

POSSIBILITIES FOR KEEPING FARM LAND
IN FARMING IN NEW YORK

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Possibilities for Keeping Farm Land in Farming in New York

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There are about 30 million acres of land in New York State. The 1978 agricultural census says about 10 million of these are in farming of one kind or another. Some farmers, however, do not produce much to sell. They farm for pleasure or their own subsistence. Only about 8 million acres are being used by serious commercial producers.

About half --4 million acres-- of the land used for serious commercial farming is in crops that are harvested. This land produces most of the food we turn out in this state. There is some pasture on many farms but the importance of pasture is declining as herds become larger.

The land that is used by full-time farmers is currently subdivided into about 20,000 farms. Full-time farmers themselves, however, number about 25,000 since there are some partnerships and a few corporations.

The numbers of serious farmers in the state declined drastically from 1900 to the early 70s but they appear to be holding quite steady today. The acreage of harvested cropland actually has increased since 1970 and farm output is up considerably. One can see many new investments in farming everywhere in the state. Farms in many areas are widely scattered--one must watch as he rides by or he will miss them -- but the ones remaining often have new buildings, enlarged fields, improved drainage, new fruit plantings, or other improvements.

If one did not know farming, however, he could get an impression of massive decay in many areas. Many thousands of barns and sheds are falling down. A lot of farms did go out before things turned around and a lot of old barns have become obsolete on farms where the land is still in use.

Actually, agriculture probably is the strongest growth industry in the state today. The strength of farming contrasts sharply with the decline in urban employment and the shift of many jobs to the Sun Belt. The farmers of New York are turning out more food and horticultural specialties than ever before in history. Some of the other states are slowly outdistancing us, but we are still above the midpoint among all of them in the value of farm production.

This picture of an aggressive and productive agriculture can leave us with a happy glow, and we should be proud of it. But promoting a happy glow is not what I am here for today. Like any good professor who is hired to keep food production rolling along efficiently, I think I can see storm clouds on the horizon.

As a matter of fact, I have been seeing storm clouds for several years. These clouds are the problems being created by rapid increases in the nonfarm rural population. These problems could get serious enough to change our happy picture of agriculture.

Farmers today share the land of rural New York with a large and growing group of nonfarm folks. It is very difficult to get an accurate count of rural nonfarm people. This is partly because the census includes as rural some areas that really are the suburban, or semi-suburban, parts of major metropolitan areas. The census, on the other hand defines metropolitan areas along county boundaries and includes a lot of open country in most of their "standard metropolitan statistical areas." (For their rural definition they go too far toward the city but for their metropolitan definition they go too far toward the open country.)

An alternative to accepting the census data would be to ride the rural roads of the state and count farm and nonfarm houses in farming areas. I have done this many times in various parts of the state. Repeatedly, when I average my figures, I come out at about 10 nonfarm houses for every farm house. The result depends, of course, on when one stops counting as he approaches a village, a city, or a wild land area like the Catskill and Adirondack Parks. But I think the ratio of 10 to 1 is meaningful and accurate enough for most discussions of government policies to "preserve" farm land.

A house ratio of 10 to 1 means there are roughly a million nonfarm people scattered among the farms of New York, since 25,000 farm families contain about 100,000 people. And recent census figures say that though the total population of New York has declined enough so we are to lose 5 congressmen, our rural population has increased almost everywhere.

Never before in history have so many nonfarm people lived in farm areas as do now in this part of our nation. In New York, before World War II some 6 to 8 million acres became obsolete for farming, but in those days the people moved away when they could no longer farm. Rural areas were not happy places to live: no electricity, no running water, poor roads, poor cars, one room schools, and no buses even to high school. (I walked 5 miles each way to high school in winter.)

Today people can live as conveniently in rural areas as in town. Today, in fact, it has become the cities that are unhappy places in which to live, except for the affluent who can live in expensive apartments and condominiums or escape to the suburbs. (Even some of these feel almost as if they live under a state of siege. A friend of mine who lives in an expensive apartment in Manhattan says they pay the doorman well to be sure he is on their side and they keep extra food and water on hand in case the lights go out, as they did a few years ago.) Something over a half million jobs and a million people have left New York State in recent years and most metro areas (cities plus their suburbs) are currently losing population.

