

Is Your Town Planning for Agriculture?

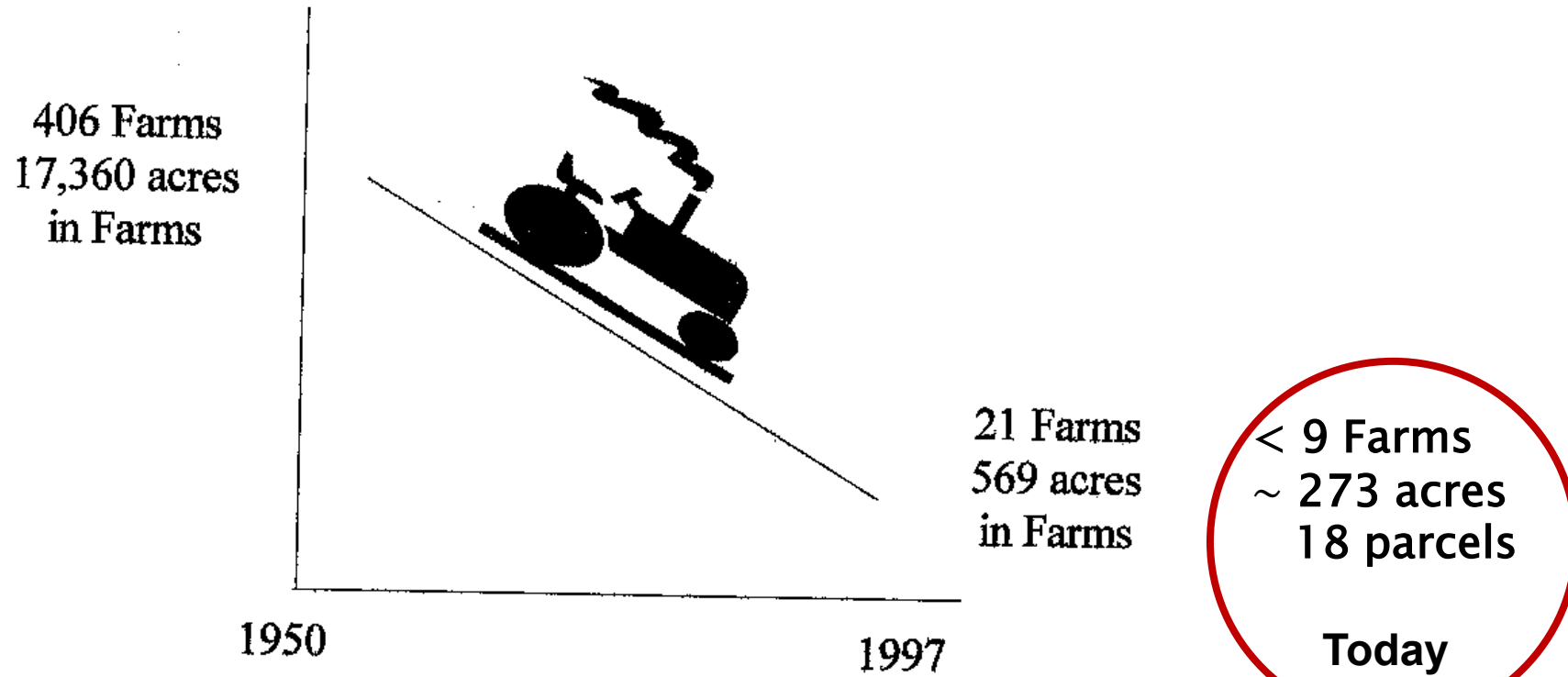
*Establishing Local Public Policy To Support and Protect
Agriculture*

Southern Tier Central Regional Leadership Conference
June 11, 2026

Division of Land and Water Resources:
Agriculture Protection Unit



“Agriculture: If you ignore it, it will go away.”



