and other defined “local government unit” that has created an agricultural security area may participate (co-mingle) with an eligible county and the Commonwealth in purchasing agricultural conservation easements. Under this option for the 2005 round, however, the funding cap per acre may not be exceeded (maximum \$12,000.00 per acre), and the municipality becomes a co-holder of the easement. For specific program requirements each year, see the Commonwealth of Pennsylvania and County of Chester Agricultural Conservation Easement Purchase Program Guidelines.
- Offer a financial incentive to landowners with properties that the municipality has determined are vital for continued preservation efforts without becoming a co-holder of an easement. As an alternative to co-mingling funds and responsibility with the county or Commonwealth, a municipality may offer additional dollars (anything above the cap per acre) for a particular property (which should be based on locally established criteria to warrant such additional funds and include an impartial MAI appraisal). However, the municipality will not be considered a partner of the County or Commonwealth in the Agricultural Conservation Easement Purchase Program and is solely responsible for enforcing any unique restrictions they purchase.

Objective(s) addressed by Actions 6-4: 6-A, 6-B, and 6-C.

CHESTER COUNTY CHALLENGE GRANT PROGRAM

The Chester County Challenge Grant Program is an agricultural conservation easement purchase program established by the Chester County Board of Commissioners that requires a local “match” of funds. The criteria are less intensive (soil and acreage requirements) than the Commonwealth Agricultural Conservation Easement Purchase Program criteria and may be well suited for properties in the Region. The primary source of local matching funds has been municipalities although private or non-profit entities may also provide the match. The municipality will not determine which land the county preserves, but should recognize that the county’s criteria, based on the state criteria, has been established to preserve the highest quality lands based on an overall assessment. Each calendar year, the county invites municipalities to submit a pledge of matching funds.

Program Designed For:	Farmers/Landowners
Program is:	Voluntary and Selection is on an annual basis
2005 Requirements:	Local matching funds and the following: <ul style="list-style-type: none">▶ Land must be located in a municipality or municipalities whose Board of Supervisors has committed, in writing, to participate by providing matching funds for successful applications for development right acquisition, or have 50 percent matching funds dedicated by an appropriate source. The above is waived if applicant indicates 50 percent bargain sale on the application.▶ Land must be enrolled in an adopted municipal Agricultural Security Area to be eligible;▶ The property must be situated in areas designated as a Rural or Natural Landscape in the Chester County Comprehensive Policy Plan, Landscapes. In cases where the property straddles the boundary between a

Rural and/or a Natural Landscape and a Suburban or Urban Landscape, at least 50 percent of the parcel(s) submitted must be in the Rural and/or Natural Landscape;

- ▶ The parcel must be at least 25 acres if is not contiguous to an existing permanently protected parcel; or it must be a minimum of 10 acres if it is contiguous to another permanently protected parcel;
- ▶ Contain at least 50 percent cropland, pasture or grazing land. This includes equestrian uses.

Recommendation for the Chester County Challenge Grant Program for Farmland Preservation:

The actions that follow are in sequential order:

ACTION 6-5 Support the Chester County Challenge Grant Program. This involves several steps (see additional actions below). The municipalities must first support ASA's as only agricultural lands located in locally adopted ASA's will be eligible for agricultural conservation easement acquisition.

- Establish ways to raise funds for open space and agricultural land acquisition with mechanisms, such as but not limited to, an earned income tax, or bond initiatives.
- Pledge funds to meet the county match requirement, regardless of how the municipality chooses to raise such funds for land purchases.

ACTION 6-6 Create private sector partnerships with existing land trusts or support the establishment of a local land trust or alternative mechanism to preserve properties independent of The Challenge Grant Program. It is a competitive process and the program may not be a solution for every property that the municipality has determined is a high priority for preservation.

Objective(s) addressed by Actions 6-5 and 6-6: 6-A, 6-B, and 6-C.