Our rural population, on the other hand, is increasing significantly. We do not know for sure, but it seems clear that this increase is mostly a home-grown one. Our data say most who leave the cities in New York go to cities in the South or West. A few modest income escapees from just outside the expanding perimeters of the ghettos in major cities have been identified among rural in-migrants, but their numbers are small. A larger group is urban retirees who must subsist on Social Security or other modest pensions, but these numbers are not large.

Many newspaper articles would have us believe that most new rural residents are Harvard graduates who got tired of being stock brokers, decided to chuck the rat race, and bought a little country store. Maybe so in New England, but I haven't located very many in New York.

Most of the additions to our rural nonfarm population, I believe, are the children of rural nonfarm people, many of whom in earlier years would have gone to the city in quest of a better life. In those days they might have had to live in an apartment for a time but could hope realistically for a pleasant home in the suburbs before long.

Today the suburban dream has faded. Declining employment, inflation, and the scarcity of mortgage money combine with high crime rates to make urban prospects poorer than rural ones. In a rural area young people can buy an inexpensive lot, or get a piece of land from their parents, and are legally permitted to build their own home or buy a trailer. There are hundreds of thousands of young people today who cannot hope to own their own home anywhere except in the country.

The country offers the further advantages of an opportunity to grow some of one's own food and fuel, "moonlight" at home, enjoy less expensive recreational pursuits, and repair one's own car without disturbing the zoning officer. The children, too, can set up a little bicycle repair business, merchandise some garden produce, or have some other economic activity without running afoul of the zoning ordinance.

If this picture is correct, it seems likely that truly heroic programs would be needed to prevent further large increases in rural nonfarm residents. And the programs, for the most part, would need to be operated at the state level. Police power controls on settlement today rest principally with local governments. Rural nonfarm people control most rural local governments or will take control the first time they get mad. And nonfarmers are not likely to make themselves nonconforming users under a zoning ordinance or prohibit their children from locating nearby.

The idea of statewide controls strong enough to keep non-farm people out of farming areas was urgently proposed by the New York State Office of Planning Coordination in the early 1970s but summarily rejected by the legislature. The legislature did accept such controls for the Adirondacks, but their acceptance in that instance seems not to foreshadow their general acceptance. All of the proposals made so far for state zoning outside the Adirondacks have been seen by suburbanites as posing a possible threat to their right to exclude unwanted uses such as public housing from suburban areas.

What will a continuously increasing number of nonfarm neighbors mean to farmers in this state? What does the present large number of nonfarm neighbors mean already?

Nonfarmers everywhere it seems are asking for more public services and because farmers must own a lot of real estate the growing tax burden falls heavily on them. Nonfarmers also are asking for regulations on farm machinery transport, pesticides, manure spreading, and farm noises and odors. They are riding their snowmobiles and horses across farm meadows, hunting without permission, and discarding bottles where field choppers pick them up and make cow feed with ground glass.

The critical point for the retention of farm land is when a farmer must decide if he will build a new barn, install more tile drainage, or plant a new orchard. If he is being hassled too much by nonfarm neighbors he will decide to ride his present farm improvements down and hope he can sell the run-down unit for houselots when he is finished with it.

This worked out reasonably well for some farmers near expanding suburbs in the '50s and '60s. But today the suburbs are not expanding in this part of the country. Nonfarm rural people do not have the money that affluent suburbanites were able to put on the line in years past for a new house and lot. Besides, while nonfarmers are increasing in numbers there is so much land in New York that it will be a thousand years before all of the state actually is in demand for houselots.

The problem we face today in trying to maintain a vigorous agriculture in this state is one of facilitating the peaceable and productive coexistence of farm and nonfarm people in rural areas. There needs to be mutual respect and trust between farm and nonfarm people. And there needs to be a few new rules for getting along.

