Planning for Agriculture Community Assessment Tool

The Planning for Agriculture Community Assessment Tool is intended to assist cities and towns that wish to protect or enhance the economic, environmental, and social benefits of agricultural operations located in their communities. The tool contains questions designed to provoke thought, and help communities consider the role that agriculture, in all its forms, could play in their community.

In the future, the tool will also contain a list of resources where a planner or citizen can obtain additional information, and specific strategies and model ordinances that can be used to promote the economic health, the social value, and the environmental benefits of agriculture in your community.

Why Does it Matter?

Why should we conserve our farms? Everything we grow here in Utah can be imported from outside Utah, but the cost of transporting them and the concerns with the safety, nutrition, and availability of imported products make having local capacity to produce food very important and beneficial to us. It is important not to become too dependent of foreign sources for such a basic, and critical, human need as food.

Why should your care? Population growth, land prices, and fluctuating operating costs and market prices for agricultural products make it hard for farmers to make a living. As farm businesses are threatened, our local food security is at risk and we are all subject to additional inflationary costs for our food.

What can we do? We have to make it easier for farmers and ranchers to make a living on the land that is available to them. This means we need to create options to help promote the economic health of our farms and ranches, and remove the regulatory barriers that make it difficult for farmers and ranchers to thrive. This is the purpose of this tool. We need to encourage local governments to assess their plans and ordinances to ensure that they are doing everything they can to make it easier for farmers and ranchers to make a living in their community.

Prime Agricultural Soils

Prime Agricultural soils are critical for producing fruits and vegetables. In Utah, most of the areas where these soils exist are located along the Wasatch Front or in other areas where growth pressures are the highest. If residents want locally grown fresh produce, communities may have to change their land use ordinances to protect these most productive agricultural areas.

Question 1: Do you have a map showing the prime, or important, soils in your community? **Yes No**

Question 2: Do you know where existing agricultural operations are in your community? **Yes No**

Including:

- *Large farms (More than 250 Acres),*
- *Medium farms (50 to 249 acres),*
- *Small farms (less than 50 acres),*
- *Community Supported Agriculture (CSA) operations*
- *Community Gardens,*
- *Backyard farms and gardens used to supplement family income or used by others for profit.*

Water

Adequate water, and the infrastructure to deliver it, is essential to any agricultural operation. Currently, agricultural operations use 80 percent of all the available water. As communities grow, some of this water will have to be diverted to culinary use. If they want to continue having local agricultural operations, communities need to be aware of the impact of these diversions on the viability of the agricultural operations in their communities, and take appropriate steps to mitigate those impacts.

Question 1: Do you have a secondary water supply that is used to irrigate in your community, or are there canals, pipes or ditches that provide agricultural water to your community? ***Yes No***

> *If yes to city irrigation system, are water shares, shares in irrigation companies, or hook ups to a city secondary water system available for sale in your community?* ***Yes No***
>
> *If yes to a canal or private irrigation system, are water shares, shares in irrigation companies, or hook ups available? Can the city own or simply convey water from these facilities to farms?*

Question2: Does your community have a plan to convert agricultural water to culinary use? ***Yes No***

> *If yes, does the plan include strategies to help farmers continue producing the crops, feed, forage or animals they currently produce using less water?* ***Yes No***

Question 3: Does your land use ordinance allow for the maintenance or expansion of existing water delivery infrastructure, and the construction of new infrastructure? ***Yes No***

Question 4: Does your city require dedication of water at the time of annexation or at the time of development? (This ties into Question 2, but is a major concern of farmers considering annexation or even cooperation with municipalities. If a city requires dedication with development, a farmer can continue to use the water until they actually sell for development.)

> *If at annexation, does your city have the appropriate policies and entities established to be able to lease water back to farmers until development is eminent?*

Question 5: Does your city allow for continuance of private water systems for small, agriculture oriented home developments? Yes No

> *If no, consider the following:*
>
> *State Division of Drinking Water does not regulate private water systems, which many farmers currently have. Some farmers want one to three additional home sites for their children, which may be feasible on a private system. Requiring connection to a public system may necessitate additional division of property in order to afford construction costs. Private water systems would need to retain water rights and can be designed to connect to public systems in the future as more development occurs. Requiring connection to a distant public line will require city monitoring and maintenance costs, which may not be covered by the small amount of revenue derived from the one to five homes a farmer desires.*
>
> *If yes, Does your city allow for farmers to retain water rights for their private systems? What standard of construction is applied? If the farmer desires to connect to public water in the future, how will that take place? What fire protection mechanisms are still required?*

Question 6: Does your city accept money in lieu of required water dedications. Yes No

> *If No, consider that all cities must be able to show proof of water use or potentially lose some of their water rights. It may be advantageous to receive some money in lieu of water in order to construct facilities necessary to deliver or show use of the city's water.*

Markets

One of the most important factors in ensuring that agricultural operations are viable is to ensure that there are markets for the products the farmers produce. Sometimes, communities limit these markets by the way they regulate businesses and land uses.