PRESERVATION PARTNERSHIP PROGRAM (PPP)

The Chester County Commissioners established the Preservation Partnership Program (PPP) in 1993. Through the PPP, the County provides funding to nonprofit conservation organizations and land trusts for land preservation projects. To be eligible for funding, organizations must be classified by the United States Internal Revenue Service as private nonprofit organizations, have been incorporated for at least five years, and have land preservation as a primary part of their mission. Over a dozen private nonprofit conservation organizations are currently working in the county to preserve the most important parts its remaining natural heritage.

Applications for funding are accepted and reviewed once a year. Funds are offered to top ranked projects that provide the highest degree of public benefit within annual funding limitations. \$2 million in county funding was available through the PPP in both 2004 and 2005. The program has no minimum acreage requirements.

Program Designed For:	Nonprofit conservation organizations/Land Trusts
Program is:	Voluntary and Selection is on an annual basis
Program Requirements:	None for Municipalities

Recommendation for the Preservation Partnership Program:

ACTION 6-7 Support nonprofit conservation organizations and land trusts in their efforts to preserve agriculture and other resources. Support can be provided through local funding, landowner contact, and assessing potential for development and conservation on specific sites. In addition, there may be potential to partner with conservation organizations or land trusts to secure funds from foundations as well as the Commonwealth.

Objective(s) addressed by Action 6- 7: 6-A.

GENERAL RECOMMENDATIONS

Several of the following actions have been stated above in the context of a specific program. They are reiterated here because they have merit in general for supporting agriculture beyond the context of a particular preservation program.

ACTION 6-8 Consider financing options such as earned income taxes or bond initiatives to preserve agricultural lands.

ACTION 6-9 Consider establishing open space committees to help prioritize the land best suited for preservation and to undertake administrative duties, such as finding funding for preservation.

ACTION 6-10 Support establishing local land trusts to facilitate with agricultural and open space preservation.

ACTION 6-11 Organize municipal resources to help preserve agriculture and open space lands. This includes prioritizing parcels to preserve, establishing funding sources to show intent to preserve, and working/talking/negotiating with other parties, such as land trusts, nonprofit groups, and/or agencies, to determine potential partnerships for preservation efforts.

ACTION 6-12 Include educational articles in municipal newsletters, or on the municipal websites to educate residents on important preservation topics. In addition, the Northern Federation or individual municipalities may host workshops or seminars, on important preservation topics and/or programs.

Objective(s) addressed by Actions 6- 8 thru 6-12: 6-G, 6-H and 6-I.

OUTREACH INITIATIVES

“BUY FRESH/BUY LOCAL”

In the late 1990’s the Pennsylvania Association for Sustainable Agriculture and its partners, the Philadelphia Fair Food Project and Farm to City, unveiled a marketing campaign called ‘Buy Fresh/Buy Local’ that serves to connect farmers and consumers through a variety of methods, including a network of farmers’ markets, community supported agriculture (CSAs), restaurants, caterers and other market venues. A goal of the campaign is to create a brand label for consumers to look for when shopping.

CHESTER COUNTY FARM BROCHURE

To further the idea of buying fresh, local produce, the Chester County Board of Commissioners and the Agricultural Development Council & Agricultural Land Preservation Board developed the *Farm Stands, Markets, Orchards & Community Supported Agriculture* produce guide and map for Chester County to try and help residents know where they can buy fresh locally grown produce. The Brochure is updated throughout the year on the county’s website:



www.chesco.org/agriculture/farmmarkets. See Chapter 11, Agricultural Resources Inventory for a discussion on and list of local community supported agriculture opportunities, farm markets, and farm stands.

The following recommendations are linked to the initiatives that farmers undertake to promote agriculture and how they reach out to local residents so the community becomes a stakeholder in the production of agriculture.

- Recommendation for the promotion of Local Agricultural Uses

ACTION 6-13 Promote CSA membership and farm stand and market consumer activity by showcasing such facilities in municipal newsletters and distributing copies of the county’s *Farm Stands, Markets, Orchards & Community Supported Agriculture* produce guide and map at municipal offices and community events (See Chapter 5: Recreation Plan for a list of community events).

