

**Activity 3: Farmlands Information Sheet – Page 1 (1/2)****What is happening to farmlands?**

Development is more likely to take place on farmland than on any other type of land. A study in the Philadelphia area indicates that of all developed land between 1970 and 1980, 67 percent had been used for farming before it was developed. Since 1954, the area of cropland in Pennsylvania has dropped from 7.3 million acres to about 5.4 million acres. Counties such as Adams, Cumberland, Northampton and Lancaster have faced the dilemma similar to York where in just 30 years, almost 30 percent of York County's farmland was lost to suburban development. Pennsylvania loses between one and six acres of agricultural land for each new household created. Once developed, the valuable soils are lost along with the entire service and character that agriculture provides to communities.

Despite the loss of farmland, the agricultural industry remains sizable and vigorous. Well managed farmland protects soil and water resources and can prevent flooding. Many farmers support conservation measures such as conservation tillage in their fields, building manure storage facilities and constructing stream bank fencing to protect water quality. Many farmers set aside land to return to its natural state.

The issue of farmland preservation has many aspects. It is an important economic industry for Pennsylvania. Farmers and their families are not the only ones benefiting from a successful agricultural industry. A multitude of industries are stabilized by a strong agricultural economy. It is part of the Pennsylvania culture, drawing tourists worldwide and providing a pastoral countryside for residents and visitors.

Agriculture is Pennsylvania's single largest industry. Farming costs municipal governments far less than

other forms of development and pays more in property taxes than it receives back in services. Such low density development demands far fewer governmental services, placing fewer children in local schools, few roads, no sewers and usually no public water.

Today, Pennsylvania leads the nation in the total number of farms and acres preserved for agriculture. Pennsylvania is preserving more farmland than any other state.

**What tools are available to protect farmland?**

*Agricultural Conservation Easements:* Agricultural conservation easements are legal agreements that permanently protect farms from development. Landowners sell conservation easements to a government entity or land trust. The buyer pays the farmer for the value of the land for agricultural use and the value of the land for its "highest and best use" (which is usually a development). Farmers continue to own and manage the land. If they sell their land, it must remain agricultural. The first easement was purchased in December 1989 and to date, approximately 3,745 farms were approved for easement purchases totaling over 210,000 acres.

Farmers apply for selection and farms must meet several criteria to be accepted. They must have a minimum of 50 acres. Parcels as small as ten acres may be preserved if next to other preserved farmland. They must be part of an Agricultural Security Area.

*Agricultural Security Area:* An agricultural security area is a designation given by local government to at least 250 acres of farmland (owned by one or more farmers). It provides protection from local ordinances that restrict farm practices and nuisance ordinances. It limits taking of land by eminent domain.

**Activity 3: Farmlands Information Sheet – Page 2 (2/2)**

*Agriculture Protection Zoning (APZ):* APZ ordinances designate areas where farming is the primary land use. It limits non-farm uses such as high-density development and restricts subdivision of land into parcels that are too small to farm. This stabilizes the land base by keeping large tracts of land free of development and reduces conflicts between farmers and their non-farming neighbors.

*Transferable Development Rights (TDRs) and Purchase of Development Rights (PDRs):* TDRs is a zoning tool that allows conservation and development to coexist within a municipality. Growth is directed to preferred locations through the sale and purchase of development rights. Development rights can be separated from the title of a property. These rights can be transferred to another location where development is desirable. A landowner can transfer the right to develop one parcel of land to a different parcel of land to protect farmland or open space. The farmer keeps possession of the land and right to farm it. It allows the purchaser of the development rights to develop another parcel more intensively than would otherwise be permitted, ideally in an area that is more suitable for intense development.

The PDRs are the zoning tool that allows a person or an entity to buy the right to develop land from the landowner. A municipality could pass a bond issue to buy the rights and “bank” them. A developer may purchase the development rights from the municipality when he wishes to develop an area with high density. TDRs give substantial control to the municipality since it is the municipality that owns all the development rights. Municipalities need to locate revenues to purchase the development rights. TDR programs can only be used by a single municipality or among municipalities with a joint ordinance.

*Clean and Green:* PA Act 319 is called Clean and Green. It is designed to provide tax incentives to voluntary landowners who preserve land in agricultural use and/or forest reserve. It allows agricultural land to be taxed at its value for agriculture instead of its market value. It provides land protection by penalizing the farmer with rollback taxes and penalties if the farmer decides to sell and develop the land instead of maintaining it as farmland.