

V. RECOMMENDATIONS FOR AGRICULTURE AND FARMLAND PROTECTION

A. Town of Lansing Zoning Ordinance Review

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The purpose of this review is to identify current zoning strategies that impact agriculture and to identify options for strengthening farmland protection or minimizing adverse impacts of zoning on agriculture in the Town of Lansing.

CONFORMANCE WITH NYS AGRICULTURE AND MARKETS LAW

NYS Agriculture and Markets Law (AML), 25 AA, section 305a, Agricultural Districts, provides farmers and agricultural operations located within state certified agricultural districts specific protections against local zoning regulation that may be unreasonably restrictive and cause undue interference with legitimate agricultural practices as defined by state law. Because most farms in the Town of Lansing are located within a state approved agricultural district (Tompkins County Agricultural District #1), they are afforded the protections available through Section 305-a.

In 2002, the NYS Legislature amended Town Law Section 283-a to require local governments to ensure that their laws, ordinances or other regulations that might apply to agricultural operations located in state certified agricultural districts do not “...*unreasonably restrict or regulate farm operations in contravention of Article 25-AA of the Agriculture and Markets Law, unless it can be shown that the public health or safety is threatened.*”

General questions that municipal officials should ask when assessing the application of zoning regulations to agriculture include:

1. Do the regulations materially restrict the definition of farm, farming operations or agriculture in a manner that conflicts with the definition of “farm operation” as set forth in AML Sect. 301(11)

2. Do the regulations materially limit or prohibit the production, preparation or marketing of any crop, livestock or livestock product?
3. Are certain types of agriculture subject to more intensive review or permitting process than other types of agriculture?
4. Is any agricultural activity that meets the definition of “farm operation” as set forth in AML Sect. 301(11) subject to special permit, site plan review or other local review standard above ministerial review, or subject to a more intensive level of review than other uses permitted within the same zoning district?
5. Are farm operations treated under the local zoning regulations as integrated, interdependent uses and activities, or as independent, competing uses of the same property?
6. Do the local zoning regulations relegate any farm operations located within a state agricultural district to the status “nonconforming use”?

The NYS Commissioner of Agriculture & Markets is empowered to initiate a review of local land use regulations as they may affect farm operations within a state certified agricultural district, either independently or upon the request of a farmer or municipal official within said agricultural district. The NYS Department of Agriculture & Markets will review the regulations to assess whether the local law or ordinance is unreasonably restrictive on its face and whether it is unreasonably restrictive when applied to a particular situation. The Department must also assess whether the regulated activity also poses a threat to public health or safety.

If the NYS Department of Agriculture & Markets determines that a local law or ordinance does impose an unreasonable burden on farm operations within a State agricultural district, it will notify the municipality of its findings. The Department will then work with municipal officials to bring the local regulations in line with Agriculture & Markets Law. If the issue cannot be resolved through negotiation, the commissioner is authorized under the law to bring an action against the municipality to enforce the provisions of Section 305-a.

Town of Lansing Zoning Districts

Rural Agricultural – RA. Designates areas where farming and farm-related businesses are the predominant and desired land uses, but where some low-density housing and commercial development exists and is expected to continue to be developed in the future.

Lakeshore – L1. Designates areas that are adjacent to or have access to the shoreline of Cayuga Lake, where residential and limited non-residential development is considered appropriate. This district is designed to minimize impacts from development due to steep slopes and erosion, and inadequate water and sewer services.

Residential Low Density (R1). Areas that are primarily residential, and where density is limited by factors such as soil conditions, land accessibility and unavailability of public water or sewer services.

Residential Moderate Density (R2). Areas where the expected and desired land uses are a mix of different types of residential development at a somewhat higher density. Such areas may have public water available.

Residential Mixed Use Transitional (R3). Areas where a change from traditional land uses to more dense residential development is anticipated upon introduction of public water and sewer services.

Commercial Mixed Use (B1). Areas where a relatively dense development of a mixture of land use including residential, small scale retail commercial and offices, specialty shops, personal services and light industry are considered appropriate.

Commercial General Business (B2). Areas where a wide range of retail, services and repair businesses, commercial and storage activities and light industry and similar land uses are permitted.

Industrial-Research (IR). Areas where light manufacturing, fabrication assembly or research, mining and power generation and other utilities are permitted.