Rockland County Agriculture
1950 - 1997



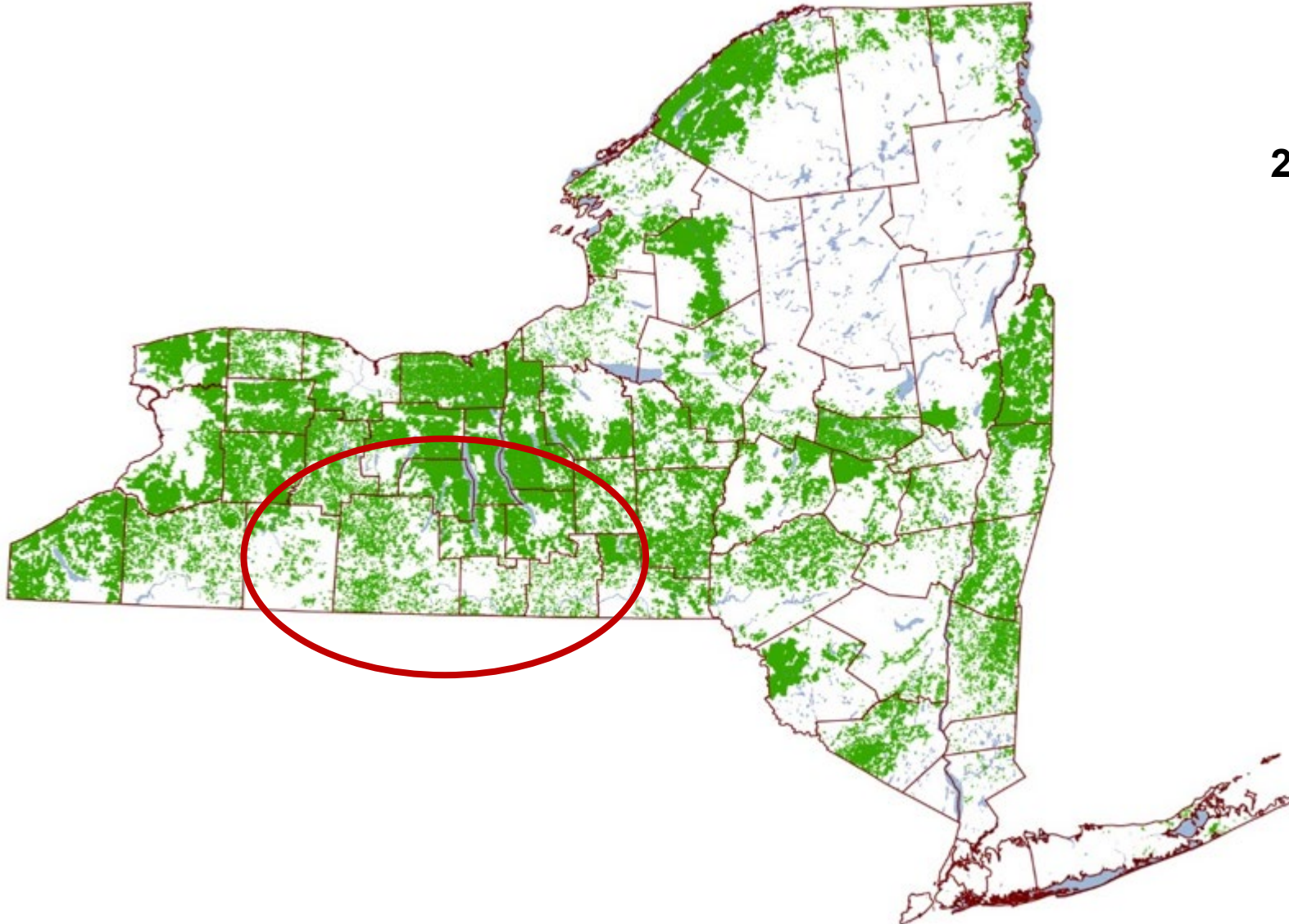
Agricultural Districts Law

AML 25AA

“It is the purpose of this article to provide a **locally-initiated mechanism** for the protection and enhancement of New York state's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance.