Question 1: Is there a farmer's market in your community? ***Yes No***

> *If not, is there one in a neighboring community that is near enough that farmers in your community could use the market?* ***Yes No***

Question 2: Are fruit stands, or other direct marketing opportunities for farm produce allowed in your community? ***Yes No***

Question 3: Does your current zoning allow an agricultural producer to sell their produce on the same site where it is grown? ***Yes No****.*

> *If yes, can a producer sell produce grown by other farmers to round out the offering at a roadside stand, or is the stand limited to the produce grown on the site?*
>
> ***Only produce grown on site may be sold Other produce is allowed.***

Question 4: Does your community allow residents to plant home gardens for their own use? ***Yes No***

> *If yes, do you encourage it, and provide information or resources to assist home gardeners?* ***Yes No***

Question 5: Does your community have an ordinance allowing chickens, bees or both in residential neighborhoods? ***Yes No***

> If no, have your surveyed your residents to gauge their desire for community gardens, chicken and bee ordinances, or other agriculture in their neighborhoods? **Yes No**

Question 6: Does your community allow residents to sell produce from their home gardens on site? ***Yes No***

Question 7: Does your community allow and encourage produce grown in home gardens to be sold at farmers markets*?* ***Yes No***

Question 8: Does your community work with and understand Good Agricultural Practices, which may affect the ability of a farmer to sell its produce commercially? Yes No

If No, it may be appropriate to discuss with the farming community how the city can help farmers comply with these practices.

Local Agricultural Business Promotion

The most important factor in any agricultural operation is the opportunity to make a profit from the produce, or animals, that you can grow. Local governments regulate land use, and businesses, so the choices you make can directly impact the success of agricultural businesses in your community.

Question 1: Does your city, town or county government have unused tracts of land that could be leased to farmers for food production until it is needed for other purposes? YES NO

> If yes, does your community have a current program for leasing these properties, or creating community garden plots on them that can be used by local individuals or groups? YES NO

Question 2: Does your community have a program, or programs, that recruit, or provide incentives to businesses to relocate to, or remain in, your community, and if so, are agricultural businesses—especially farms—included as eligible recipients of the incentives? YES NO

Question 3: Agricultural operations are businesses that provide tax revenue, and jobs in your community. Do you make an effort to promote agricultural businesses as you would other businesses in your community? YES NO

Question 4: Do you have an agricultural zone in your community? YES NO

> If yes, do you treat it like an industrial zone and try to buffer it from incompatible uses? YES NO
>
> If yes, do you permit farm product packaging or processing facilities in the zone? YES NO

Question 5: Is there one, or more, agricultural protection areas in your community? YES NO

Question 6: Does your community have ordinances protecting existing farms and farming practices against being designated as nuisances? YES NO

> If yes, do your ordinances provide for more relaxed leash laws, storing of non-operable vehicles or implements, garbage or refuse piles, or burning, all of which may be related to farm practices? YES NO

Question 7: Does your Land Use Ordinance designate areas where agriculture is the preferred use, and where your plans indicate that residents would like farming to continue even as the community grows?

YES NO

Question 8: Do you know what the economic impact of agriculture is in your community? YES NO

> What about the historic and social impact of agriculture on your community? YES NO

Agricultural Land Conservation

Some land is so important that it needs to be preserved. There are a number of options that a community or a non-profit might consider. Usually these options are designed to compensate a land owner for agreeing to not develop his property. This agreement can be perpetual, meaning that the property will never be developed and will always remain in agriculture, or it can be for a specified term.