ACTION 6-14 Invite local farmers to participate in community events in order to promote agriculture and identify farmers as integral members of the community.

Objective(s) addressed by Actions 6-13 and 6-14: 6-H and 6-I.

AGRICULTURAL PRESERVATION THROUGH MUNICIPAL REGULATION

Although preservation programs discussed above play an integral role in the preservation of agricultural uses, in terms of municipal implementation, the most influential tool a municipality has in the goal of preserving these uses is regulatory. Figure 6-1 outlines municipal regulations that relate to the preservation of farmland and the agricultural industry in the Region. Regulatory measures refer to amendment of the local zoning ordinance and/or the subdivision and land development ordinance for the regulation/preservation of these resources. Permitting and

promoting agricultural uses through zoning regulation is important. In some cases, reducing the regulatory burden on a farmer can promote the continuation of the agricultural use.²

CONSISTENT DEFINITION OF AGRICULTURE

For the purposes of consistency in the promotion of agricultural uses throughout the Region, it is imperative that there be a clear definition of what is and, more importantly, what is not considered agriculture. Historically, when referring to agriculture the definition included cropland and the keeping of livestock. Today, the definition of agriculture has broadened and now includes specialty farming for crops such as wine grapes and Christmas trees. For example, several municipalities in the Northern Federation include uses such as Christmas tree farms and equestrian operations in their definitions of agriculture (zoning ordinance). Others include piggeries and poultry houses, often considered intensive agricultural uses, as uses in their definition of agriculture. In order to develop and adopt regulations that will provide consistent treatment of agricultural and related uses on a regional basis, a consistent definition of agriculture should be developed and considered by the Northern Federation.

The need for a consistent definition of agriculture is magnified by the agricultural uses commonly referred to as “intensive.” These often include uses such as mushroom operations, pig farms, and poultry houses. These uses are considered intensive because of their related odors, noises, and/or manure and/or waste production. The state regulates these operations based on the volume of manure production and associated need for conservation or manure management plans. In general, these uses or facilities should be regulated in the same way and to the degree as interpreted based on the state’s treatment of intensive agricultural uses.

Note: More information on intensive agricultural uses and the municipal role in the regulation of these facilities can be ascertained through the Chester County Conservation District.

- Recommendation for a consistent definition of Agriculture in the Region

ACTION 6-15 Develop a consistent region-wide definition of agriculture that meets the needs of municipalities in the Northern Federation and sets forth a policy for the preservation of agricultural uses and consider amending municipal zoning and subdivision and land development ordinances to include a definition of agriculture that is consistent with the region-wide definition.

Objective(s) addressed by Actions 6-15: 6-E and 6-F.

PURPOSE STATEMENTS THAT PROMOTE AGRICULTURE

In relation to the development of a zoning district, the purpose statement(s) provides an overview of the district and a link to the policies set forth in the municipal and/or regional comprehensive plan. The purpose statement, therefore, sets the tone for the district and defines the community’s attitude towards the preservation of agriculture as a use in the associated district. The Northern Federation has developed a goal for the preservation of agriculture, see Page 6-2, and this goal should be reflected in purpose statements for districts where agriculture is a specified use. The revision of the purpose statement(s) will need to be

² The regulatory topics that follow and the data included in Figure 6-1 are based on the review of municipal ordinances (as of June 2005) and those zoning districts that are designated for agricultural preservation by title and/or content.

completed in coordination with other recommendations of this chapter in order to ensure that the district regulations do, in fact, promote the continuation of agriculture.

A statement of purpose provides a link between regulation and policy and, as such, provides support for regulatory decisions and actions implemented by a municipality.

- Recommendation for the revision of district statements of purpose

ACTION 6-16 Revise municipal zoning ordinances to include purpose statements (in associated districts) that reflect the regional goal for the preservation of agricultural uses.

Objective(s) addressed by Action 6-16: 6-A and 6-E.

