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Introduction and Goal and Objectives

The Oxford Region is steeped in agricultural tradition and heritage. Yet while agriculture is indeed a cultural element in the Region, it is the agricultural resources and industry that allow that tradition to flourish. This chapter provides an inventory of agricultural resources and the various agricultural industries, an analysis of their importance to the Region, and recommendations for the protection of the resources, promotion of the industry, and consistent management of both, in accordance with the following Goal:

Promote environmentally and economically sustainable agriculture and the Region's agrarian character through the protection of the farming industry, conservation of agricultural soils, and the recognition of agriculture as a viable land use.

Plan Objectives

This Plan Chapter focuses on how best to achieve the following Objectives:

- 11-A** Encourage the conservation of prime agricultural soils for agricultural purposes.
- 11-B** Continue to support farm land preservation efforts by landowners, the municipalities, public agencies, and non-profit organizations.
- 11-C** Continue to protect farmland through conservation easements and by the implementation of appropriate land use tools such as alternative development options, e.g. conservation development, effective agricultural zoning, and transferable development rights, while recognizing private property rights.
- 11-D** Guide non-agricultural development to targeted growth areas and encourage the location of compatible land uses and support facilities adjacent to agricultural areas to reduce the potential for nuisance conflicts with residential development.
- 11-E** Encourage economic development in the Region that is appropriate to the continuation of agriculture and will provide a diverse tax base to help reduce the tax burden on farmers.
- 11-F** Reduce or eliminate undue regulations that hinder agricultural operations.
- 11-G** Recognize the importance of farm labor to agricultural production within the Region.
- 11-H** Promote access and mobility practices in transportation planning that encourage the continuation of agriculture in the Region.
- 11-I** Promote the continuation of open communication and facilitation among the municipalities in the region, as well as between the municipalities and other entities, to encourage the preservation of agriculture.
- 11-J** Allow, and encourage where appropriate, food processing sites within the Region so that farm products do not need to be shipped elsewhere to be processed.
- 11-K** Encourage the conservation of energy to reduce operating costs and the exploration of alternative energy sources which may be used to generate additional income.
- 11-L** Encourage and sustain the transition of agricultural operations to the next generation of farmers with the support of private and public entities.
- 11-M** Support access to and changes in technology when such technology has the effect of improving agricultural production, reducing environmental impacts, and preserving agricultural land.

The Agricultural Resources Goal and objectives promote the idea that agriculture can only be sustained by a concerted effort that involves the conservation of soils, farms, the farming industry and rural farming communities.

Agricultural Resource Components: Prime Farmland and Soils

Much of the Region’s rural character comes from its agrarian heritage. The Region contains agricultural resources that represent one of the earliest economic foundations of the area and date back centuries to when Europeans initially settled the area (see Chapter 13: Historic Resources Inventory and Plan). Prime farmland and prime agricultural soils are resources of agriculture.

What Is Prime Farmland?

The United States Department of Agriculture defines prime farmland as,

“...land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, range-land, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically



produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and

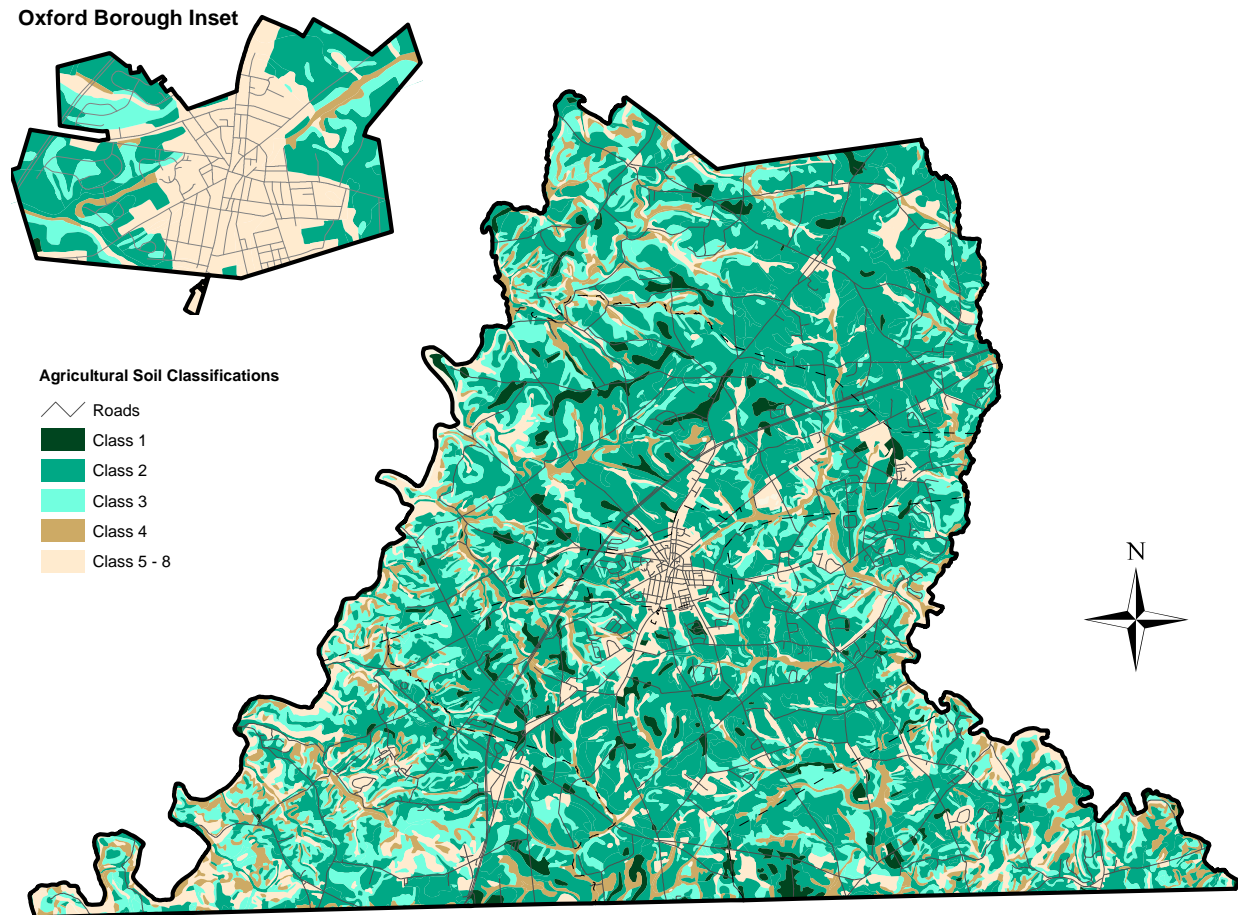
dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.”

Prime farmland is determined on a site-by-site basis, and is a subjective resource. Therefore it is not possible to map or depict this resource for the Region. Along with an abundance of prime agricultural soils, the conditions stated in the definition above would indicate that the Region contains significant areas of prime farmland.

What Are Prime Agricultural Soils?

The Oxford Region is part of the Southeastern Pennsylvania Piedmont Region which has some of the most productive farmland in the nation and the world. Prime agricultural soils, a component of prime farmland, are plentiful in the Oxford Region as shown in Figure 11-A. Prime agricultural soils are designated as bearing a productivity rating of Class I, II, and III by the United States Department of Agriculture (USDA), Natural Resource Conservation Service, NRCS.

Figure 11-A: Prime Agricultural Soils



Characteristics of Prime Agricultural Soils:

- **Class I** soils have few limitations that restrict their use for farming, and, therefore, are considered the best for agricultural purposes.
- **Class II** soils have some limitations that reduce the choice of plants (crops) or require moderate conservation practices.
- **Class III** soils have more severe limitations that reduce the choice of plants (crops), require special conservation practices, or both, and are designated by the USDA Soil Conservation Service as agricultural soils of statewide importance.