Recommended Zoning Changes to Improve Farmland Protection

RECOMMENDATION #1 – DEFINITIONS

An important component in any set of zoning regulations is the glossary section containing definitions of various terms used in the zoning regulations. Because of the nature of zoning, clarity is critical to ensuring fair and consistent interpretation of the regulations, promoting efficient administration and positive public perceptions with regard to their local zoning, and inoculating the community against controversy and in some cases expensive litigation.

There are several definitions related to agriculture in the Town Land Use Ordinance that warrant revision:

Farm

The Town should consider removing the reference to regulations of the NYS Board of Equalization and Assessment in the definition of farming. Section 503 Schedule 1 does not specifically permit agriculture, but instead lists “Farming – dairy,” “Farming – poultry,” “Farming – livestock.” These uses are currently permitted in the Rural Agriculture and Residential-Mixed Use districts. Rather than separately listing a number of specific farming activities that make up the practice of agriculture, the Town should use one umbrella term encompassing all activities such as “agriculture” or “farming.”

This approach would take into account not merely the specific activities set forth in the various definitions, but also the multiple structures and subordinate activities that contemporary agriculture encompasses. Such an approach may also eliminate ambiguities, such as whether or not the “growing of fruits and vegetables...” includes processing and storing for sale of such commodities, or whether the “commercial growing of plants...” in the definition of greenhouses precludes growing plants as a hobby or for personal enjoyment. Farm supply and service providers should also be recognized activities and enterprises that are integral to supporting agriculture. And marketing should be understood to include

a variety of direct marketing opportunities that bring customers to farms (agritourism, wineries, farm stands, CSA farms, farm festivals, corn mazes, farm B&B's, etc.).

By replacing multiple uses and definitions with one umbrella definition that is more generic, the Town of Lansing could streamline its zoning regulations, head off possible controversy over defining specific activities, and ensure some flexibility to accommodate the changing nature and increasing diversity of agriculture.

An example of a comprehensive definition of agriculture is:

“The use of land, buildings, structures and equipment, and the practices which support the production, preparation, processing, marketing and transportation of grains, vegetables, fruit, and other crops, horticultural and floricultural products, animal husbandry (including horses, llamas and alpacas), livestock and livestock products, aquaculture, apiary products, forest farming, and farm energy production from manure or biomass crops.”

This definition is designed to take into account the numerous activities that may take place on a farm of any size. It provides a clear and concise definition of what would constitute an agricultural operation, but provides considerable flexibility that accommodates wide variety of activities generally recognized as being “agriculture” in New York and the constantly evolving nature of agriculture and agricultural practices. Businesses that exist in support of agricultural enterprises such as suppliers, processors, trucking companies, veterinarians, loggers, composting operations, and other such services that farmers need, can also be considered as part of this definition if providing services for the farming community.

The following types of farming operation should be included in the definition of agriculture and therefore be treated the same as other farming enterprises under the local land use law.

Commercial Plant Nursery or Greenhouse

“Commercial plant nursery or greenhouse” is permitted upon site plan approval (Sect. 802.8), as are “roadside stands” (Sect. 802.30) and “public stables” (Sect. 802.1) in the Rural Agriculture district. These should be treated consistent with other farming enterprises.

Horse Boarding

The Town’s definition of agriculture does not include “commercial horse boarding operations.” These are considered to be “agricultural” activities and benefit from the protections of NYS Agriculture & Markets Law Section 305-a. There is a definition for “public stable,” which covers the same type of establishment, and which is use permitted in the Rural Agricultural District in the Town, subject to site plan approval. By adding horse boarding to the agriculture definition, it avoids the potential for contravention of NYS AML Article 25AAA.

Roadside Stand

The current definition provides for the sale of “farm or other products” on a seasonal basis, with no description of what “other products” may include. The Town could consider modifying the definition to promote the sale of farm products produced within 50 miles of the property where the roadside stand is located. Roadside stands generally operate from tents, sheds or small buildings and may be self-serve or staffed and operated on a seasonal basis. Roadside stands should be understood to be distinct from year round Farm Markets which are permanent building dedicated to retailing of farm products and perhaps other goods purchased for resale to serve customer needs and interests. Farm Markets associated with farms for the primary purpose of selling farm raised products should be permitted under local land use law. For more information see NYS Dept. of Agriculture & Markets guidance document: Guideline for Review of Direct Marketing activities (<http://www.agriculture.ny.gov/AP/agservices/guidancedocuments/305-aFarmMarket.pdf>).