REGULATORY RELIEF

Regulatory relief refers to the reduction or elimination of zoning regulations that may negatively impact the farmer and result in the discontinuation of existing agricultural uses. Although municipal leaders must strike a balance between accommodating the local farmer and the surrounding residential population, the former should be emphasized in a district where the purpose is defined as focusing on the preservation of agriculture as a viable industry and source of rural character. Many of the restrictions applied to agricultural uses and activities derive from suburban approaches to land development and management. Most of these suburban restrictions create a regulatory framework which is inconsistent with traditional agricultural practices. To better address the needs of the agricultural community, the following regulations should be addressed at the municipal level:

Agricultural Uses Permitted By Right

The simplest form of regulatory relief is permitting agricultural uses by right as opposed to special exception or conditional use in the districts where agriculture is a specified use. This provides an incentive to the farmer to consider expanding agricultural facilities, as they do not have to go through a costly and/or time-consuming special exception or conditional use process. Further, permitting these uses by right will reduce the potential burden on a would-be-farmer.

Setbacks and Height Restrictions

There is a level of appropriateness when dealing with activities such as concentrated animal operations and other intensive uses that, when left unregulated, can lead to environmental degradation. Setting artificial height regulations or setback standards from property lines for barns, silos, and other outbuildings, however, is counterproductive to actual farming operation. Oftentimes, distance requirements imposed on these structures address the impact of these structures on adjacent, not-yet-existing residential property owners. Conversely, municipalities should consider increasing setback distances for new residential dwellings adjacent to agricultural use boundaries. In other words, place the burden for buffering on new uses that are developed adjacent to existing agricultural uses.

Accessory Housing

Farming has changed significantly in the last several decades and those changes can be seen in the type of crops that are grown and people that work the land. Many operations require additional farm workers in order to manage the operations of the farm outside of the

Figure 6-1 Agricultural Preservation Regulations in the Municipalities of the Region – Local Agricultural Preservation Regulations³

Township/District Name	POLICY			REGULATORY RELIEF				TECHNIQUES		
	Comprehensive Definition of Agriculture	Purpose Statement Promotes Preservation of Agricultural use (farm)	Purpose Promotes Preservation of Agricultural Resources	Agricultural Uses Permitted by Right	Limited Regulatory Relief including Height Exemption.	Permits Accessory/Employee Housing for Farm Workers	Secondary Farm Business: Farm Markets, etc.	Cluster/Open Space Option Permits Agricultural Uses in Open Space	Transferable Development Rights Development Option	Agricultural Development Option
East Coventry – Farm Residential	Green	Green	Red	Green	Green	Red	Green	Red	Red	Red
East Nantmeal – Agricultural Preservation	Green	Green	Green	Green	Green	Green	Green	Green	Green	Red
East Pikeland – Agricultural Preservation	Green	Green	Green	Green	Yellow	Green	Green	Green	Yellow	Red
East Vincent – Agricultural Preservation	Green	Green	Green	Green	Green	Red	Green	Green	Red	Red
North Coventry – Rural Conservation	Green	Green	Green	Green	Green	Red	Green	Green	Red	Red
South Coventry – Agricultural Preservation	Green	Green	Green	Green	Yellow	Red	Green	Green	Red	Red
Wallace – Flexible Rural Residential	Green	Green	Green	Green	Yellow	Red	Green	Yellow	Red	Red
Warwick – Residential Agriculture	Green	Green	Green	Green	Yellow	Green	Green	Yellow	Red	Red
West Vincent – Rural Conservation	Green	Yellow	Red	Green	Yellow	Red	Green	Yellow	Red	Yellow

Green = Yes **Red** = No **Yellow** = Yes, with limitations (needs improvement to further promote agricultural resource protection)

³ Figure 6-1 was completed in June 2005, and updated in June 2006.

primary farm family. Restrictions that do not allow for additional dwellings for farm employees restrict the viability of such farms unless they become very large operations. Providing the opportunity for accessory farm housing legitimizes these activities and provides a transportation benefit for the community in that it reduces commuter traffic on local roadways. These housing opportunities can come in the form of the expansion of existing facilities, the conversion of existing facilities, the development of new housing facilities, and the allowance of temporary living facilities such as mobile homes.