Soils not classified as Class I, II, or III are generally less productive and are often located in areas of floodplains, wetlands, or steep slopes and are often used for pastureland rather than for cropland. While not defined as prime agricultural soils, Class IV Soils are recognized statewide and by the Region’s local farming community as important and they count toward the minimum requirements for the Commonwealth of Pennsylvania and Chester County Agricultural Conservation Easement Purchase Preservation Program, which requires that farm tracts have at least 50% of soils available for agricultural production and are of capability classes I-IV.

Prime Agricultural Soils in the Region

The table below shows the number of acres of Class I, II, and III soils in the Region, and the percentage of prime agricultural soil (by class) for the total acres in the Region. As shown in Figure 11-B, as of 2007 the Region contains approximately **40,048** acres of prime agricultural soils (Class I, II, and III) out of **52,101** total acres (approximately 77%). In essence, less than 25% of the Region’s soils are not identified as prime agricultural soils. Approximately 90% of agricultural soils are currently being utilized in some type of agricultural production.

Figure 11-B: Prime Agricultural Soils in the Region

Soil Classification	Acres in Region	% of Region
Class I	1,816	3%
Class II	27,885	54%
Class III	10,345	20%
Class IV	4,742	9%
Class V and below	7,313	14%
Total in Region	52,101	100%

Source: Agricultural Soils – USDA Soil Conservation Service, 2007.

Prime Agricultural Soils - Cropland or Development?

The predominance of prime agricultural soils within the Region is evident as shown above. However, it is important to note that the amount of prime agricultural soils has been impacted by development and other land disturbance. Since Class I and II soils are often the most suitable for development, many areas of prime agricultural soils in the county and Region have already been developed or otherwise disturbed.

The attributes that make agricultural soils preferable for agriculture also make them preferable for development

Why are Prime Agricultural Soils important?

- ✓ Produce the highest crop yields
- ✓ Require minimal input of energy and economic resources (less irrigation)
- ✓ Have better natural drainage than other soil types

Economic Viability of the Agricultural Industry: The Future of Farming

While the USDA Census of Agriculture gathers statistics at the County level, it does not gather data at the municipal or regional level. As a result, farm-related statistics can only be viewed at the County level. In 2007, the total “Market Value of Production” for the state of Pennsylvania was just over \$5.8 billion, with Chester County contributing over \$550 million (or about 10%). Figure 11-C indicates that Chester County accounts for two to three percent of agricultural output in the State (out of 67 counties).

Figure 11-C: Farm Features for Chester County

Selected Farm Features Chester County	Chester County	Chester Co. % of PA
Number of Farms	1,733	2.7%
Land in Farms	166,891 ac.	2.1%
Forage land used for all hay & haylage, grass silage, and greenchop (acres)	41,482 ac.	2.4%
Corn for grain (acres)	28,935 ac.	3.0%
Corn for silage (acres)	10,597 ac.	2.5%
Principle operators by primary occupation: Farming	932	3.2%
Principle operators by primary occupation: Other	801	2.3%
Average Size of Farm	96 ac.	N/A
Market Value of Production	\$553.2 mill.	N/A
Market Value of Production: Average per Farm	\$319,267	N/A
Average Government Payments per Farm	\$6,804	N/A
Average age of principle operator	53.3	N/A

Source: USDA, 2007 Census of Agriculture.

Figure 11-D: National Rankings for Chester County

Selected Features Used in Ranking all 3,079 Counties in the United States	Chester County Pennsylvania Rank	Chester County U. S. Rank
Total Value of Agricultural Products Sold	2	49
Nursery, Greenhouse, Floriculture, Sod, and mushroom.	1	3
Milk and Other Dairy Products from Cows	5	101
Horses, Ponies, Mules, Burros, and Donkeys	2	9

Sources: USDA, 1997, 2002, and 2007 Census of Agriculture.

Figure 11-E indicates that Chester County ranks 3rd in nursery/greenhouse (due primarily to the influence of the mushroom industry) and is 9th in terms of horses. While Figure 11-E indicates that the number of farms, farmers, and acreage in farms has declined (only about 1% from 2002 to 2007) in Chester County over the past decade, for the most part, the total agricultural output in terms of value continues to increase. The most dominant sectors are mushroom, dairy, horses, poultry, and landscape/nursery. What all these sectors have in common is that they require, and so support, suppliers of grain, hay and other farm products.



The Oxford Region benefits from ideal growing conditions, an abundance of prime agricultural soils, and close proximity to agricultural centers of Lancaster County and the mushroom operations of southeastern Chester County. The Region is within a day's drive of major markets such as Chicago, Toronto, and Boston, and is within a few hours' drive of major cities including: New York, Philadelphia, Wilmington and Baltimore, and their international seaports. As a result, the production and sale of perishable produce that would be sensitive to long-range shipping is likely to remain viable for the Region's growers. Such access to diverse markets suggests that a variety of products from table foods to industrial ingredients are now, and can continue to be, produced in the Oxford Region.

Figure 11-E: USDA Census of Agriculture Statistics for Chester County 1997-2007

Farms, Land in Farms and Cropland	1997	2002	2007
Total Farms	1,983	1,918	1,733
Total Land in Farms (acres)	194,927	168,165	166,891
% of County in Farms	40.3%	34.8%	34.4%
Average Size of Farm (acres)	98	88	96
Total Cropland (Acres)	151,169	124,322	117,145
Market Value of Land and Buildings: Average value per farm	\$588,424	\$889,836	\$1,000,000
Market Value of Land and Buildings: Average value per acre	\$6,165	\$10,358	\$10,740
Total Value of Agricultural Products Sold (millions)	\$384.7	\$376.7	\$553.2
Value of Products Sold: Crops (millions)	1997	2002	2007
Grains, oilseeds, dry beans and dry peas	N/A	\$8.1	\$21.0
Tobacco	\$1.7	\$1.4	\$2.6
Vegetables, melons, and potatoes	N/A	\$2.7	\$3.1
Fruits, Nuts & Berries	\$1.2	\$1.6	\$2.5
Nursery, Greenhouse, floriculture and sod (mostly Mushrooms)	N/A	\$269.1	\$402.2
Cut Christmas Trees	N/A	\$0.5	\$0.5
Other crops and hay	N/A	\$4.6	\$8.3
Total (millions)	\$301.5	\$288.1	\$440.2
Value of Products Sold: Livestock, Poultry and Their Products	1997	2002	2007
Poultry and eggs	\$10.0	\$12.2	\$16.3
Cattle and calves	\$10.7	\$9.2	\$9.9
Milk and other dairy products	\$50.2	\$47.4	\$68.0
Hogs and pigs	\$0.6	\$2.4	\$4.7
Sheep, goats, and their products	N/A	\$0.1	\$0.3
Horses, ponies, mules, and donkeys	N/A	\$16.8	\$13.0
Aquaculture	N/A	\$0.3	\$0.5
Other animals and their products	N/A	\$0.2	\$0.5
Total Sales (milions)	\$83.2	\$88.7	\$113.1

Sources: USDA, 1997, 2002, and 2007 Census of Agriculture.