Junk

There appears to be one potential conflict between the Town of Lansing Land Use Law and the provisions of AML Article 25AAA. The NYS Department of Agriculture & Markets does not expect municipalities to grant farmers an exemption from junk accumulation. A number of towns have modified their

existing definitions for junkyard to include language such as “...and other debris that is not generated by or used in any active agricultural operations on the premises.”

The definitions for “Junk” and “Junkyard” do not exempt farm equipment and other items that may not be operational, but are kept for spare parts, etc. Many local regulations governing junkyards do not exempt farm “junk piles” or a collection of inoperable equipment or vehicles that can be found on the typical farm. The NYS Department of Agriculture & Markets recognizes the need for some “junk” storage on farm and the prohibition of such activities may be considered a contravention of NYS Agriculture and Markets Law (AML) Section 305-a. This technicality could be resolved with a slight modification to the definition of “junk” by the addition at the end of the following language: “*with the exception of materials generated by or acquired for use on the farm premises in any ongoing agricultural operations.*”

The modified definition could read:

“Junk. Any scrap, waste paper, rags, scrap metal, white goods, junked vehicles and boats or parts therefrom, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition, with the exception of materials generated by or acquired for use on the farm premises in any active agricultural operations.”

Further information pertaining to the State’s perspectives on “junk” can be found in the following guidance document:

http://www.agriculture.ny.gov/ap/agsservices/guidancedocuments/305-aJunk_Junkyard%20Guidelines.pdf

RECOMMENDATION # 2 – CREATE A NEW AG ZONING DISTRICT

The Lansing Agriculture & Farmland Protection Plan Steering Committee is recommending the creation of a new Agriculture Zoning (AG) district to encompass most actively farmed areas in the northern part of the Town and encompassing high quality soils necessary for continued viable farming in areas with the least amount of development pressure. This recommendation would not

eliminate the RA zoning district entirely but would reduce it to areas where uses as permitted in the RA zoning district exist.

Two Tompkins County towns with Agricultural Zoning districts include the Town of Ithaca and the Town of Ulysses. The intent of the agricultural zoning district in Ulysses is to protect the town's agricultural resources including viable agricultural operations and high quality soils. The Town of Ithaca's goals for their agricultural zone is to provide conditions for continued agriculture use, maintain open space in agricultural areas, and support compatible activities and densities while minimizing incompatible uses. [See the Appendix II for a summary of AG zone provisions from the Town of Ithaca and Ulysses.]

Given that agriculture is much more active in the northern part of Lansing than in the Towns of Ithaca and Ulysses, it is recommended that the Lansing Town Board take a proactive approach to protecting high quality soils and farmland that will enable farming to remain as a viable industry in the town. Developing an AG zoning district that designates agriculture as the primary use is a necessary step toward achieving a higher level of farmland protection than is currently provided by the RA zoning district provisions. Further it would help clarify ambiguity that currently exists given the many permitted uses in the RA zone.

By designating an AG Zoning district, greater emphasis is given to the continuation of farming and development of compatible non-farm uses thereby reducing scattered rural sprawl, farmer-neighbor conflicts, and it will help direct development to the Town Center area making sewer development and water service expansion more feasible.

Uses recommended in new AG zone

In addition to residential and agricultural uses the Town of Lansing Land Use Law permits a number of other land uses within the RA zoning district. These are listed in Table 1. Uses that are less compatible with farming that would be excluded from the AG zone include: industrial and commercial land uses that require substantial amounts of level land and thus can compete with farmers for valuable agricultural land, particularly those with higher quality agricultural soils; nursing homes, multi-family housing, hotels, restaurants and health care facilities, that can

be adversely affected by the noise, dust and odors associated with contemporary agricultural operations, and can result in conflicts with local farming activities.

Although many of the above uses are subject to special permit review, in New York where a land use is subject to special permit, the presumption has been made by the municipality that it is an appropriate land use in the zoning district(s) where it is permitted subject to special permit. As a result the municipality is generally limited to setting specific conditions of approval to mitigate potential impacts of the proposed development.

The recommendation for removal of specific land uses is not a recommendation that such businesses be excluded entirely from the agricultural areas of the Town of Lansing. There are a number of businesses, including several long-standing businesses already in existence in the proposed Agricultural zoning district that would be grandfathered in the new district.