“When nonagricultural development extends into farm areas, competition for limited land resources results. Ordinances inhibiting farming tend to follow, farm taxes rise, and hopes for speculative gains discourage investments in farm improvements, often leading to the idling or conversion of potentially productive agricultural land.”

Agricultural Districts



2025 Statewide Totals:


9,311,982 Acres

27,246 Farms

139 Districts

53 Counties

Agricultural Districts, Steuben County NY, 2021 - CUGIR

Download 

Shapefile

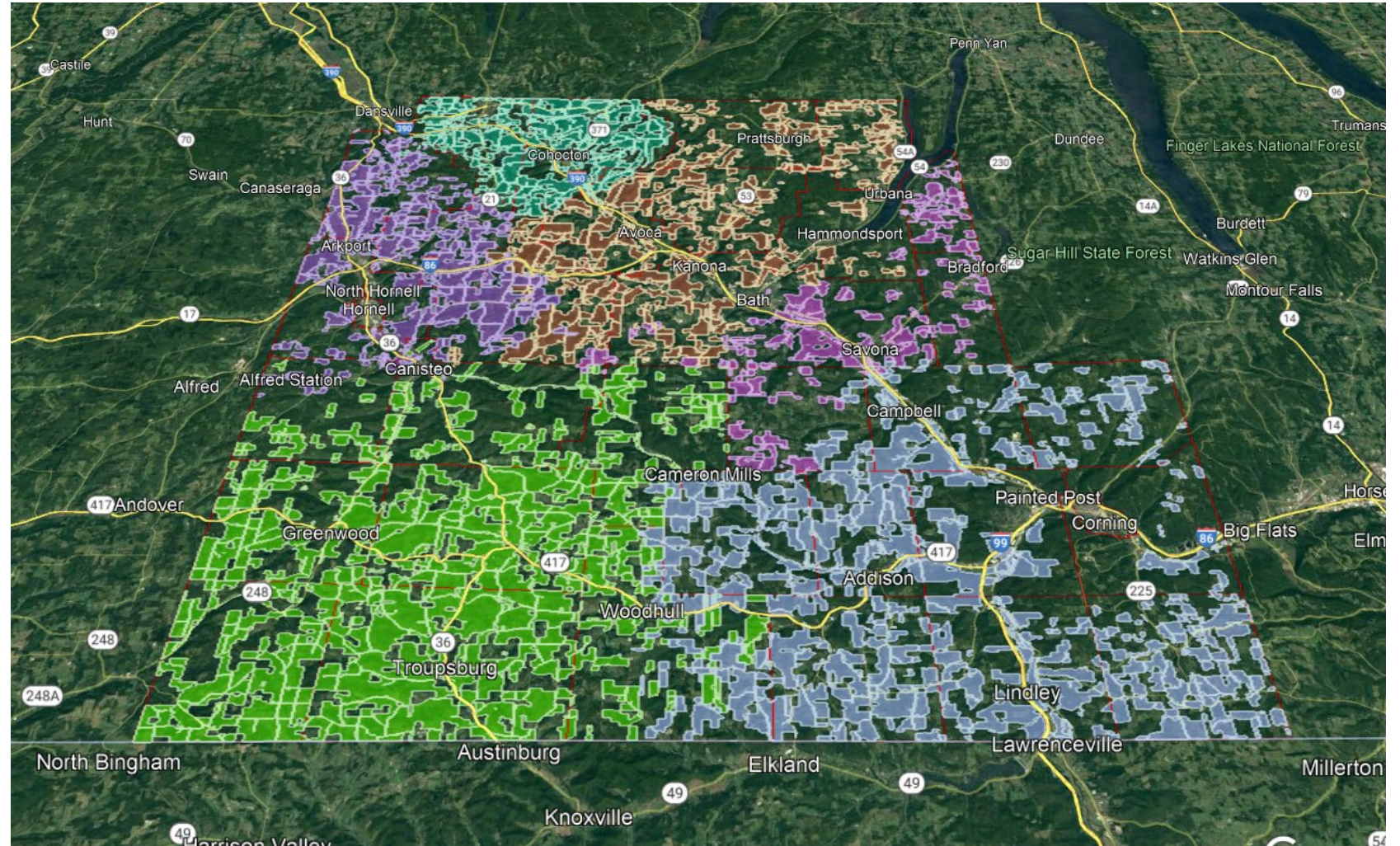
PDF

KML

Export Formats

KMZ (generated) [Export](#)

GeoJSON (generated) [Export](#)



Total Acres: 387,651
Farmed Acres: 246,842
Farms: 1,044

What Are Right To Farm Laws?