While this is not a comprehensive list, some of these options include:

Perpetual Conservation Easements*—essentially a process where the development rights on a property are purchased and extinguished, leaving the fee title ownership and the agricultural use rights in the hands of the owner. All federal government conservation programs require perpetual conservation easements.*

Term Conservation Easements*—a farmer agrees not to develop his property for a specified number of years in return for a lump sum or annual payments. They may me renewable.*

Transfer of Development Rights *– a farmer works with a local jurisdiction to establish a number of "development rights" available on the farm. A farmer can then sell those rights to another person(s) who can redeem them with the city for higher density developments in areas designated by the city.*
Agricultural Conservation Area designation*—a farmer creates this area in cooperation with the local government, and can remove his property at any time. The area provides protection from zoning changes, nuisances, and other regulatory actions that would impact the agricultural uses.*

There may be other ways to provide ongoing protection to agricultural properties. Contact a land trust organization or government land conservation entity to find out more.

Local Agriculture Plan Elements

If your community wants to plan for agriculture, it may be useful to create an agriculture element in your general plan (This is required by State law, 10-9a-403 for cities with agriculture protection areas). To carry out the planning process effectively, there are a number of considerations that should guide the creation or revision of a plan:

- Development trends, plans or needs in your community that may affect farmland preservation and agricultural development in the community, including population and economic growth, housing, transportation, utilities, communications, business development, community facilities and services, energy, waste management, municipal expansion and environmental preservation;

- Agricultural uses of land, including key agriculture specialties that are critical to farmers in your community at the time of plan adoption;

- Key agricultural resources;

- Key agricultural infrastructure and facilities;

- Significant trends in the community related to agricultural land use, production, agricultural enterprises and conversion of land out of agricultural use;

- Anticipated changes to agricultural production, processing, supply and distribution;

- Goals for agricultural development or product transitioning in the community;

• Means of increasing housing density in developed areas not designated for farmland preservation; and

• Key land-use issues related to farmland preservation and promotion of agricultural development, as well as county plans to address those issues.

Although not all communities will want to engage in this planning, the communities that do decide to should incorporate their farmland preservation plans in their general plans. The two plans should be consistent.

Agriculture Sustaining Development Standards

Jurisdiction development opportunities and requirements play a major role in the ability of a farmer to continue working their land or selling it to a developer. As a farmer considers whether to continue farming, they will also consider how they might scale back operations and take advantage of their land, without having to sell the whole farm. The following are items to consider, which could enable a farmer to keep working a larger portion of the farm while allowing some growth.

Question 1: Are your required lot sizes in Agriculture Zones able to support agriculture production? While small localized operations may only need five acres, larger operations may need more than 40 acres. Lots with less than 10 acres are not generally able to yield significant product and are often converted to pasture or fallow ground, or sought for additional development opportunities. Lots having one to two acres, which may be difficult to re-subdivide, are becoming maintenance concerns as fewer people have the time or desire to care for large lots.

Question 2: Do you allow for residential development in agriculture zones? Yes No

If yes, do you allow for clustered home sites (e.g. ¼ - ¾ acre sites) with enough undeveloped land remaining around the home sites to facilitate farming operations? If you allow clustered developments, do you make provision for the continued maintenance or workability of farm lands within the development? If you allow large lots (e.g. 1-5 acres) do you require property maintenance or have nuisance regulations for unkempt properties?

Question 2: Do you allow rural road construction?

If Yes, does this include gravel surfacing or asphalt? Do you allow for drainage swales instead of curb or gutter? Do you require sidewalks only when traffic volumes warrant additional pedestrian safety measures?

Question 3: Do you allow private roads?

If yes, do you make provision for long term maintenance of the road by benefited property owners? Is conversion of the road to a public road in the future? Do your setbacks and frontage

requirements differ when structures are built on a private road? Do you allow for more than one home site to be accessed from the private road?

Question 4: Does your community allow for private water systems? (See water section above)

Question 5: Does your community require new developments to mitigate their impacts on existing agriculture operations?

If yes, do you require new developments to install or provide farm impact mitigation measures? This may include buffering requirements, like open space corridors or roads along property lines, windrow plantings, or requiring landscape standards for those properties abutting or within ¼ mile of farming operations.

Question 6: Do you require developers to notify potential buyers about the impacts of farming operations which may be in close proximity to a home or lot for sale?

If yes, is this done by placing a notice on the subdivision plat or provided by the City at the time a building permit is issued?

Information

For more information about the tool, or planning for agriculture, please contact John Bennett with the Utah Quality Growth Commission. His contact information is:

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