As the Town of Lansing evolves there may be one or more proposals for such development in the AG zoning district. At that point, the Town will have the opportunity to thoroughly review such a proposal for its long-term land use and environmental implications, its suitability for the proposed location, and its conformance with the goals and objectives set forth in the comprehensive plan.

Table 1. Land Uses or Activities Recommended for Retention in the New AG Agricultural Zoning District

Land Use/ Activity	Recommended Permitted Uses in AG Agricultural Zoning District	Recommended additional Permitted Uses in RA Zoning District
RESIDENTIAL	A.1 Dwelling, 1-family; A.2 Dwelling, 2-family; A.3 Dwelling, conversion of existing to 3 or 4 dwelling units; A.7 Congregate housing; A.8 Shared housing; A.9 Mother-in-Law/Accessory; A.10 Dwelling, ECHO; A.11 Dwelling, home (mobile home); A.13 Cluster development; A.15 Accessory use related to residential	A.4 multi-family dwellings; A.5 townhouse dwellings; A.6, Retirement housing; A.12 mobile home park; A.16 mixed residential/commercial
BUSINESS	C.1 Farming-crops**; C.2 Farming-dairy**; C.3 Farming-poultry**; C.4 Farming-livestock**; C.5 4H/similar educational husbandry programs; C.6 Commercial plant nursery; C.7 Roadside Stand; C.8 Bed & Breakfast facility; C.9 Rooming house, tourist home; C.10 Nursery school, daycare facility; C.12 Residential (home) business or occupation; C.13 Funeral home; C.14 Public Stable; C.15 Kennel, animal boarding; C.16 Keeping or raising of horses or ponies**; C.17 Veterinary hospital; C.18 Commercial recreation, outdoors ; C.23 Retail sales, specialty; C.24 Retail sales, general; C.25 Retail sales, lumber & other building materials and supplies; C.26 retail sales, industrial or agricultural equipment & supplies; C.29 Restaurant or tavern; C.31 Barber/beauty shop/similar personal services; C.32 Photocopying & similar graphic services; C.34 “Mini” commercial warehouse for self-storage; C.35 Vehicle fuel & service (except body work); C.39 Laundry (self-service)	C.11 nursing home, hospital, health-related clinic; C.19 indoor commercial recreation; C.20 hotel, motel; C.21 professional or business office; C.22 bank, financial institution; C.27 retails sales, etc.: marine/water oriented; C.28 retail sales, mobiles homes, RV, etc.; C.30 drive-through restaurant; C.32 photocopying, etc.; C.33 Convenience (mini) mart; C.36 new, used car sales; C.37 car wash; C.38 sale of plumbing, HVAC, electrical supplies & equipment; C.40 sexually oriented business

INDUSTRIAL/ RESEARCH	D.5 Use of accessory building for sale of farm commodities, light fabrication & assembly; D.6 Commercial excavation; D.7 natural resources exploration; D.8 Truck or motor freight terminal; D.9 Vehicle body shop, not as part of new or used car sales & service; D.12 Agricultural research laboratory*	D.1 warehouse, storage or wholesaling of non-agricultural goods, materials; D.2 printing & publishing; D.3 commercial assembly (not a home business); D.4 industrial or educational research, design & production (not a home business)*; D.10 vehicle wrecking & salvage; D.11 general processing, light manufacturing; D.12 scientific research laboratory*
<p>* Continue to permit agricultural research, but not other types. ** These uses would be included under one term, Agriculture, which would be defined to encompass all under a single definition.</p>		

Permitted uses in the new Agriculture zone (AG)

Agricultural Commerce. The current list of permitted commercial and industrial uses in the new AG zoning district should explicitly include and encourage “agribusiness,” “agricultural enterprises”, or “agricultural commercial” for the purpose of zoning. Such businesses may include farm services, farm equipment and supplies, processing, and marketing functions and may be owned or operated by farmers or agri-support entrepreneurs. Such enterprises provide local jobs and keep dollars circulating in the local economy.

Many farm operations have side businesses that supplement the income of the overall agricultural operation. The Town of Lansing already permits “home occupations.” The home occupation concept provides the farm community with the opportunity to supplement income from farm operations on a smaller scale that would not compete for land or introduce potentially incompatible uses.

Agricultural commercial enterprises and cottage industry or rural enterprises, however, could be much larger, employ persons not living on the premises, and also include retail and wholesale services to the general public. Examples of agricultural commercial businesses would be farm equipment dealerships, seed, grain, hay, straw and fertilizer sales, repair services, building, excavating and other contracting services and trucking services.