1) Agriculture Districts Law §25AA

- AML 25AA provisions generally

2) County Right To Farm Laws

- public policy supportive of agriculture

3) Local Right To Farm Laws

- Typically, a public policy supportive of agriculture
- May include Ag protections, such as:
 - Ag Mediation Panel
 - Acknowledge AML 25AA
 - Require a statement on building permit/plat
 - Buffers to protect active farms?



Town of Rochester, NY

§75-3 Right to Undertake Agricultural Practices

Agricultural Practices Commonly Protected

- Orchard Fans
- Bird Cannons
- Guardian Dogs
- Certain Ag Structures
- Noise
- Dust
- Odors
- Vibration
- Hours of Operation
- Open Burning
- Farm Stands
- Signage
- Certain Traffic impacts
- Certain Craft Beverage Licences
- Compost Siting
- Paddock/ Field Restoration
- On-Farm Improvements
- Nutrient Application

Effect on Local Zoning and Planning Laws

When do Ag District protections from local laws or private nuisance complaints apply?

*Farmers must comply with all local, state and federal laws and regulations.

1) Is Parcel Enrolled in Ag District?

Call County Planning/ Visit CUGIR/ Call AGM: 518-457-4626

2) Is it Farm Operation? [Guideline for Farm Operations](#)

3) Have Local Administrative Remedies Been Exhausted by Landowner?

RTFL, Ag Zoning, Regulations, Special Use Permit, Area/Use Variances?

“Local governments, when exercising these powers...shall not unreasonably restrict or regulate farm operations within agricultural districts...*unless it can be shown that the public health or safety is threatened.” -AML 25AA 305-a

Other Ag Protections

Ag Value Assessment

-local tax benefit on ag lands in production (7ac/\$10K)

Sound Ag Practice Opinion

-binding opinion to support safe and legal farming practices

Notice of Intent Review

-AGM Review when public funds impact Ag District parcels

**Solar, Water Mains, Sewer, Interests in Land*



Ag Disclosure Notice

Sellers of land enrolled in an agricultural district are required to disclose to new buyers that they live in a working landscape.

- to be signed by buyer and recorded per County Real Property
- often found in real estate contracts

Town of Rochester, NY:

§75-4 Notice to prospective neighbors

*"The following notice **shall** be included in **building permits and on plats of subdivisions, site plans, and special permits** submitted for approval pursuant to Town Law..."*

"This property may border a farm, as defined in Chapter [75](#) of the Town of Rochester Code. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise and vibrations and which may involve insecticides, herbicides, pesticides, etc."

Ag Data Statement (Ag Protection Planning Tool)

“Plan for agriculture, not around it.”

A Town must consider the impacts of proposals within 500’ of a Farm Operation enrolled in the Ag District.

For actions requiring municipal review:

- special use permit
- site plan approval
- use variance
- or subdivision application)

Municipality can choose to prepare a Statement

TOWN VILLAGE CITY OF _____ Application # _____
(circle one)
Agricultural Data Statement Date _____

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: _____ Address: _____ _____	Name: _____ Address: _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance;
(circle one or more) Subdivision Approval

2. Description of proposed project: _____

3. Location of project: Address: _____
Tax Map Number (TMP) _____

4. Is this parcel within an Agricultural District? NO YES (Check with your local assessor if
5. If YES, Agricultural District Number _____ you do not know)

6. Is this parcel actively farmed? NO YES

7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____ Date _____
Signature of Municipal Official

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

Simple Local Actions to Protect Agriculture

- ✓ Update Agriculture Related Definitions
- ✓ Adopt a Right to Farm Law (*local conflict mediation*)
- ✓ Farm Friendly Agricultural Zoning (*limit growth inducing land uses*)
- ✓ Include Agriculture in Comp Plan!
- ✓ Ag Value Assessment
- ✓ Ag Data Statement
- ✓ Ag Disclosure Notice

- ✓ Draft an Ag Protection Plan!





