

LAND USE TOOLS FOR PRESERVING FARMLAND

Tamara Ogle, author

In communities across Indiana, open space contributes to the look and feel of the community and provides for amenities and resources. Open space is simply land that is not developed. Open space can include amenities such as parks and golf courses, fields and pastures utilized for production agriculture or natural areas such as woodlands and wetlands. Open space can be public or private land. Private open space like private woodlands, fields and pastures provide important resources to the community such as rural scenery, watershed services and natural habitats even though access is restricted. Planning with open space in mind helps communities preserve these resources. This section will focus on farmland preservation although additional resources for open space planning can be found in the references (Prokopy, McCormick & Reimer, 2005).



Agriculture is an important part of Indiana's economy with \$11.2 billion in sales of unprocessed agricultural commodities (National Agricultural Statistics Service, 2018). Additionally, production agriculture, along with supporting industries such as fertilizer services and food processing, are estimated to provide around 188,640 jobs to Hoosiers (Kinghorn, 2015). Agriculture also is the primary land use in the state, with 14.7 million acres (64 percent of the state's total land area) dedicated to farmland in 2017. While agriculture remains the most significant use of land, the number of farmland acres has decreased by 14 percent since

1975 (National Agricultural Statistics Service, 2018). Oftentimes in rural communities, agriculture is the default use of land, with community planning policies geared more toward development than open space preservation. While farmland is preserved when there is a lack of development, under this system it can be lost quickly when the demand for development is high. This is a particular issue in growing metropolitan and micropolitan areas where the demand for land for development is high, but it can also be an issue in rural communities. People looking for a rural lifestyle may lead to sprawling residential development across rural areas. As communities look to grow, a goal of farmland preservation as a part of their comprehensive plan can help them put into place the policies needed to encourage smart growth while maintaining prime farmland resources. Ultimately, planning to preserve agriculture land can:

- Reduce land use conflict,
- Protect valuable natural resources,
- Preserve rural character,
- Encourage development in key areas,
- Condense needed infrastructure and
- Maintain land for food production.

Preserving farmland and open space is one of the principles of Smart Growth (McCormick & Dorworth, 2009). By encouraging development and growth around existing infrastructure, communities can provide services more readily and efficiently and maintain their rural character outside of their towns and cities. Once land is developed, regardless of the purpose, it is difficult to convert back to fields and pastures. When a community has identified farmland preservation as goal, they first need to inventory the farmland resources. Not all farmland is equal, and by looking at soil types, tract size and geographical location a community can start to assess the value of their agricultural resources (Carver & Yahner, n.d.). Communities will want to prioritize protecting their most productive farmland in terms of soil productivity, accessibility and efficiency. Community planners will also be able to identify areas where they would most like to see future development, such as along transportation corridors, with access to needed infrastructure, close to services or existing development. Once a community has identified prime agricultural land and other areas of interest, there are a number of tools that can be employed.

ZONING

The use of different zoning districts is the most obvious tool. Communities frequently have agricultural, residential, commercial and industrial zones. However, zoning ordinances can be expanded to include differentiated agricultural zones. For example, if Hoosier County wanted to create two agricultural zoning districts, protected agricultural and agricultural, development standards can be more restrictive in the protected agricultural zone than the agricultural zone. If Hoosier County wanted, they could include a third zone for rural residential. In this zone, residential development would be expected.

EXAMPLE 1

	Protected Agricultural District	Agricultural District	Rural Residential District
Goal	Preserve open farmland resources for production agriculture	Provide land for production agriculture, farmsteads and agribusinesses	Provide space for large lot residential development in a rural setting while maintaining non-intensive agricultural production
Minimum lot size	40 acres	10 acres	2 acres
Residential as a permitted use	Special exception	Special exception	Permitted
Residential subdivision (from the subdivision control ordinance)	Not permitted	Not permitted	Permitted

The above zones and standards are intended to serve as an example. Communities can create these differentiated rural zoning districts and their various development standards to provide appropriate space for different types of rural land uses (Washington County, 2005). Whatever zoning tools are implemented should support the goals of the county's comprehensive plan. The county may also want to consider looking at their subdivision control ordinances and limiting splits in the agricultural districts to support these goals.