In the Town of Ulysses such businesses are referred to as “agricultural commerce” and defined as:

“A retail or wholesale enterprise providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations.”

Agri-tourism is a growing and important component of an overall direct marketing strategy for an active agricultural operation or farm market, and is an important source of supplemental income for farms. The Town of Lansing zoning regulations do not explicitly permit such activities in the current Rural Agricultural zoning district. Such uses should be defined in a manner that accurately describes the activities envisioned as part of an agri-tourism enterprise, protects the town from unanticipated ones, and permits some flexibility in interpretation. An example of a definition for agri-tourism is:

Recreational, educational and entertainment activities operated in conjunction with and as part of an overall direct marketing strategy for an active agricultural operation or farm market that contribute to the production, preparation and marketing of crops, livestock and livestock products, and including activities such as petting zoos, hayrides, corn mazes, festivals, farmtours, farm lodging, farm wineries, farm restaurants, and other such recreational activities, educational demonstrations, and the onsite preparation, processing and sale of foods prepared from local farm products for consumption on site and off site.

Agri-tourism operations are designed to attract the general public. They also have the potential to grow into major businesses that may attract large numbers of people and traffic, particularly for occasional special events. Site plan approval is a mechanism by which a municipality can ensure that the health and safety of the general public and patrons of such businesses are protected; ensure that adequate facilities for parking and safe ingress and egress from public highways are provided, and that potential adverse impacts of such businesses or large events are

mitigated. The Town of Lansing may wish to require site plan approval for agritourism.

The NYS Department of Agriculture & Markets offers a Guideline for Review of Direct Marketing activities (<http://www.agriculture.ny.gov/AP/agsservices/guidancedocuments/305-aFarmMarket.pdf>).

Farm Market. Generally permanent year-round retail operations that sell agricultural products, baked goods, and other foodstuffs, and operated as part of an overall farm enterprise. Handicrafts and other agriculture-related products could also be sold. Although they can provide an outlet for agricultural products grown on the host farm, because of their size and because they may be year-round operations, some of the products sold at a farm market may not be produced on the farm premises.

Rural Enterprises. Another type of business suitable in the agriculture zone would be “rural enterprises.” Unlike the agribusinesses or agri-tourism described above, these are small-scale business enterprises operated by rural residents, but are not necessarily linked to the agricultural economy. They provide employment to rural residents and services to rural areas, but maintain a scale in character with the rural nature of the Agricultural zoning district.

A rural enterprise would be a small-scale business operated by a resident of the premises. The business could be a service or small-scale craft or industrial enterprise. Key attributes of these types of businesses are that they are operated by a resident; and their size and scale limited by the number of employees permitted. An example of a definition for rural enterprises is:

A manufacturing, construction or service enterprise owned and operated by a resident of the principal dwelling on a lot, but which does not employ more than ten (10) persons on site not residing on the premises.

Types of businesses that are envisioned under the above definition include small contractors, woodworking, metalworking and other craft manufacturing, small auto repair and body shops, small craft bakeries and food processors. They may also include businesses such as bed-and-breakfast inns or other types of small-scale

lodging establishments that take advantage of and are compatible with the rural character of the Agricultural zoning district. In many case such businesses can occupy surplus farm buildings. Their size would be controlled by a limit on the number of employees not living on the premises. Such businesses should be subject to site plan approval.

Wind Energy Source. Although permitted under Sect. 503, Schedule I, the zoning regulations do not provide a definition of what constitutes a wind energy source, and what distinguishes commercial or residential scale systems. Such systems also require site plan approval. The Town of Lansing should consider permitting small-scale wind energy systems as a permitted use, without site plan approval, subject to specific design and setback requirements, for residential and agricultural operations. Such systems can be distinguished from large scale commercial systems by limiting their size to 10 kw. These smaller units are large enough to serve a typical home, and 2 to 3 can serve a moderate size dairy operation.

Key standards for the design and placement of wind energy sources include limits on generating capacity, height, turbine blade length, setbacks from buildings and property lines, color and number permitted. Where a farm operation may warrant more than one turbine, the number can be controlled by tying the number permitted to the number of acres on the parcel of land. (e.g. one turbine unit for each 10 acres). Although concerns about visual impact have been expressed, these smaller systems generally recede into the background at distances beyond 500 feet, and within 500 feet can be screened from public roads by existing buildings, trees and other vegetation.