Emerging Trends in NYS Agriculture

NYS Farm Brewery Act (2013): <https://www.nysenate.gov/legislation/laws/ABC/51-A>

Agritourism: Define it, then regulate it: [Guidelines for Review of Local Laws \(ny.gov\)](#)

Industrial Hemp Licensing (c. 2018): [Hemp Licensing Program](#)

Office of Cannabis Management 2021: [Office of Cannabis Management](#)

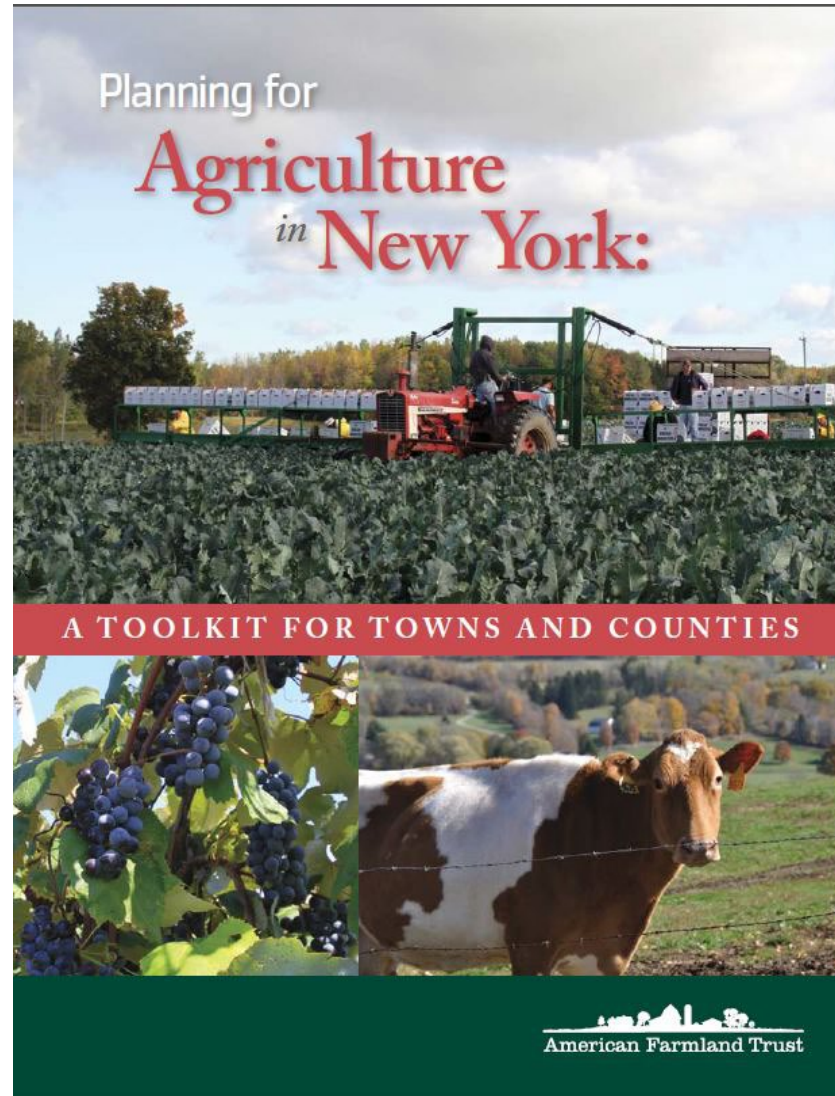
Industrial Scale Solar Programs 2021: [ORES](#) / [NYSERDA](#)

Development Pressures: warehousing, detention facilities, data centers

*Food Systems Awareness

Urban Agriculture vs Community Gardens / Food Desert / Food Security

Is Your Town Planning For Agriculture?