A shift in the regulatory framework of local zoning regulations can create a more cooperative environment between local municipalities and their farming communities. The Northern Federation should actively pursue these regulatory changes through local municipal zoning.

Recommendation for the implementation of regulatory relief in a zoning district

ACTION 6-17 Amend municipal subdivision and land development ordinances to require that a subdivision note be included on all deeds for properties that are located adjacent to or within a specified distance from the boundary of agricultural uses that identifies general impact of practices that take place on an agricultural property.

Sample Subdivision Note:

The primary purpose of this district is to accommodate commercial agricultural production. Owners, residents, and other property users in this district shall be subject to common characteristics of agricultural activities which are sometimes regarded as objectionable. Owners, residents, and other property users should regard these activities as normal, ordinary, routine, and as unavoidable characteristics of an agricultural area and are furthermore assumed to have accepted these characteristics by willingly choosing to reside in this district.

The actions that follow are in sequential order:

ACTION 6-18 Meet with local farmers to identify regulations that should be revised in order to reduce the burden on the agricultural community and promote the preservation of agricultural uses.

ACTION 6-19 Amend municipal zoning ordinances in order to implement regulatory relief for local farmers by addressing those regulations that were identified through the completion of Action 6-18 above.

Objective(s) addressed by Actions 6-17 thru 6-19: 6-A, 6-E, and 6-H.

SECONDARY FARM BUSINESSES

Many farmers are employed in other occupations besides farming as a way to supplement (or in many cases provide) the primary income of the family. Providing farmers with the regulatory flexibility to establish secondary farm businesses on site allows many farmers to continue to engage in activities that provide supplemental support to the farm community, while also improving the family's economic situation. This can take the form of an agricultural-related use such as a tractor repair facility or saddlery to supplemental farm uses that can range from a beauty shop to a woodworking shop. Such uses should be consistent with regulations for noise, glare, and other performance standards, but typically do not rise to the level of impact that is intended to be regulated through these standards.

These agricultural related facilities can serve to protect and preserve agricultural uses and should be permitted as by right uses on farm properties in order to eliminate the need for a costly and/or time-consuming special exception or conditional use process.

- Recommendation for permitting Secondary Farm Businesses on agricultural properties.

ACTION 6-20 Amend municipal zoning ordinances to permit secondary farm businesses uses on agricultural properties as by right uses.

Objective(s) addressed by Action 6-20: 6-A and 6-E.

CONSERVATION DEVELOPMENT OPTION

Conservation development, also known as cluster or open space development, provides a means of both preserving open space and allowing development to be directed away from natural resources on the site. Permitting the preservation of agricultural resources in open space should be in coordination with the inclusion of strict design standards that are designed to limit conflicts between the existing agricultural use and new residential uses. Just as fences often make good neighbors, design standards can help to mitigate potential problems between homeowners and farmers. These design standards should include setbacks that provide adequate area for buffering and/or screening between uses.

See Chapter 2: Natural Resources Plan and ACTIONS 2-15 and 2-16

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

See Chapter 2: Natural Resources Plan and ACTION 2-18

AGRICULTURAL or LIMITED DEVELOPMENT OPTION

An agricultural development option promotes the continuation of agricultural uses by providing a limited development option for consideration by farmers and/or landowners. While the focus of this option is the retention of farmland, it does provide limited development potential. Along with a lower density, this option should provide design standards that benefit the farmer and put the burden for setbacks and appropriate distances on the secondary use: residential development.

For the most part, what separates the limited development option from effective agricultural zoning is the fact that the agricultural development option is commonly one of several in a district that often includes conservation development as well as conventional development. Although this option does provide the farmer an alternative to conservation and conventional development, the decreased density associated with the limited development option may provide a disincentive.