Additional guidance is provided by NYS Dept. of Agriculture & Markets at: http://www.agriculture.ny.gov/AP/agsservices/guidancedocuments/Guidelines_for_Solar_and_Small_Wind_Energy_Facilities.pdf

VI. Agriculture & Farmland Protection Recommendations for the Town of Lansing

VISION STATEMENT

A future vision of agriculture and its contribution to the Town of Lansing

Agriculture has a significant impact on the Town of Lansing economy and land use. High quality soils and land suitable to farming is a unique resource that is protected for farming through policies that direct development away from prime farmlands. Supportive town policies and broad community support for agriculture create a climate where farming remains feasible and viable. A diversity of full and part-time operations will produce dairy, livestock, feed crops, local foods, horticultural crops, renewable energy resources, and other agricultural products marketed locally and through conventional agricultural marketing channels. The town's farms provide a variety of job opportunities and thereby strengthen the local economy. Farming practices protect soil, environmental quality, natural resources, and provide scenic working landscapes that preserve the rural character and enhance the quality of life of our community.

Plan Components

(as required by State Dept. of Agriculture & Markets)

I. Location of areas/land recommended for protection for agricultural use

RECOMMENDATIONS

- A. **Create a new AG zone to encompass the majority of agricultural areas of north Lansing.** *Boundaries of new Ag zone:* all agricultural areas North of NYS Route 34B

The area from 34 B to Buck Rd. is considered as being under development pressure and transitioning to residential/rural agriculture. [Map](#)

South Lansing agriculture is a mix of open hay fields (abandoned agriculture) and would be most appropriate for small scale consumer oriented agriculture given proximity to residents; larger scale animal agriculture would not be appropriate in this area. We propose no changes be made in this part of the town's zoning district and that agriculture be allowed to continue along with other uses.

B. Consider options and seek opportunities for securing and protecting key farmlands for continued and permanent agriculture use.

- 1) Support farmers that are interested in seeking conservation easements on their properties via the NYS Farmland Protection Program. Work with Tompkins County Planning Department and the AFPB in the application process.
- 2) Work with NYSEG/AES and future owners of this property if sold, to ensure that the portions of this parcel that is currently farmed remain available to rent.

II. Value of Land to be protected

A change in zoning from RA to AG in North Lansing will provide broader recognition and protection for farming by giving priority to agricultural uses and restricting uses that are not compatible with agriculture. By protecting agriculture in North Lansing and encouraging development in South Lansing, the town will preserve economic activity generated by farming enterprises including \$20 million dollars in product sales and jobs for at least 100 people. In addition to the economic contribution of agriculture, it is important to recognize the value of high quality soils that are not replaceable once developed. Farming is viable in Lansing because of its high quality soils.

III. Consequences of Farmland Conversion

Loss of high quality soils for farm and food production – Given the amount prime soil and soil of statewide significance in the Town of Lansing that is desirable and necessary for farming and food production it would be a significant loss to the future of farming and food production in the town, county and region if

this resource were lost. Soils cannot be replaced once lost due to construction when the landscape is carved up with infrastructure and buildings.

Fragmentation of farmland making it harder for existing operations to remain viable – Rural sprawl including housing and business developments make it harder for farmers to farm efficiently and thereby increases the cost of doing business. Fragmentation has been shown to lead to the impermanence of farming. Farm operations need land to operate and the farther they must go to find farm land the more challenging it becomes as they travel from field to field and work around developed areas.

Loss of farm jobs and employment sector – Farms in the Town of Lansing provide full or significant part time jobs for approximately 40 owner/operators and their family members. Hired labor on farms is generally part-time and seasonal providing approximately 60 jobs. Hispanic workers have become the dominant labor force on at least 3 town dairy farms (approx. 15 workers total). Hispanic workers along with employees from the local area live here, shop locally, and contribute to our community.

Loss of supply services-support businesses – Having a concentration of farming in one area makes it more economical for suppliers and other support businesses to provide services to farmers. Farmers rely on a range of services including veterinary services, seed and feed suppliers, crop consultants, trucking, vehicle maintenance, accounting, and other such business. Given the scope of the farming in the town, there is potential for more farm support and supply business development.