PDF Available:
www.farmlandinfo.org

Ag & Farmland Protection Planning Grants

All Towns Eligible!

- Up to **\$25K** per Town
\$1,700 Cash Match
\$6,700 In-Kind
- **Common Project Partners**
*AFPB, CCE, SWCD, NRCS,
County Planning, Real Property,
Land Trusts, Farm Bureau, Ag.
Colleges, beginning and
veteran farmers*

**TOWN OF
DRYDEN NEW YORK**

**AGRICULTURE AND
FARMLAND PROTECTION PLAN**

ADOPTED MARCH 2018



How an Ag Protection Plan Helps Farmers?

A Robust Local Public Participation Process Helps Identify Ways To:

- Adopt Public Policy to Support and Accommodate Modern Ag Practices
(craft bev./ flower farms/ controlled env. Ag/ cannabis/ micro greens/ home businesses)
- Streamline Permitting Processes
(to better react to weather events, shifting market conditions, regional opportunities, etc.)
- Provide Clear Direction for Farm Operations Looking to Diversify
- Provide Consistent Set of Definitions to regulate Agritourism/Agri-tainment
(Event & Wedding Venues, Restaurants & Breweries, Farm Stays etc...)

Key Elements of a Municipal Ag Plan

Does your Town have a **Vision for Agriculture**?

SWOT Analysis: Strength, Weakness, Opportunities, Threats
-local concerns form the basis for Ag Plans

Farm Friendly Analysis: Do your laws accommodate agricultural pursuits?
-without knowing, your Town may unreasonably restrict farms

Priority Farmlands Map: Prime soils, productive lands, Ag Assessment, Ag Districts, core areas of ag production

Benefits of an Agricultural Protection Plan

Increase Profitability of Farms

- decrease development pressure
- remove unreasonable restrictions from local laws

Increase Local Economic Resiliency

- cost of community services: residential cost more in services than return in taxes
- multiplier effect- farm expenditures and farm wages are cycled locally
- Agritourism- attracts and cycles \$ regionally

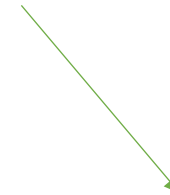
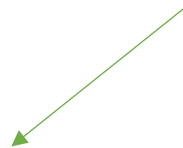
- Ag Economic Development:** *Plan recommendations can drive future funding opportunities for regional attractions/ ag needs
- staffing opportunities
 - maintain a viable agricultural economy

Ag. and Farmland Protection Programming

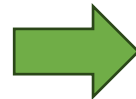
Agricultural Districts Law (AML 25AA)
1971



Ag. & Farmland Protection Programming
(AML 25AAA)



Planning Grants



Land Trusts Grants



Farmland Protection
Implementation Grants

-Up to \$50K
-Counties, Towns, Cities
& Villages

-Up to \$50K
-Advance Farmland Protection

Staff Capacity Grants

-Up to \$300K/ 3yrs

-up to \$3M per project
- Ag Conservation Easements

Implementing Agricultural Protection Plans

3 Additional Grant Programs

- 1. Staff Capacity Grant (Pilot Program)**
- 2. Land Trust Grants**
- 3. Conservation Easements (FPIG)**

Each program designed to increase and accelerate the implementation of farmland protection through collaborative community engagement

Implementing Agricultural Protection Plans

Staff Capacity Grant *(Pilot Program)*

- Support **local agricultural and farmland protection goals** by building staff capacity for eligible organizations to initiate or accelerate farmland protection projects
- Additional staff capacity will seek out, evaluate, and complete agricultural conservation easement projects across the State
- Accepting applications through 4pm Friday June 26

Land Trust Grants

- The goal is to provide funding and empower Land Trusts to implement project(s) to advance the **recommendations set forth in local municipal or county agricultural and farmland protection plans.**
- Round 6 to become available in the next few months