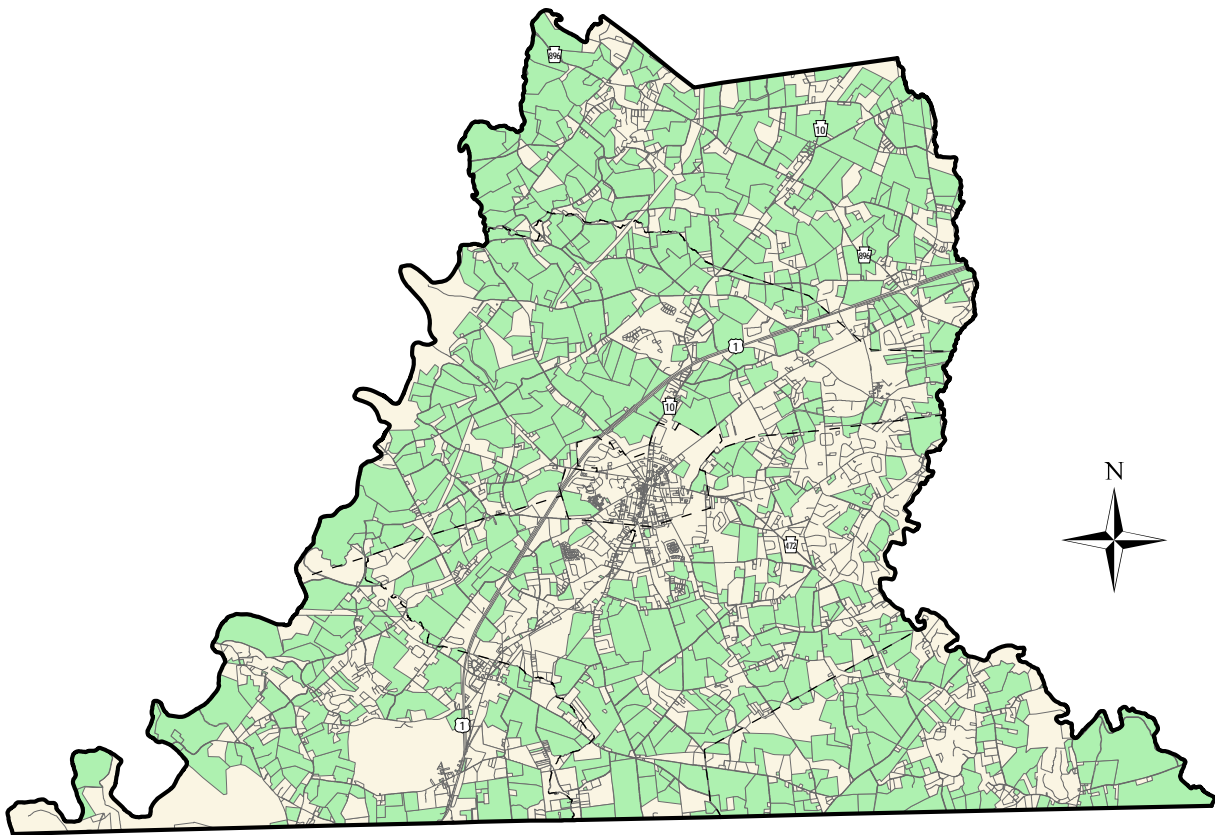
Land Currently Used for Agriculture in the Region

In order to most accurately assess the number of acres involved in the agricultural industry and identify “farm” parcels, the Oxford Region completed an existing land use exercise and reviewed existing agricultural land use data available through the Anderson Land Use Code.

Existing Land Use Mapping Exercise

The first step of the land use exercise was to create maps for each of the six municipalities based on DVRPC land use data. These draft maps were reviewed against existing aerial data (2005) and a partial windshield survey of the Region. Step two required the municipal representatives on the Planning Committee to return the draft maps to their municipality for review and mark-up. The marked-up maps were returned to the consultant for revision and recalculation. This step was repeated three times in order to ensure their accuracy. In the end, the Agricultural land use category accounted for about 29,000 acres or 56% of the Region as shown in Figure 11-F.

Figure 11-F: Existing Land Use - Agriculture



Please see Chapter 5: Land Use for a complete listing and description of all of the land use categories including Agriculture.

Figure 11-G: Agricultural Soils in Active Agriculture

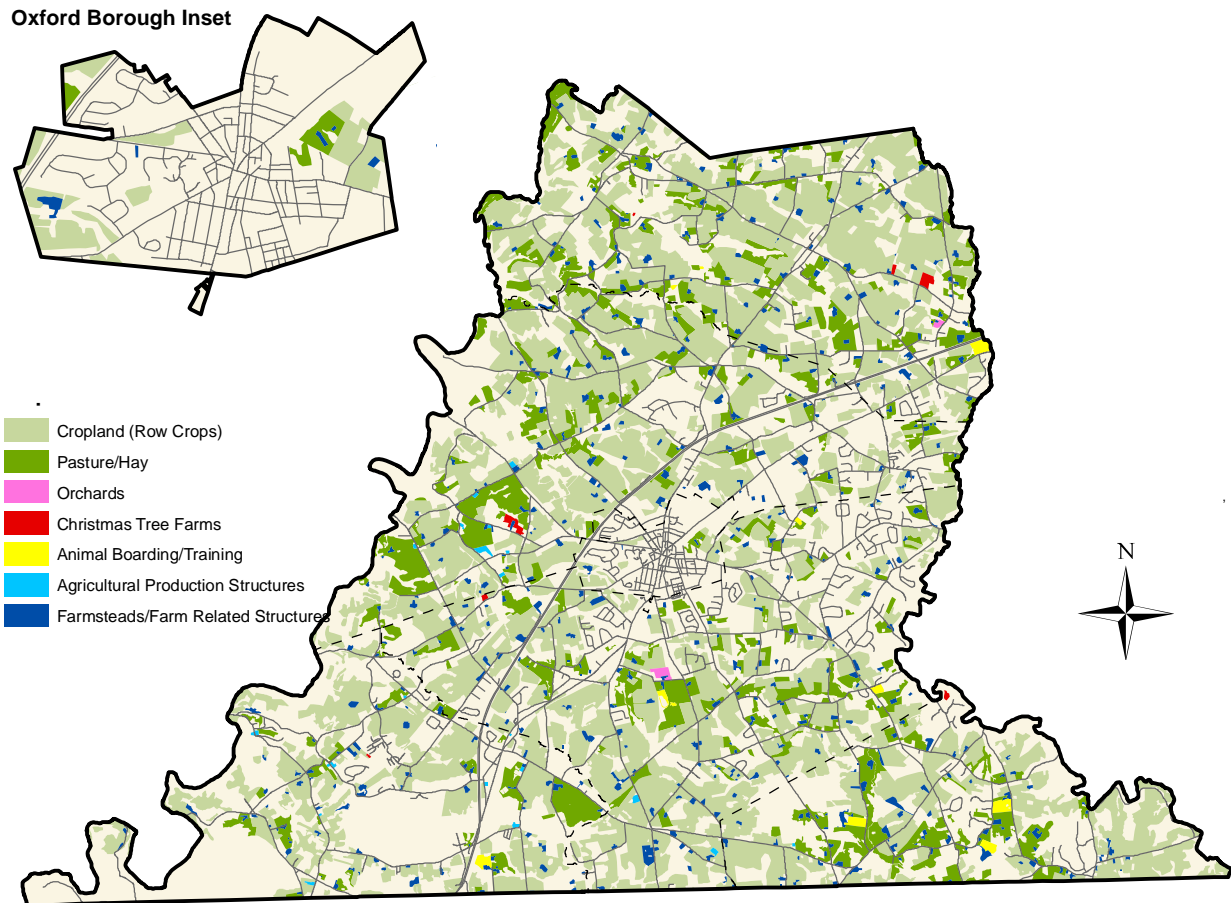
Soil Classification	Acres in Agriculture	Percentage of Soil in Agriculture
Class I	1,613	89%
Class II	26,783	96%
Class III	9,309	90%
Class IV	4,219	89%
Total/Average	41,924	76%

Source: Agricultural Soils – USDA Soil Conservation Service, 2007.