Loss of economic activity – Farms in the Town of Lansing generate approximately \$20 million dollars in dairy, crop and related agricultural sales. \$17 million in sales is generated by the dairy industry alone. Total agriculture product sales in the county is \$60 million (2007 USDA Census of Agriculture), therefore, Lansing farms are significant in the overall Tompkins County farm economy generating one-third of the total agricultural sales value.

Loss of open space/scenic views/UNA's associated with farms – Over 16,000 acres of land in the town or slightly over one-third of the land area of the

town is associated with agriculture. An additional 13 % of the town's land is classified (Tompkins County Land Use Land Cover Survey, 2012) as being in vegetative cover, some of which may also be associated with farms. Most of the UNA's in the Town of Lansing are associated with farms. The rural character of the northern part of the town will change significantly if agriculture is no longer a dominant factor in contributing to scenic views and open space. These are attributes that also benefit rural tourism development.

Increased rural sprawl – Rural sprawl is already a reality in the town. During the past 20 year period housing development outside the village grew 33.9% compared to 9% within the village. As the village has become built out, more housing is moving into rural areas, impacting farming operations, but also creating a demand for more town services that are less efficient and more costly to deliver over larger areas.

Higher taxes and increased demand for services – A 1995 Cost of Community Services Study prepared by Cooperative Extension and the Tompkins County Agriculture & Farmland Protection Board compared the cost of services demanded by 3 sectors: residential, industrial and agriculture compared to revenues contributed for services. For the Town of Lansing, the ratio of tax dollars generated compared to town expenditures was 1 to 1.56 for residential; and for both industrial/commercial and agriculture the ratio was 1 to .16, meaning that for every tax dollar from residential \$1.56 is demanded in services while both agriculture and industrial/commercial receive only 16 cents in services for each dollar paid in taxes. Consequently, the loss of agricultural land to residential development will result in increased demand for services and result in higher taxes overall. This type of study has been repeated by American Farmland Trust in many communities, with similar overall findings.

IV. Level of Development Pressure

Development in the Town of Lansing has been steady expanding from south to north. It is anticipating that the following trends will continue to impact the farming community.

Population in the Town of Lansing grew at a rate double that of county from 1940-1990. From 1990 to 2000 town population increased from 9,296 to 10,521 for a 13.18% increase. This was the largest increase of any town in the county and more than that of the City of Ithaca. County population during the same period only grew by 2.55%. From 2000 to 2010 the town population grew half the rate of the previous 10 year period at a rate of 4.87% while the rate of population increase for the county overall was 5.25.

Housing development has been strongest in the Village of Lansing but as the village has become more built-out, there has been an increase in suburban-style scattered development in the form of single-family homes in areas beyond the village, generally south and southwest of 34 and 34B, in areas with lake views, and along rural routes.

From 1990 to 2010 there were 995 new housing units/dwellings added to the town. This represents a 24% increase in the number of dwelling units in the town. Of this number, 846 units or 85% were built outside the Village of Lansing.

The housing stock in the Town of Lansing is of higher median value than in other parts of the county. This drives up the value of land for housing and the value of land in general. This is reflected by higher land prices in both suburban and rural areas of the town compared to other towns in the county.

Business development concentrated in the Village of Lansing and near the airport provides jobs and consequently increased demand for nearby housing.

Town Center – the Town Center proposal for the intersection of Rt. 34/34B is supported by farmers but is also of concern in that it borders agricultural areas to the north. The proximity of an area of mixed use housing, retail, business, and recreational use will draw more traffic into rural/agricultural areas and has the potential to drive more rural housing sprawl into agricultural areas.

Rural roads – farmers have noted increased car traffic traveling at higher speeds on rural roads. With more housing along rural roads, and more drivers, there is concern that fast moving cars and slow moving farm equipment especially during spring planting and fall harvest season pose increased safety concerns.

Non-farm neighbors – farmers are concerned about the compatibility of rural development with farming operations. Given that fewer people are familiar with farming operations and activities, there is the potential for misunderstanding farming practices and for trespass and injury associated with unlawful trespass. The need to educate non-farm neighbors places an additional burden on farmers.

Rural sprawl – poses several problems beyond non-farm neighbor conflicts and traffic on rural roads. Farming operations are generally less efficient when they operate fields over a larger area interspersed by housing. There are increased costs associated with moving equipment, fuel, and growing crops on smaller fields instead of larger contiguous farm fields. Additionally, rural sprawl results in demand for services from residences that are not cost effective to deliver over larger areas.