EFFECTIVE AGRICULTURAL ZONING

One of the most effective ways to preserve farmland in the Region is through a zoning tool called "Effective Agricultural Zoning". Regulations implemented through these districts include design standards that support the continuation of agricultural operations. The focus for these districts is to promote agricultural uses. There is limited development allowed for other uses within this zone as to avoid conflict with agricultural practices.

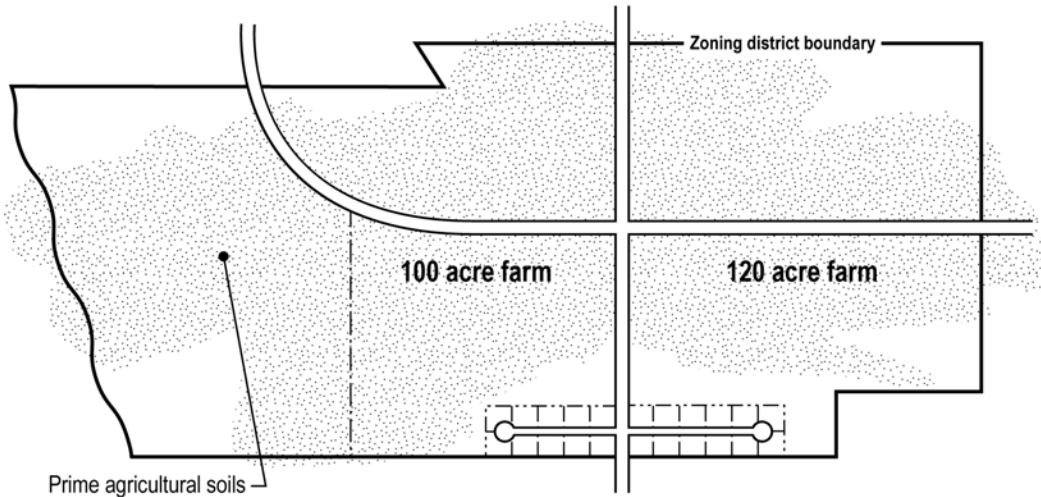
Effective Agricultural Zoning is a land management tool that municipalities can use to encourage the preservation of farmland, discourage their conversion into non-agricultural uses,

and discourage the establishment of land uses that are incompatible with agricultural uses. This development option favors the continuance of agricultural production by posing strict controls that limit the amount of residential development that can be developed on agricultural areas while placing fewer or less stringent controls or restrictions on the farmer. It is important to limit, not restrict, development, as subdivision is often a farmer's way of supplementing their income in an unproductive season.

This development option is established through the zoning ordinance by implementing a separate agricultural preservation district that focuses regulations to accommodate continued agricultural production. This is accomplished by substantially reducing the density of residential uses to as low as one unit per 10, 20, or even 25 acres. (Figure 6-2 illustrates an effective agricultural zoning district where two farms have been developed at a density of 1 dwelling unit per 10 acres) The minimum lot size usually remains at one acre, to accommodate on-lot water and sewer, and reduce impact of the residential uses on the adjacent agricultural use. In some cases, municipalities will implement a maximum lot size (ie. two acres) to reduce the impact of residential uses on the agricultural operation and prime agricultural soils. In addition, resource protection provisions that limit development of prime agricultural soils must be implemented.

While reducing the development potential of the farmland, this tool also reduces restrictions on the farmer in reference to agricultural operations. In fact, the burden to avoid border conflicts between residential uses and agricultural operations is placed on the property owners of the residential use. Again, the focus of this tool is to preserve and protect the land and interests of the local farmer and keep agricultural operations viable.

Figure 6-2
Effective Agricultural Zoning (density = 1 unit per 10 acres)



As with any other planning tools there are issues that have to be addressed before implementing this tool. The area in question must currently be in agricultural production and consist primarily of prime agricultural soils in order to justify the low-density residential development density. These issues were taken into consideration when the Potential Agricultural Zones were identified on Map 6-1. Further, agricultural parcels that are adjacent to existing higher density uses were not included in recognition of the fact that agricultural zoning

may be impractical in areas where higher density (greater than 1 dwelling unit per ½ acre) are adjacent to agricultural uses.