Anderson Land Use Mapping

The Anderson Land Use Code is an aerial photography based mapping system developed by the US Department of Agriculture in 1970. It is used throughout the country for a range of federally funded projects and has become a nationwide standard for land use mapping and categorization. Figure 11-H shows all the parcels of land, in which there is agricultural activity, according to the Anderson Land Use Map. Traditional farms and non-traditional agricultural facilities such as mushroom operations and equestrian facilities, are not only prevalent but they are evidence of Region’s continuing and evolving agricultural heritage.

Figure 11-H Anderson Agricultural Land Use



Preservation and Conservation Programs

There are several preservation programs designed to protect agricultural resources. While these programs are designed to be taken advantage of by landowners, municipal officials in the Oxford Region should continue to support landowner efforts in the use of these programs.

Agricultural Security Areas (ASAs)

The Agricultural Security Areas Act (Act 43 of 1981) permits municipalities to designate an agricultural security area (ASA), which may cross municipal lines. Act 43 requires that each municipal ASA consist of a minimum of 250 acres of productive farmland, although the parcels do not need to be contiguous. One or more farmers must request an ASA, and demonstrate that the Act requirements have been met, prior to the municipality approving the ASA. A farmer may enroll in an ASA in a neighboring municipality if no ASA exists in that farmer's municipality.

Why designate a farm an ASA?

- Municipalities may not unduly restrict or enact "nuisance ordinances" that affect farming practices within an ASA.
- Lands in the ASA can only be condemned after condemnation is approved by the Agricultural Land Condemnation Approval Board, which consists of representatives of state agencies, elected officials, and farmers.
- First step towards the preservation of an agricultural parcel under the agricultural easement program.

Limitations to preservation

Lands in ASAs are not protected from all development or condemnation because landowners may take their property out of the ASA at any time to be sold or developed without any rollback tax penalty. Agricultural Security Areas located in the Region as of 2012 are shown on Figure 11-I.

Program Designed For:	Farmers/Landowners
Program is:	Voluntary and on-going
Program Requires:	Municipal involvement to establish and maintain ASA

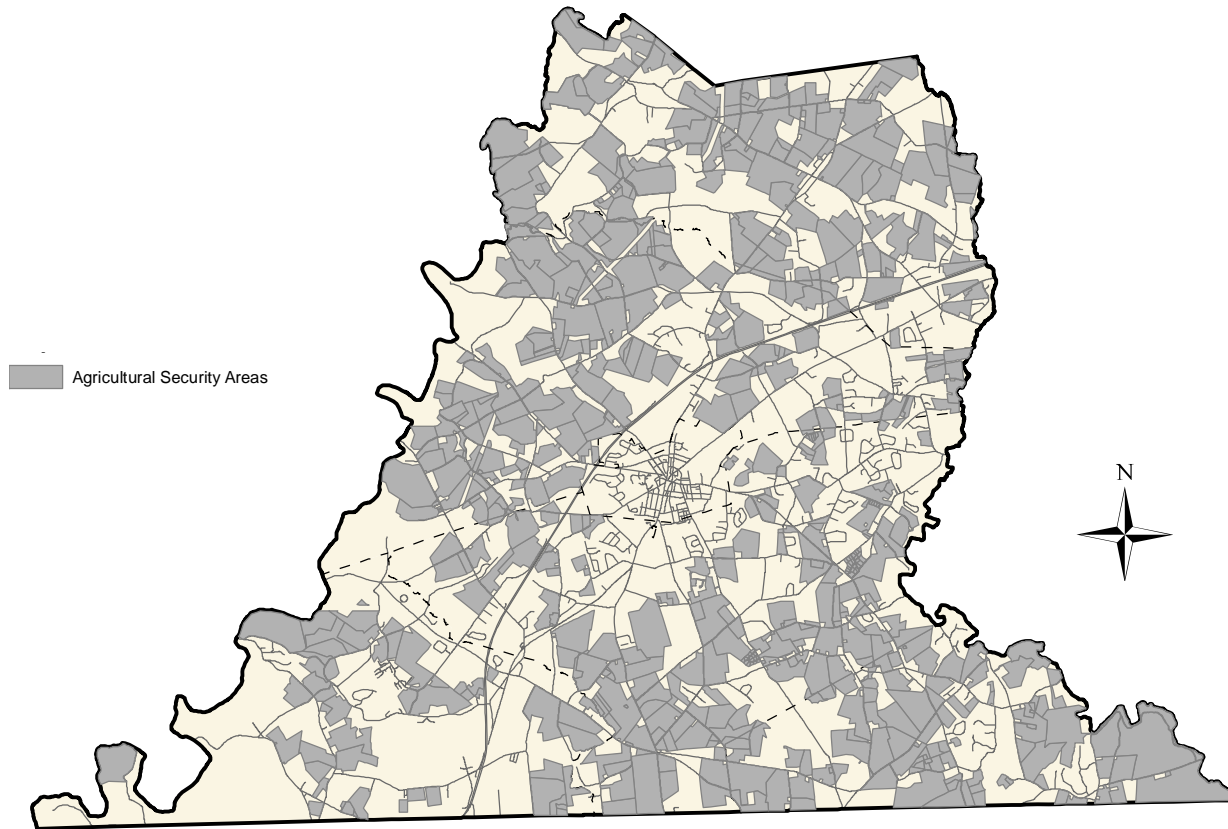
RECOMMENDATIONS FOR MUNICIPALITIES TO PROMOTE AND SUPPORT ASAS

Action 11-1 Continue to expand proposed agricultural security areas (ASA) at the municipal level as a first step toward preservation and nuisance protection, and continue to promote and support the ASA's once established.

Action 11-2 Inform and update the Chester County Department of Open Space Preservation on the location of adopted ASA's in order to expedite the application process for landowners when they apply for county and state preservation programs.

✓These Actions address Objectives 11-A, B, F, and I

Figure 11-I: Agricultural Security Areas in the Oxford Region



Agricultural Land Preservation Programs

The Chester County Agricultural Land Preservation Board (ALPB) through the authorization of the Chester County Board of Commissioners, implements the Commonwealth of Pennsylvania Agricultural Conservation Easement Purchase Program and the Chester County Challenge Grant Program. Through each Program, the County seeks to proactively preserve agricultural parcels that retain Chester County's leading industry. The Programs preserve farmland utilizing the purchase of an agricultural conservation easement; a legal restriction that limits the use of the property to agricultural purposes. These two programs are described below.

Commonwealth of Pennsylvania/County of Chester Program

The purpose of the Commonwealth Agricultural Conservation Easement Purchase Program is to preserve viable agricultural lands. The statewide program has been adopted for use in Chester County by the County Commissioners in 1989. Farm owners interested in preserving their farm may sell an agricultural conservation easement, also known as the development rights of one's farm, to the County of Chester and/or Commonwealth of Pennsylvania.

Minimum Eligibility Requirements. The State Agricultural Land Preservation Board has established minimum requirements that farmland tracts must meet to be eligible for consideration for easement purchase. Farmland tracts must:

1. Be located in an agricultural security area consisting of 500 or more acres;
2. Have contiguous acreage of at least 50 acres in size unless the tract is at least 10 acres in size and is either contiguous to a property which has a perpetual conservation easement in place or utilized for a crop unique to the area;
3. Have at least 50% of the soils that are available for agricultural production and are of capability classes I-IV; and
4. Contain greater of 50% or at least 10 acres of harvested cropland, pasture, or grazing land.