V. Development Impacts

Farmers feel the encroachment of development in north Lansing farming areas and it is of concern to them. There is documented rural housing growth outside of the Village of Lansing which is likely to continue as a trend. Horticulture businesses and small scale farming oriented at direct marketing can benefit from urban/suburban growth if residents place a value on buying products from local businesses. Larger scale farms are concerned about the proximity of non-farming neighbors unfamiliar with typical farming activities. More cars and people in rural areas increase the need to educate rural residents about road safety and trespass issues.

Development opportunities will also impact what residents who own land and currently rent to farmers will do in the future. Farmers are concerned about access to rented land. For some farmers who rent the majority of the land they farm, it could mean the end of their farming operation because there is little other land available to rent. While many rural landowners indicate they prefer that their land is farmed, high taxes and development opportunities are likely to impact future decisions to rent land to farmers.

IMPLEMENTATION RECOMMENDATIONS

The Agriculture Plan for the Town of Lansing serves as a guidance document for town officials to follow in the protection of valuable agricultural lands, in particular those with high quality soils that occupy the northern area of the town, and serves as a reference for planning and agricultural economic development.

The recommendations in this plan reflect current conditions and therefore, in order to remain relevant, the plan will require that changes in agriculture and the community over time be monitored.

PRIORITY ACTIONS/RECOMMENDATIONS

A. Form a Town Agriculture Committee

Appoint committee

(define membership), describe duties/charge/mission, establish regular meeting schedule

It is recommended that the committee be comprised of at least 5 active farmers, a liaison from the Town Board, a liaison from the Planning Board, Town staff (zoning or planning), and at least 1 rural non-farmer landowner. Farm owners may include: dairy, livestock including horses, field crops, fruits, vegetables, Christmas trees, and other enterprises as defined as agriculture in this document. Liaisons may include representatives from agricultural organizations such as Cornell Cooperative Extension Tompkins County or the Tompkins County Soil & Water District or other such person as deemed relevant to furthering the purpose of the committee.

Set the committee charge

It is recommended that the main function of the committee be to ensure a means for implementation of the agriculture plan; to review and update the plan periodically; to review site plans for proposed developments and to assess and provide input on their impact on agriculture; to provide input to the County Agriculture & Farmland Protection Board on matters pertaining to the Agriculture District; and to host at least one annual farm community meeting to listen to concerns and needs. Additional suggestions for committee roles can be found in the appendix.

B. Encourage farmers to be active on Town boards/committees

- 1) Enlist at least one farmer to serve on the committee to update the Town's Comprehensive Plan
- 2) Recruit farmers to serve on Town Planning Board, Board of Zoning Appeals, Conservation Committee, others as appropriate
- 3) Encourage farmers to run for Town Board
- 4) Encourage farmers to join other relevant town boards and committees

C. Prioritize the following recommendations for immediate action:

- 1) Create a new Ag Zone in the predominantly agricultural area of north Lansing
- 2) Revisit the definition of agriculture in the current zoning document and consider revising it to reflect current farming activities and to be consistent with NYS Agriculture & Market Law 305a (as per recommendations on page xx of this report).
- 3) Continue to remain informed about the status of the NYSEG/AES land so that land that is currently rented by farmers may be available to rent after sale to a new owner, in particular if the owner is NYS DEC.
- 4) Identify high priority area/parcels for State Farmland Protection funding to purchase permanent agricultural easements on farm land that is high quality and that serves as a buffer to protect other active farming areas of the town. Establish criteria for identifying such parcels and actively reach out to landowners to assess interest in selling agricultural easements.

D. Goals and Strategies to preserve farming and promote agriculture

The following chart is based on input from the farming community on ways to strengthen agriculture. The recommendations provide ideas and opportunities for consideration by the Town agriculture committee and Town Board as they move forward with plan implementation. The committee has assigned High, Medium or Low priority to the recommendations and recognizes that the Town will want to reach out to partner with county agencies to move forward with some of these recommendations. It

is anticipated that some recommendations are more feasible than others and that not all will be implemented. It is also anticipated that new priorities will emerge over time.

E. Plan adoption

- 1) Provide input and recommendations as needed.
- 2) Host a public meeting.
- 3) Town Board approval.
- 4) Forward to Tompkins County Agriculture & Farmland Protection Board for review.
- 5) Submi