RESIDENTIAL SCORING SYSTEM

In the example, residential use in the agricultural district was listed as a special exception. This means it would need to go through an additional process to be permitted where the board of zoning appeals could look at each individual case. Another way of evaluating whether or not a specific residential project is a good fit for the zoning district would be through a scoring system. Scoring systems are sometimes used for confined feed operations (see ILRC's model ordinance), but can be used for any sort of development when a community wants to encourage certain practices

Some intensive agricultural uses or agricultural industries may seem to be a good fit in a protected agricultural district because of the need to buffer from residential and commercial land uses. A community may want to consider some of these as a permitted use or special exception while keeping in mind the goal of preserving open farmland. Once land is developed, regardless of the type of development, it is costly and difficult to restore this prime agricultural land resource. Related uses also may impact the land differently, such as increased traffic on rural roads or impact on drainage. If any developed use is allowed, communities can place additional standards such as buffers and setbacks on that use.

without limiting the development. With a scoring system, a potential residence would be awarded points based on meeting certain criteria spelled out in the zoning ordinance. A set minimum score would have to be reached for the residence to be permitted at the proposed location. Some criteria might include points for being a farmstead, existing land use, private or municipal water, road type or density of the section. By awarding points, the community can encourage new houses in a residential district to build in places that limit sprawl and conserve farmland.

MINIMUM LOT SIZE

Many communities use a large minimum lot size in rural districts in hopes of preventing residential buildup in rural areas. However, this can have an adverse effect. If each home in the county's agricultural district is required to have 10 acres, then residential development will naturally be more spread out. Five homes would require 50 acres. If the county were to reduce the minimum lot size to two acres, those same five homes could only take up 10 acres in the agricultural district. Maintaining an appropriate minimum lot size in rural

areas not serviced by a central sewage system is still important. Plan commissions should work with the county health department to better understand what that minimum lot size and appropriate density should be to maintain septic systems well into the future. It may be better for rural communities with goals of both increasing or maintaining their population and preserving farmland to consider where they would like to see rural residences built and craft policies to bolster both goals.

THE LIMITATIONS OF ZONING TOOLS

While zoning provides a great opportunity for communities to plan for current and future land use, it also has its downfalls. The zoning of a particular parcel can be amended or rezoned. Variances can be given. Developmental standards can be changed. Additionally, privately owned land where a community would like to encourage development may not be readily available for purchase. Zoning tools such as differentiated agricultural districts, development standards and scoring systems will not preserve farmland in perpetuity, but they can help communities guide development and land use in the present (Chase, 1999). Zoning tools are most effective when the community leaders, plan commission and board zoning appeals members and the community at large have been engaged in the planning process and understand and uphold the community's goals.

AGRICULTURAL CONSERVATION EASEMENT

Although not a land use planning tool, agricultural conservation easements can provide protection of farmland in perpetuity. An agricultural conservation easement is a legal agreement by a landowner to restrict development of a piece of property. This agreement or restriction attaches to the deed of the property and stays with it even when transferred to a new owner. Agricultural conservation easements can be gifted or sold to a private land trust with the mission of preserving open land or public agencies. When conservation easements are gifted, there can be tax benefits to the landowner. Agricultural conservation easements provide permanent protection of farmland; however, purchase programs can be costly for local or state governments. To learn more about conservation easements see the publication "Conservation Easements in Indiana" (ID-231).

CONCLUSION

Farmland preservation is not about limiting development in Indiana's rural communities, but protecting valuable natural resources, preserving rural aesthetics while reducing potential land use conflicts. Planning and zoning tools, while subject to change, can help communities balance development and agricultural activities and interests. Involving stakeholders in the planning process, identifying clear community goals and crafting land use policies to support those goals can help communities intentionally plan for and conserve prime agricultural resources.

REFERENCES

- Carver, A.D., & Yahner J.E. (n.d.) Defining prime agricultural land and methods of protection, AY-283. Purdue Extension. Retrieved from <https://www.extension.purdue.edu/extmedia/AY/AY-283.html>
- Chase, R. (1999). Agricultural land protection in Indiana, ID-225. Purdue University Cooperative Extension Service. Retrieved from <https://www.extension.purdue.edu/extmedia/ID/ID-225.pdf>
- Harrison, G.A. & Richardson J.J. Conservation easements in Indiana, ID-231. Purdue Extension. Retrieved from <https://www.extension.purdue.edu/extmedia/ID/ID-231/ID-231.pdf>
- Kinghorn, M. (2015). The economic contributions of Indiana agriculture. *InContext*, 16(3).
- McCormick, R, & Dorworth L. (2009). Smart growth and protection of natural resources in Indiana, FNR 409-W. Purdue Extension. Retrieved from <https://www.extension.purdue.edu/extmedia/FNR/FNR-409-W.pdf>
- National Agricultural Statistics Service. (2018). Quick Stats. United States Department of Agriculture. Retrieved from <https://www.quickstats.nass.usda.gov/>
- Prokopy L, McCormick R, Reimer A. (2005). Open Space Planning. Purdue Extension. Retrieved from <https://www.extension.purdue.edu/extmedia/FNR/FNR-257.pdf>
- Washington County, Wisconsin. (2005). Farmland & open space preservation tools. Washington County, Wisconsin. Retrieved from http://www.co.washington.wi.us/default.iml?mdl=print_detail.mdl&DetailID=229