Chester County Agricultural Conservation Easement Challenge Grant Program

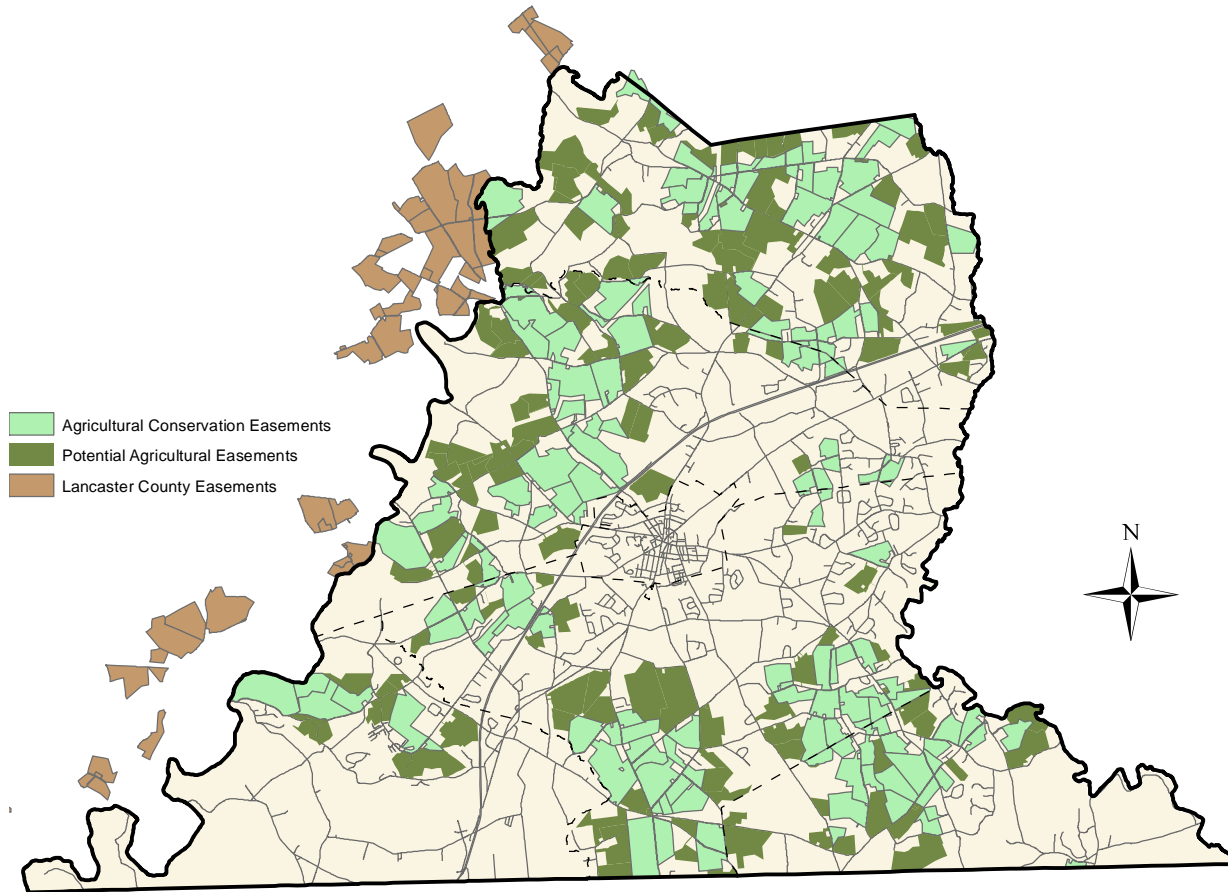
Recognizing the pressures of development in Chester County, the Board of Commissioners created a program to complement the existing Commonwealth Program and other components of the Chester County Open Space Program. After two annual rounds specific to northern Chester County, the Program has been enhanced to encompass the entire County. Funding for this program provides an opportunity for partnership between the County and local entities such as townships and other public and private sources. To fund this program, the County Commissioners committed \$5 million in 2001, \$3.4 million in 2003, and \$3.5 million in 2004 in a dollar-to-dollar match program with local sources.

Eligibility Criteria - The following basic criteria must be met of each application.

1. Located in a municipality or municipalities whose Board of Supervisors has committed, in writing, to participate by providing matching funds for successful applications for development right acquisition. Or the above may be waived if applicant indicates 50% donation on their application, or if other match-funding source is committed in writing;
2. Enrolled in an adopted municipal Agricultural Security Area(s);
3. Situated in areas designated as a "Rural" or "Natural" landscape in the Chester County comprehensive policy plan, *Landscapes2*. In cases where an applicant straddles the boundary between a "Rural" and/or a "Natural" landscape and a "Suburban" or "Urban" landscape, farm tract applied must have at least 50 percent in the "Rural" and/or "Natural;"
4. Contain a minimum parcel size of 25 acres if not contiguous to an existing protected parcel; or a minimum of 10 acres if contiguous to another protected parcel; and
5. Contain at least 50% cropland, pasture or grazing land.

For more information on these programs, contact the Chester County Department of Open Space Preservation at 610-344-5656 or view the current program manual at www.chesco.org/agriculture/site/default.asp

Figure 11-J: Existing (and Potential) Agricultural Easements in the Oxford Region



RECOMMENDATIONS FOR AGRICULTURAL EASEMENTS AND FUNDING FOR AGRICULTURAL PRESERVATION

Action 11-3 Continue to fund or consider funding the acquisition of conservation easements through an earned income tax, or bond initiatives, or encourage bargain sales.

Action 11-4 Consider establishing and/or empowering (existing) open space committees to help prioritize the land best suited for preservation and to undertake administrative duties, such as finding funding and developing partnerships for preservation.

Action 11-5 Continue to participate in the Agricultural Conservation Easement Purchase Program by offering funds and partnering with the county or Commonwealth to purchase agricultural easements and support the Chester County Challenge Grant Program by pledging funds to meet the county match requirement.

Agricultural Easements were among the top 5 municipal initiatives identified by the Planning Committee to protect the agricultural industry in the Region

Agricultural Survey

- Action 11-6** Consider offering additional dollars (not above appraisal) above the established program cap per acre for properties locally identified as high preservation priorities.
- Action 11-7** Continue to meet with Amish farmers to make them aware of benefits of protecting their farmland and to determine what options are available for protecting their land in a way that will accommodate their practices.
- Action 10-8** Request support and cooperation from farm support industries in assisting to publicize the benefits that farmers can reap from protecting their parcels through an agricultural conservation easement.
- ✓These Actions address Objectives 11-A, B, C, D, and I

Outreach Initiatives and advocacy

Farmers often supply the local community with seasonal produce. To help county residents know where to find this local produce, Partners (Chester County Board of Commissioners, Buy Fresh Buy Local Chester County, and the Agricultural Development Council & Agricultural) and Supporters (Chester County Food Bank, CCEDC, Chester Delaware Farm Bureau, Down to earth, and CCPC) developed the *Local Food Guide*.