There is no chance we can chase the nonfarm people out of farming areas nor even prevent them from multiplying. But we very much need arrangements that will give farmers enough confidence in the future so they will keep our farms from becoming debilitated years before they are needed for houselots, or even for part-time farms. New York's agricultural district legislation is a first step in this direction. Its intent is to provide farmers some assurance that if they build new barns, plant new orchards, install drainage, or otherwise improve their farms, they will not be taxed or regulated out of business before they can gain the full benefits of their new investments. No one is prevented from initiating a nonfarm use in an agricultural district but it is made clear that agriculture is a legitimate and even preferred activity.

Agricultural districts in many quarters are considered only stop-gap measures. There still is very strong support among many planners for zoning that would make it illegal for farmers to sell their land for nonfarm uses. Many suburbanites would be happy, it seems, to have such restrictions on the conversion of farm land if a method could be devised to assure that such action would not reduce suburbanite control over suburban land use.

It is very disappointing to see how shrill some people become when limitations to zoning are pointed out. Some of you may have seen an article I wrote under the heading "Zoning Cannot Save Farm Land". One county planner wrote a letter to the editor of a paper that published the article claiming that I would never say such things if I knew anything about zoning. I do not know the gentleman, but it could easily be that I published my first report on the possibilities of rural zoning before he was born.

Rural zoning in the 1930s proved to be very effective in preventing people from settling in the cut-over areas of Wisconsin, Minnesota and Michigan where they could not have made a living and would have increased taxes for farm people in other parts of those counties. As a USDA employee I helped to investigate the possibility that rural zoning to keep people off submarginal land would be useful elsewhere in the country. I concluded it would not work in California and reached the same conclusions for New York when I left the USDA and returned here. Actually that type of zoning has been phased out in the western Lake States too.

Wisconsin, however, has recently passed a law that encourages county zoning to prevent the conversion of farm land to nonfarm uses. Nonfarm people are not so numerous in the rural areas of that state as here. Moreover the law provides tax benefits to the farmers who participate under it that are reported to average over \$1000 per farmer per year. In addition, these benefits are provided directly by the state rather than being shifted to other local taxpayers. It is highly unlikely that urban taxpayers in New York would be willing to support such a program.

Oregon has a zoning program that I would like to examine first hand. From 3000 miles away it sounds interesting. The claim is that it keeps good cropland in farming without excluding nonfarm people from locating on other land in the neighborhood. If it really can do that it might on balance be attractive to most farmers here. It would open up opportunities to buy, or lease under better terms, some of the cropland now owned by nonfarmers, including speculators. Farmers still could sell noncropland for development. Nonfarmers would seldom be excluded from any farm communities because almost no areas in New York are solid cropland. But I am really afraid of the administrative problems such a program would entail. Who is to say what is cropland? I certainly will not support such a program until I know more about it.

Suffolk's purchase of development rights, Perinton's temporary acquisition of development rights through tax concessions, and Eden's compensatory zoning program (known in planning circles as "transfer of development rights") are all interesting and potentially useful in other areas, but to date, they have problems that are likely to prevent them from affecting our total food producing capacity very much.

Summary

Agriculture is strong in New York today but it may be overwhelmed by the rapid growth in our rural nonfarm population. Nonfarmers outnumber farmers many times over in all rural areas. We cannot chase the nonfarmers out nor even keep them from multiplying. Methods for promoting peaceful and productive coexistence between farm and nonfarm people are greatly needed. Agricultural districts are a start in this direction.

Many suburban oriented planners still are promoting zoning to lock farm land into farming. Zoning has been universally accepted in the suburbs where it is being used successfully to exclude those who cannot or will not conform to suburban standards of land use. Its success in the suburbs has blinded some to its limitations.

State zoning was proposed for New York in the early 70s in a form that could have preserved farm land. Suburbanites, however, rejected that proposal because it threatened their authority to control land use in the suburbs. No substitute that eliminates this threat has been proposed.

Wisconsin's exclusive agricultural zoning program would not work in New York and Oregon's attempt to preserve only good cropland appears to have administrative problems. Government purchase of development rights, including tax trades for these rights, are very useful in some locations but are not practical for most major farming areas.

Our agricultural district program, as limited as it is, represents the best starting point developed so far for facilitating the adjustments we need to make in response to the rapid growth of our rural nonfarm population. Let's build on it.