



FACT SHEET

AGRICULTURAL

PROTECTION

ZONING

DESCRIPTION

Agricultural protection zoning refers to county and municipal zoning ordinances that support and protect farming by stabilizing the agricultural land base. APZ designates areas where farming is the desired land use, generally on the basis of soil quality as well as a variety of locational factors. Other land uses are discouraged. APZ ordinances vary in what activities are permitted in agricultural zones. The most restrictive regulations prohibit any uses that might be incompatible with commercial farming. The density of residential development is limited by APZ.

Maximum densities range from one dwelling per 20 acres in the eastern United States to one residence per 640 acres in the West.

In practice, the specific areas designated by APZ are generally called agricultural districts. In the context of farmland protection, however, these zoning districts, which are imposed by local ordinances, are easily confused with voluntary agricultural districts created by farmers under statutes in 16 states. To avoid confusion, American Farmland Trust refers to the mandatory agricultural areas as agricultural protection zones, and the voluntary areas as agricultural districts.

APZ ordinances contain provisions that establish procedures for delineating agricultural zones and defining the land unit to which regulations apply. They specify allowable residential densities and permitted uses, and sometimes include site design and review guidelines. Some local ordinances also contain right-to-farm provisions and authorize commercial agricultural activities, such as farm stands, that enhance farm profitability. Occasionally, farmers in an agricultural protection zone are required to prepare conservation or farm management plans.

The definition of APZ varies with jurisdiction and by region of the country. A minimum lot size of 20 acres, combined with other restrictions, may be sufficient to reduce development pressures in areas where land is very expensive and

farming operations are relatively intensive. Several county APZ ordinances in Maryland permit a maximum density of one unit per 20 acres. In areas where land is less expensive and extensive farming operations such as ranches predominate, much lower densities may be required to prevent fragmentation of the land base. In Wyoming and Colorado, counties are not permitted to control subdivision of lots that are larger than 35 acres. The 35-acre provision has led to the creation of hundreds of 35-acre "ranchettes" in both states, fragmenting ranches into parcels that are too small for successful commercial ranching.

Many towns and counties have agricultural/residential zoning that allows construction of houses on lots of one to five acres. Although these zoning ordinances permit farming, their function is more to limit the pace and density of development than to protect commercial agriculture. In fact, such ordinances often hasten the decline of agriculture by allowing residences to consume far more land than necessary. AFT defines APZ as ordinances that allow no more than one house for every 20 acres, support agricultural land uses and significantly restrict non-farm land uses.

HISTORY

The courts first validated zoning as a legitimate exercise of police power in the 1920s, giving local governments broad authority to regulate local land use. Rural counties in California, Pennsylvania and Washington began using zoning to protect agricultural land from development during the mid-1970s. In 1981, the National Agricultural Lands Study reported 270 counties with agricultural zoning. In 1995, an informal AFT survey found nearly 700 jurisdictions in 24 states with some form of APZ.

FUNCTIONS & PURPOSES

APZ helps towns and counties reserve their most productive soils for agriculture. It stabilizes the agricultural land base by keeping large tracts of land relatively free of non-farm development,



TECHNICAL ASSISTANCE
Herrick Mill, One Short Street
Northampton, MA 01060
Tel: (413) 586-4593
Fax: (413) 586-9332
Web: www.farmlandinfo.org

NATIONAL OFFICE
1200 18th Street, NW, Suite 800
Washington, DC 20036
Tel: (202) 331-7300
Fax: (202) 659-8339
Web: www.farmland.org

AGRICULTURAL PROTECTION ZONING

For additional information on agricultural protection zoning and other farmland protection programs, the Farmland Information Center offers publications, an on-line library and technical assistance. To order *Agricultural Protection Zoning: What Works*, a 34-page comprehensive technical report (\$14.95), or other AFT publications, call (800) 370-4879.

The farmland information library is a searchable database of literature, abstracts, statutes, maps, legislative updates and other useful resources.

It can be reached at <http://www.farmlandinfo.org>. For additional assistance on specific topics, call the technical assistance service at (413) 586-4593.

thus reducing conflicts between farmers and their non-farming neighbors. Communities also use APZ to conserve a “critical mass” of agricultural land, enough to keep individual farms from becoming isolated islands in a sea of residential neighborhoods. Maintaining a critical mass of agricultural land and farms allows the retention of an agricultural infrastructure and support services, such as equipment dealers and repair facilities, feed mills, fertilizer and pesticide suppliers, veterinarians, spraying and seeding contractors, food processors and specialized financial services. All of these agricultural businesses need their farm customers to stay profitable.

APZ can also limit land speculation, which drives up the fair market value of farm and ranch land. By restricting the development potential of large properties, APZ is intended to keep land affordable to farmers. A strong ordinance can demonstrate to farmers that the town or county sees agriculture as a long-term, economically viable activity, instead of an interim land use.

Finally, APZ helps promote orderly growth by preventing sprawl into rural areas, and benefits farmers and non-farmers alike by protecting scenic landscapes and maintaining open space.

BENEFITS

- APZ is an inexpensive way to protect large areas of agricultural land.
- By separating farms from non-agricultural land uses, APZ reduces the likelihood of conflicts between farmers and non-farming neighbors.
- APZ helps prevent suburban sprawl and reduces infrastructure costs.
- Compared to purchase of conservation easement and transfer of development rights programs, APZ can be implemented relatively quickly.
- APZ is easy to explain to the public because most landowners are familiar with zoning.

- APZ is flexible. If economic conditions change, the zoning can be modified as necessary.

DRAWBACKS

- APZ is not permanent. Changes in APZ ordinances can open up large areas of agricultural land for development.
- APZ can reduce land values, which decreases farmers’ equity in land. For this reason, farmers sometimes oppose APZ, making it difficult to enact.
- APZ may be difficult to monitor and enforce on a day-to-day basis.
- County APZ ordinances do not protect agricultural land against annexation by municipalities.

Source: American Farmland Trust, *Saving American Farmland: What Works* (Northampton, Mass., 1997).