The brochure is updated sporadically to help the public support the farming industry by purchasing fresh, locally grown produce. In addition, several of the farmers within the Region are participating in the Pennsylvania Association for Sustainable Agriculture's "Buy Fresh/Buy Local" campaign. The most recent version of this map listed 34 farm stands, twelve farmers markets, nineteen community supported agriculture (CSA) operations, nine retail outlets, six farm stores, and 24 specialty products within the County. (See Figure 11-10 for a list of facilities in the Oxford Region) This brochure is available at your local municipal office or online at www.chesco.org/agdev and click on "Local Food Guide"

Buy Fresh/Buy Local

Many of the County's direct marketing efforts are associated with the "Buy Fresh Buy Local" (BFBL) campaign which is coordinated by the Pennsylvania Association for Sustainable Agriculture. A major goal of the BFBL campaign is to create a brand label to help consumers identify when produce has been grown locally and, thereby, they are supporting area farmers. The Pennsylvania campaign is part of an even larger, nationwide BFBL initiative organized by FoodRoutes Network. BFBL promotes the following forms of direct marketing:

Community Supported Agriculture (CSA)

The concept of CSA is that local residents purchase an agreed upon amount of harvest in advance from a local farmer. Therefore, CSA farmers are guaranteed payment and have stakeholders that share in the risk of crop production. CSAs also build relationships

between farmers and the community when local residents receive fresh produce throughout the growing season. There is currently one CSA in the Oxford Region.

Farmers/Growers Markets

Farmers and grower markets allow consumers to purchase fresh produce from several farms at one location. In general, a “farmers market” hosts other non-farm and craft vendors, while a “growers market” usually focuses on produce and baked goods. These markets may be open-air or enclosed, are generally open to the public one or two days a week at a specific time during the growing season.



Oxford Produce Auction. The Oxford Produce Auction is located in Lower Oxford Township and was approved as a farm-related business. The wholesale auction also has a drive-through where customers can buy whole wagon-loads or truckloads of fresh produce.

Farm Stands

A farm stand can be either a temporary or permanent structure, typically located on-site at a farm, or on a nearby roadside. A farm stand can be as simple as a table or the back of a truck. Farm stands are generally only open during the growing season, but some are open year-round with regular hours of operation. Municipal zoning ordinances often regulate farm stands in terms of setbacks from the road and parking. While there are currently only three farm stands listed in the Local Food Guide, small farm stands like the one shown above can be found scattered throughout the Region providing fresh produce for residents of the Region.



Figure 11-K: CSAs, Farm Markets, and Specialty Growers in the Oxford Region

Name of Facility	Facility Type	Municipality
Clarks Christmas Tree Farms	Specialty Products	Upper Oxford
Brookside Greenhouse and Produce	Farm Stand	Upper Oxford
Sher-Rockee Mushroom Farms	Specialty Products	Upper Oxford
Oxford Village Farm Market	Farm Market	Oxford Borough
Oxford Farm Market	Retail Outlet	Lower Oxford
Briar Hollow Farm Market	Farm Stand	East Nottingham

Source: Guide to Chester County Local Farm Products. CCADC, 2012

☑ RECOMMENDATIONS FOR THE PROMOTION OF LOCAL FOOD AND EDUCATION OF RESIDENTS

Action 11-9 Educate residents (via municipal websites, newsletters, or workshops) on the importance of agriculture in the Oxford Region and the economic contribution it makes to the regional economy. The “agriculture” page on municipal websites may include the following topics:

- What it means to live in an agricultural area and what a resident is likely to experience (e.g. odor, noise, farm equipment on the roadways)
- The importance of prime agricultural soils
- Common conservation practices to mitigate point and non-point source pollution
- The importance of agricultural support business in the Region
- The importance of a viable agricultural workforce (labor) in the Region
- A schedule of seasonal farming practices, and potential neighbor conflicts
- Legislation that affects agriculture including: ACRE, the ASA law, Act 319 and Act 515
- Volunteering opportunities through gleaning programs to get residents out in the fields
- Conservation success stories in the municipality/Region
- New technologies that are available to aid farmers
- New energy alternatives
- Promote a local food system by educating residents on the importance to the local economy and benefits of buying locally.

Action 11-10 Continue to promote farm stand and farm market consumer activity and community supported agriculture (CSA) membership by educating residents on where to purchase local food products.

Example: Showcase such facilities in municipal newsletters and distribute copies of the Chester County Agricultural Development Council’s *Local Farm Products Guide* and map at municipal offices and community events. Place a link to the electronic version of the brochure on municipal websites.

Action 11-11 Invite local farmers to participate in community events in order to promote agriculture and identify farmers as integral members of the community.

✓These actions address Objectives: 11-A, B, E, F, G, H, I, K and M



Agricultural Preservation through Regulation and Legislation

Although preservation programs discussed above play an integral role in the preservation of agricultural uses, in terms of municipal implementation, the most influential tool a municipality has in the goal of preserving these uses is regulatory (Zoning and SLDO). Figure 11-11 outlines municipal regulations that relate to the preservation of farmland and the agricultural industry in the Region. While permitting and promoting agricultural uses through zoning regulation is important, reducing the regulatory burden on a farmer can promote the continuation of the agricultural use.

Figure 11-L: Assessment of Existing Municipal Agricultural Regulations

Agricultural Regulation	East Nottingham	Elk	Lower Oxford	Upper Oxford	West Nottingham	Oxford Borough
Policy						
Comprehensive Definition of Agriculture	Green	Green	Green	Green	Green	Green
Purpose Promotes Preservation of Agricultural Resources	Green	Green	Red	Green	Yellow	Yellow
Purpose Promotes Preservation of Agricultural Industry	Green	Green	Red	Green	Green	Yellow
Regulatory Relief						
Agricultural Uses Permitted by Right	Green	Yellow	Green	Green	Green	Yellow
Permits Height Exceptions	Green	Green	Green	Green	Green	Red
Permits Accessory or Employee Housing	Green	Green	Green	Green	Green	Red
Permits Secondary Farm Businesses	Green	Green	Green	Green	Green	Green
Techniques						
Cluster	Green	Green	Red	Red	Red	Green
TDR	Green	Red	Red	Red	Green	Red
Effective Agricultural Zoning	Red	Green	Red	Green	Red	Red

Sources: Oxford Region individual Municipal Ordinances, various dates.

Green = Yes **Yellow** = Yes, with limitations **Red** = No

Note: The findings included in Figure 11-L are based on the regulations set forth in each municipalities designated “agriculture district” in accordance with the following: East Nottingham (Agricultural Residential); Elk (Agricultural Preservation); Lower Oxford (R-1 Residential); Upper Oxford (AR-1 Agricultural); West Nottingham (R-1 Rural Protection); Oxford Borough (PD-1, Planned Development). This table should still be considered a work in progress as West Nottingham is still finalizing their zoning ordinance amendment.

Consistent Definition of Agriculture

For the purposes of consistency in the promotion of agricultural uses throughout the Region, it is imperative that there be a clear definition of what is and, more importantly, what is not considered agriculture or an agricultural operation. Historically, when referring to agriculture the definition included cropland and the keeping of livestock. Today, the definition of agriculture has broadened and now includes specialty farming for crops such as wine grapes Christmas trees, and mushrooms. The equine industry is also commonly included in the definition of agriculture.

The need for a consistent definition of agriculture is magnified by the agricultural uses commonly referred to as “intensive.” These often include uses such as mushroom operations, pig farms (piggeries), and poultry houses. These uses are considered intensive because of their related odors, noises, and/or volume of manure and/or waste production. The state regulates these operations based on the volume of manure production and associated need for conservation or manure management plans. In general, these uses or facilities should be regulated in the same way and to the degree as interpreted based on the state’s treatment of intensive agricultural uses.

Agricultural Definitions for the Oxford Region. The following definitions have been included for the review and consideration of the Oxford Region Planning Committee:

Agriculture - The cultivation of the soil and the raising and harvesting of the products of the soil including, but not by way of limitation, nurserying, horticulture, forestry, mushroom growing and animal husbandry. Agriculture does not include the keeping of small animals, such as cats and dogs, as household pets.