Land Trust Grants - Categories

Track #	Track Title	Brief Description
1	Farmland Inventory and Outreach	<i>Projects that inventory or prioritize farmland for protection. If inventory and prioritization is already established, the applicant must conduct outreach activities</i>
2	Landowner Readiness	<i>Projects that address barriers or costly roadblocks in the process of acquiring conservation easements</i>
3	On Farm Profitability	<i>Projects that empower the land trust and conservation partners to work directly with farmers to increase agricultural utility through diversification</i>
4	Implementing Activities of Local Plans	<i>Projects that advance the implementation of agricultural plans through prioritizing projects/activities, identifying barriers, identifying or creating project budget or increasing specificity of recommendations</i>
5	Food Systems - Land and Food Access	<i>Projects that remove barriers or bolster the connection around the growth, harvesting, processing or distribution of crops, livestock, and livestock products within local systems. Increasing access to food and access to land in the urban, suburban and rural environments.</i>
6	Other Local Efforts	<i>Land Trust proposes a project that meets the two requirements outlined in the RFP.</i>

- *Six categories/tracks for vendors to apply*

Implementing Agricultural Protection Plans

Farmland Protection Implementation Grants (FPIG) (Conservation Easements)

- The intent of FPIG is to fund the implementation of certain farmland protection activities intended to maintain the economic viability of the State's agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture.
- Such activities must be described in or otherwise **consistent with agricultural and farmland protection plans** that have been adopted by counties or municipalities.
- Request for Applications is open and ongoing (*up to \$3MM per award, \$67MM total*)

Summarizing Grant Programs

- **Funding Opportunities:** There are several grant opportunities if your municipality has a completed Agricultural Protection Plan!
- **Partnerships:** Connect and Integrate with AFPB, CCE, SWCD, NRCS, County Planning, Real Property, Land Trusts, Ag. Colleges, new, beginning and veteran farmers
- **Farmland Protection:** Through agricultural district law, grant opportunities and ongoing technical assistance, NY State Department of Ag and Markets aims to protect farmland and enhance farming conditions

Resources(Agricultural Protection Unit)

Judy Littrell Notice of Intent(NOI) Process:

Judy.Littrell@agriculture.ny.gov Desk: (518) 457-6320

Mike Saviola Large Scale Infrastructure/Energy Projects:

Michael.Saviola@agriculture.ny.gov

David Behm Conservation Easements/ Purchase of Development Rights:

David.Behm@agriculture.ny.gov

Kate Tylutki 305-a Agricultural Protections:

Kathleen.Tylutki@agriculture.ny.gov

<https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws>

Agricultural Districts:

<https://agriculture.ny.gov/land-and-water/about-agricultural-districts>

Ag District Mapping by County:

https://cugir.library.cornell.edu/?f%5Bcugir_category_sm%5D%5B%5D=agriculture

Funding Opportunities:

<https://agriculture.ny.gov/funding-opportunities>

Resources (Supporting Departments)

Agricultural District Mapping Program, Cornell University IRIS (Institute for Resource Information Sciences)

<https://iris.cals.cornell.edu/extension/agricultural-districts/>

Agricultural Value Assessment Program, Department of Taxation and Finance

<https://www.tax.ny.gov/research/property/assess/valuation/agindex.htm>

Local Government Services, Department of State: <https://www.dos.ny.gov/lq/>

Building Standards and Codes, Department of State: <https://www.dos.ny.gov/DCEA/>

Farm Brewery/ Cidery/ Wineries etc. State Liquor Authority: <https://sla.ny.gov/>

Industrial Scale Solar Arrays: *NYS Solar Guidebook*

<https://www.nyserda.ny.gov/All%20Programs/Programs/Clean%20Energy%20Siting/Solar%20Guidebook>

Office of Cannabis Management: <https://cannabis.ny.gov/>

Planning for Agriculture: <https://farmlandinfo.org/publications/planning-for-agriculture-in-new-york-a-toolkit-for-towns-and-counties/>

Thank You!

Any Questions?

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<http://www.agriculture.ny.gov>



**Department of
Agriculture and Markets**