Support of the Local Farmer

It is imperative to have the support of the local farmers and large landowners as this planning tool, while promoting the preservation of agricultural uses, does limit the potential for residential development. Their input should be requested and compiled before considering the establishment of an effective agricultural zoning district or, more importantly, before dismissing this widely used preservation tool altogether.

Minimum Requirements for Effective Agricultural Zoning:

1. Areas of farmland for which the property owners intend to keep in active/productive agriculture.
2. Interest from the property owners/farmers to use this tool.
3. Establish a dedicated zoning district.
4. Suggested 10, 20, or 25-acre density (1 dwelling unit per 10/20/25 acres).
5. Minimum lot size of 1 acre (free of prime agricultural soils).
6. Maximum lot size of 2 acres to promote use of land for agricultural production.
7. Compatibility of adjacent land uses.

- Recommendation for the Consideration of Effective Agricultural Zoning in the Region.

The actions that follow are in sequential order:

- ACTION 6-21 Review, on a regional basis, supplied mapping to determine if an agricultural zoning district(s) can be established based on adjacent land use and the location and use of identified agricultural parcels (see Map 6-1)
- ACTION 6-22 Representatives of the Northern Federation and/or municipalities where potential districts have been identified, should meet with associated farmers/large landowners to review effective agricultural zoning and determine if they support the change in designation.
- ACTION 6-23 Develop and adopt amendments to their individual zoning ordinances and maps to establish agricultural districts that require effective agricultural zoning.

Objective(s) addressed by Actions 6-21 thru 6-23 : 6-A, 6-B, and 6-C.

LANDOWNER ASSISTANCE PROGRAMS

There are many agricultural preservation programs available for landowners and farmers (see list below). While municipalities may not have a specific role in these programs, they offer important opportunities for landowners and farmers.

- Recommendation for landowners assistance programs:

ACTION 6-24 Support farmers and landowners however possible with the following programs (not intended as a complete list) as municipalities do not have a direct role in these programs. Several ways include educating via township newsletters, information links on the municipal websites, or holding workshops or seminars on related agricultural issues and programs. A complete description of each of the following programs is included in Chapter 11: Agricultural Resources Inventory.

- Private Landowner Assistance Program - Pennsylvania Department of Conservation and Natural Resources (DCNR).
- Nutrient Management Plan Implementation Program - State Conservation Commission.
- Agricultural Management Assistance Program - United States Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS)
- Conservation Security Program – USDA.
- Stream Bank Fencing Programs such as: Conservation Reserve Enhancement Program (CREP) - USDA; Conservation Reserve Program (CRP) - USDA; and Wildlife Habitat Incentive Program (WHIP) - USDA, NRCS.
- Environmental Quality Incentives Program (EQIP) – NRCS.
- Wetland Reserve Program – NRCS.
- Emergency Conservation Program (ECP) – NRCS.
- Growing Greener Environmental Stewardship and Watershed Protection Act - County Conservation District (CCCD).
- Grassland Reserve Program – NRCS.

Objective(s) addressed by Action 6- 24: 6-A and 6-G.

CONCLUSION

The Northern Federation has identified agriculture as an important element in the character of the Region as well as a viable land use. Farmers have been identified as integral members of the community and agriculture as a resource in need of preservation. The municipalities in the Northern Federation and the local farmers have taken steps to preserve this resource through the utilization available preservation programs and regulation through local ordinances. This chapter includes recommendations that represent the next step in the preservation of agriculture in the Region.

The Coordination Plan includes a prioritization of these recommendations and a plan for the coordination of these efforts on a regional basis.

Figure Sources:

- 6-1 Municipal Zoning Ordinances, various dates.
- 6-2 Chester County Planning Commission, 2005.

Photograph Sources:

- 6-1 Chester County Planning Commission. Year unknown.

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