Agricultural Operation - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvacultural, and aquaculture crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Agricultural Operation, Intensive - Agricultural operations involving the processing or production of agricultural products with an animal density which meets or exceeds either the PaDEP’s definition for Concentrated Animal Feeding Operation (CAFO) or the Commonwealth of Pennsylvania’s definition of Concentrated Animal Operation (CAO).

Purpose Statements that Promote Agriculture

In relation to the development of a zoning district, the purpose statement(s) provides an overview of the district and a link to the policies set forth in the municipal and/or regional

A statement of purpose provides a link between regulation and policy and, as such, provides support for regulatory decisions and actions implemented by a municipality.

comprehensive plan. The purpose statement, therefore, sets the tone for the district and defines the community's attitude towards the preservation of agriculture as a use in the associated district. The Oxford Region has developed a goal for the preservation of agriculture, see Page 6-2, and this goal should be reflected in purpose statements for districts where agriculture is a by-right use. The revision of the

purpose statement(s) will need to be completed in coordination with other recommendations of this chapter in order to ensure that the district regulations do, in fact, promote the continuation of agriculture.

Regulatory Relief

Regulatory relief refers to the reduction or elimination of zoning regulations that may negatively impact the farmer and result in the discontinuation of existing agricultural uses. Although municipal leaders must strike a balance between accommodating the local farmer and the surrounding residential population, the former should be emphasized in a district where the purpose is defined as focusing on the preservation of agriculture as a viable industry and source of rural character. Many of the restrictions applied to agricultural uses and activities derive from suburban approaches to land development and management. Most of these suburban restrictions create a regulatory framework which is inconsistent with traditional agricultural practices. To better address the needs of the agricultural community, the following regulations should be addressed at the municipal level.

When asked what could be done at the municipal level to encourage the plain sect communities to continue farming: **"Tax breaks and creative zoning to avoid conflicts that imperil the rich Amish culture and way of life."**

Agricultural Survey

Agricultural Uses Permitted By Right

The simplest form of regulatory relief is permitting agricultural uses by right as opposed to special exception or conditional use in the districts where agriculture is a specified use. This provides an incentive to the farmer to consider expanding agricultural facilities, as they do not have to go through a costly and/or time-consuming special exception or conditional use process. Further, permitting these uses by right will reduce the potential burden on a would-be-farmer.

Setbacks and Height Restrictions

There is a level of appropriateness when dealing with activities such as concentrated animal operations and other uses that, when left unregulated, can lead to environmental degradation. Setting artificial height regulations or setback standards from property lines for barns, silos, and other outbuildings, however, is counterproductive to actual farming operation. Oftentimes, distance requirements imposed on these structures address the impact of these structures on adjacent, not-yet-existing residential property owners.

Conversely, municipalities should consider increasing setback distances for new residential dwellings adjacent to agricultural use boundaries. In other words, place the burden for buffering on new uses that are developed adjacent to existing agricultural uses.

Accessory Farm Housing

Farming has changed significantly in the last several decades and those changes can be seen in the type of crops that are grown and people that work the land. Many operations require additional farm workers in order to manage the operations of the farm outside of the primary farm family.

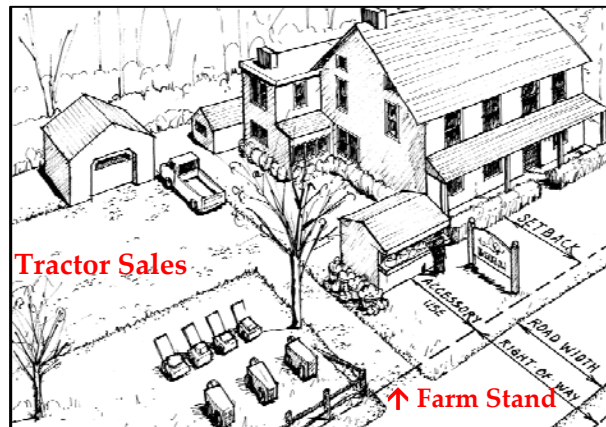


Restrictions that do not allow for additional dwellings for farm employees restrict the viability of such farms unless they become very large operations. Providing the opportunity for accessory farm housing legitimizes these activities and provides a transportation benefit for the community in that it reduces commuter traffic on local roadways. These housing opportunities can come in the form of the expansion of existing facilities, the conversion of existing facilities, the development of new housing facilities, and the allowance of temporary living facilities such as mobile homes.

Secondary Farm Business

Many farmers are employed in other occupations besides farming as a way to supplement (or in many cases provide) the primary income of the family. Providing farmers with the regulatory flexibility to establish secondary farm businesses on site allows many farmers to continue to engage in activities that provide supplemental support to the farm community, while also improving the family's economic situation. This can take the form of an agricultural-related use such as a tractor repair/sales facility or saddlery to supplemental farm

Figure 11-K: Secondary Farm Business



Source: Chester County Planning Commission, 2000

uses that can range from a beauty shop to a woodworking shop. Such uses should be consistent with regulations for noise, glare, and other performance standards, but typically do not rise to the level of impact that is intended to be regulated through these standards.

These agricultural related facilities can serve to protect and preserve agricultural operations and should be permitted as by right uses on farm properties in order to eliminate the need for a costly and/or time-consuming special exception or conditional use process.

RECOMMENDATIONS FOR MUNICIPAL REGULATIONS

Action 11-12 Meet with local farmers to identify municipal regulations that could be revised in order to reduce the burden on the agricultural community, give farmers the regulatory flexibility, and promote the preservation of agricultural uses.

- Permit and clearly define agricultural-related businesses, such as tractor repair, farm equipment sales, and feed supply.
- Permit and clearly define secondary farm businesses, such as a wood working or metal/iron work.
- Require the buffering of new development from existing agricultural uses to mitigate the conflict between uses.
- Permit agricultural exceptions (silos) to standard height limitations.
- Do not require excessive setback requirements for normal agricultural operations.
- Permit or continue to permit food processing sites as a specified use in appropriate districts.

Action 11-13 Consider carrying forth a consistent definition of “Agriculture” as defined in this chapter to establish agricultural policy in the Region, and other definitions for agricultural terms, to municipal ordinances.

Action 11-14 Amend municipal ordinances in order to implement the guiding principles established by the Region.

Action 11-15 Consider permitting the rental or lease of homeowners’ association open space to a farmer to facilitate the preservation of at least a portion of the existing agricultural use.

Action 11-16 Consider permitting agricultural entertainment activities (“agri-entertainment” such as a corn maze or apple/pumpkin picking) as a way for farmers to make additional income, while developing relationships with residents and promoting the connection between the farmer and the local community.

Action 11-17 Amend municipal subdivision and land development ordinances to require that a subdivision note be included on all deeds for properties that are located adjacent to or within a specified distance from the boundary of agricultural uses that identifies the general impact of practices that take place on an agricultural property.

Sample Subdivision Note: “The primary purpose of this district is to accommodate commercial agricultural production. Owners, residents, and other property users in this district shall be subject to common characteristics of agricultural activities. Owners, residents, and other property users should regard these activities as normal, ordinary, routine, and as unavoidable characteristics of an agricultural area and are furthermore assumed to have accepted these characteristics by willingly choosing to reside in this district.”

✓Objective(s) addressed by Actions: 11-C, D, F, G, I, and J

Development Options (Zoning)

Development options, such as cluster, transfer of development rights (TDR), and effective agricultural zoning are implemented through a municipality’s zoning ordinance.

Cluster Development Option

Cluster development, also known as conservation or open space development, provides a means of both preserving open space and allowing development to be directed away from natural or agricultural resources on the site. Permitting the preservation of agricultural resources in open space should be in coordination with the inclusion of strict design standards that are designed to limit conflicts between the existing agricultural use and new residential uses. Just as fences often make good neighbors, design standards can help to mitigate potential problems between homeowners and farmers. These design standards should include setbacks that provide adequate area for buffering and/or screening between uses similar to the technique used in Pinebrooke above. The burden for buffering should be placed on new uses that are developed adjacent to existing agricultural uses.



Transfer of Development Rights (TDR) and Effective Agricultural Zoning

For a complete discussion and recommendations regarding TDR and Effective Agricultural Zoning please refer to Chapter 5: Land Use Inventory and Plan. (See Chapter 5: Land Use)

Chesapeake Bay Strategic Plan

The Chesapeake Bay Agreement and Strategic Plan will have far-reaching effects on the preservation of the agricultural industry in the Oxford Region. The strategy includes regulations to restore clean water, implement new conservation practices, conserve millions of acres of undeveloped land, and rebuild the oyster population in 20 tributaries of the Bay. The Region will need to monitor the status of the Strategic Plan and consider implementation of regulations set forth as a result of the Plan at the federal, state, and/or local level.

On May 12, 2010 the Environmental Protection Agency (EPA) issued its final *Strategy for Protecting and Restoring the Chesapeake Bay Watershed*

See Action 12-18: Continue to monitor the status and implementation of the *Strategy for Protecting and Restoring the Chesapeake Bay Watershed* and revise the policies of the Oxford Region Multimunicipal Comprehensive Plan and individual municipal regulations as necessary or required.

Landowner Assistance Programs

There are many agricultural preservation programs available for landowners and farmers (see list below). While municipalities may not have a specific role in these programs, they offer important opportunities for landowners and farmers. There are a number of government agencies who administer programs which provide technical or financial assistance to farmers, either as landowners or tenants, to improve the productivity or environmental quality of farmland.

State and Federal Initiatives

There are a number of state and federal programs and regulations which form the general groundwork for locally adopted municipal regulations.

State programs:

Private Landowner Assistance Program is administered by the Pennsylvania Department of Conservation and Natural Resources, Game Commission and Fish & Boat Commission. It provides technical assistance to develop a habitat management plan for a property which contains a “species of concern” such as the endangered bog turtle.

The Nutrient Management Plan Implementation Grant Program is administered by the State Conservation Commission to assist financially stressed operators in the implementation of conservation practices outlined in a nutrient management plan. This grant is limited to operations that were in existence prior to October 1, 1997.

The Growing Greener Environmental Stewardship and Watershed Protection Act is a state-level initiative to address loss of open space and farmland, water quality, sewage systems, state parks and forest repair backlogs. Cost-share depends upon the project and

program requirements. The Chester County Conservation District is the primary contact for people interested in or applying to this program.

Federal Programs:

The Farmland Protection Policy Act (FPPA) of 1981 - directs federal agencies to consider how federally funded projects might impact the preservation of farmland, and consider alternative actions that could lessen adverse effects.

The Farm Bill (The Federal Agriculture Improvement and Reform Act of 1996, as amended 2002) established the Farmland Protection Program that funds the purchase development rights for farmland that is part of a pending offer from a state or local government, and has a conservation plan.

Agricultural Management Assistance (AMA) is a program administered by the US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) to provide assistance to agricultural producers to voluntarily address issues such as water management, water quality, and erosion control by incorporating conservation into their farming operations.

The Conservation Security Program (CSP) is administered by the USDA to support ongoing conservation stewardship of agricultural lands. CSP provides financial and technical assistance for the conservation and improvement of the soil, water, air, energy, and plant and animal life. There is no minimum acreage, but the participant must have an implemented conservation plan.

The Conservation Reserve Enhancement Program (CREP) is administered by the USDA Farm Service Agency (FSA) to help reduce soil erosion, improve water quality, increase farm income on marginal land, and improve wildlife and fisheries habitat. Chester County farmers are eligible for the CREP. Landowners and operators can receive rental payments depending upon soil type and amount of land placed in conservation, as well as other funding.

The Emergency Conservation Program (ECP) is administered by the FSA to provide technical and financial assistance for removing debris and restoring fencing terraces, diversions, irrigation systems, and other conservation installations after emergency situations such as a hurricane. This program is only open to farm properties that suffer natural disaster damage.

Environmental Quality Incentives Program (EQIP) - is administered by the NRCS to promote agricultural production and environmental quality. EQIP offers financial and technical help to install or implement structural and management practices that are carried out according to a program plan that identifies the appropriate conservation practices.

EQIP Conservation Innovation Grants (CIG) - This grant program is a part of the EQIP. CIG is a voluntary program that promotes innovative conservation approaches and technologies. CIG funds projects targeting innovative on-the ground conservation, including pilot projects and field demonstrations. At least 50 percent of the cost of the project must be provided by the grantee.

The Grassland Reserve Program (GRP) is administered by the NRCS, FSA, and USDA Forest Service to help landowners and operators restore and protect grassland, while maintaining the areas as grazing lands. Participants voluntarily limit future use of the land while retaining the right to conduct grazing practices on at least 40 contiguous acres, unless special circumstances exist.

The Wetlands Reserve Program (WRP) is administered by the NRCS to provide landowners with technical and financial assistance to address wetlands, wildlife habitat, soil, water, and related natural resource concerns. Landowners receive financial incentives to enhance or restore wetlands in exchange for retiring marginal land from agriculture.

The Wildlife Habitat Incentive Program (WHIP) - is administered by the NRCS to encourage creation of high quality wildlife habitats. WHIP provides technical and financial assistance to landowners and others who volunteer to develop habitat areas on their property. The grant monies offered can only be used on land within the 150 feet from a stream bank/stream corridor.

RECOMMENDATIONS FOR LANDOWNER ASSISTANCE PROGRAMS

Action 11-18 Work with the Region, government and other entities (e.g. the County, Conservation District, Penn State Extension, Economic Development Council, Natural Resources Conservation Service, Agricultural Development Council, Farm Borough, Grange, and Farm Service Agency) to stay current with municipal or landowner assistance that is available to facilitate farming within the Region.

✓This action addresses Objectives 11-A, B, C, I, and L

RECOMMENDATIONS FOR ISSUES FARMERS FACE (BEYOND MUNICIPAL CONTROL)

Action 11-19 Work with the County or other entities to host a regional forum for farmers, or hold forums by agricultural sector, to identify the primary issues they face.

Action 11-20 Use the Oxford Region's united voice to vote or petition legislators to benefit agriculture.

✓These actions address Objective 11-I

Summary of Website References

The Agricultural Land Preservation Board: www.chesco.org/agriculture/site/default.asp

Chester County Agricultural Development Council: www.chesco.org/agdev

Figure (Map) Sources:

Figure 11-A: Prime Agricultural Soils

Data Sources: Municipal Borders, Roads, Streams - Chester County GIS; Prime Agricultural Soils – USDA, NRCS, 2007.

Figure 11-F: Existing Land Use - Agriculture

Data Sources: Municipal Borders - Chester County GIS; Existing Land Use – DVRPC and ORPC, 2009.

Figure 11-H: Anderson Agricultural Land Use

Data Sources: Municipal Borders, Roads - Chester County GIS; Anderson Agricultural Land Use – Anderson Land Use Code, 2007.

Figure 11-I: Agricultural Security Areas in the Oxford Region

Data Sources: Municipal Border, Roads - Chester County GIS; Agricultural Security Areas – APLB, 2012.

Figure 11-J: Existing Agricultural Easements in the Oxford Region

Data Sources: Municipal Borders, Roads - Chester County GIS; Agricultural Easements – APLB, 2012; Potential Easements – CCPC and ORPC, 2009; Lancaster County Agricultural Easements – LCPC, 2009.