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Rural Zoning in Western New York:
Introductory Report and Case Study of Town of Avon*

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Background:

Morton Hunt's article "The Annals of Agriculture" in the November 1, 1969 issue of the New Yorker forcefully predicted the apparently inevitable demise of agriculture on Long Island. Metropolitan New York is swallowing the area whole, spewing up, at least for the present, large, undigested bits of unused and idle land (over 50 per cent of East Hampton, for example, is 'vacant' land). But, what is happening on the fringes of New York City is of no immediate concern to western New York State --- or is it?

The northern counties of western New York contain valuable agricultural lands. In the most recent land utilization study by a Cornell group(1), most of the best agricultural land is seen as concentrated in the region. Level to moderately sloping, reasonably fertile, responsive to good management, these lands have supported agriculture since the early days of settlement. Farm mechanization and consolidation have proceeded with relative ease, the land itself is adaptable and the farming population has been receptive to new ideas and methods. Unfortunately, these same counties lie in the heart of the U. S. manufacturing belt and athwart a major transportation corridor connecting the Atlantic ocean to the Great Lakes and the East to the rest of the country. So located, they have also served as sites for significant urban development. The 1964 planning prospectus for New York, Change/Challenge/Response (2) predicted that major population growth to 1980 would occur in the existing seven metropolitan areas, three of which, Buffalo, Rochester and Syracuse, lie in this region. To date, six years later, population growth is following the expected pattern. The threat to local agriculture is no less real than that on Long Island, albeit not quite so immediate.

Urban Sprawl Strangles Agriculture:

The villain is urban sprawl. There is sufficient room adjacent to existing cities to accommodate much of the expected growth, were growth to be channelled into these areas. However, under present legal and economic conditions, growth is not so channelled. Rather, 'urban sprawl', i.e. leap-frogging, strip development, scattered suburban housing, typify the current growth patterns.

Pressed on the one hand by the costs of modern mechanized agriculture and on the other by rising taxes on land near growing urban area, agriculture is slowly losing the economic battle to survive near cities. Urban sprawl accentuates and accelerates the changes by scattering urban uses widely over agricultural areas, thus multiplying the numbers of parcels of agricultural land affected. Add to this the inevitable splitting of logical farm units by the transportation routes necessary to provide for commuter traffic and it is small wonder that farmers eventually give up and sell out.

The heavily capitalized modern farm characteristic of this region requires a stable agricultural setting to meet the annual costs of debt retirement, machinery upkeep, high grade seed, fertilizer, etc. It is the first to go out of production as farm units are cut up by highways and roads, taxes rise to meet the values of neighboring urban lands and normal farm operations cause nuisance complaints from nearby urban neighbors. The usual progression is from highly productive commercial agriculture, to less productive, smaller farms, to scattered farming on uneconomic parcels and eventually to idle land. This idle land often remains idle for years to come. Sometimes it is cut off from urban growth by a solid ring of strip development, barring access to interior areas, sometimes it is simply by-passed and forgotten as growth moves on. Cities become surrounded by areas of undeveloped land, costly to by-pass with city services and contributing little or nothing to the tax base which pays for such services. Of necessity, the increased tax burden and the sprawl is passed on to the next adjacent tier of farm lands and the process continues. Under such conditions an entire agricultural region can be lost, as is happening now on Long Island.

Metropolitan Rochester Rushes Southward

To bring the matter closer to home, can this pattern repeat itself with the metropolitan growth of Rochester slowly absorbing and destroying the valuable agricultural economy of this part of the State? More alarmingly, is it already happening?

In the development guidelines established by the 1964 report (see above), Rochester, by 1980, is envisioned as a centralized urban area pushing out on the southern edges to and just beyond the New York State Thruway and there stopped by a surrounding Greenbelt which would reach into Livingston County almost to the Village of Avon. At the next stage of development (1980-2000), the area surrounding Avon itself is seen as a new urban center with a population of 50,000-100,000. If, in fact, this pattern were to materialize over time, agriculture in the area would be reduced, at best, to the Greenbelt sections planned to surround urban concentrations. Some such result, given a continuance of present trends, will no doubt be inevitable, but it does leave open the possibility of retaining highly productive agricultural enterprises on prime agricultural lands, if only to preserve the availability of countryside for the benefit of urban citizens. Unfortunately, the beginning of 1970 finds the orderly development of such a pattern already threatened in Livingston County by the sprawl of metropolitan Rochester as well as by local growth patterns. A recent land use survey of the Town of Avon conducted by graduate students at State University College at Geneseo produced some interesting evidence to support this conclusion.

Unplanned Development of Avon

Avon Township, Livingston County lies immediately south of the Monroe County line, the next area to be affected by Rochester in its expansion to the South. The construction of the proposed Genesee Expressway will necessarily intensify urban pressures in the region. The Town is relatively deficient in prime agricultural land; in fact, the Village of Avon occupies the largest single piece of such land. Other smaller parcels are scattered through the Town, usually in juxtaposition with larger parcels of slightly inferior but productive soils. The large areas of level to gently sloping land with good soils have encouraged the evolution of large, mechanized farm business throughout the Town. It is these highly productive farms that are the most threatened by urban growth.

Urban growth in Avon has been fairly rapid. Illustrative of changes taking place is the increase in single family residences in the period 1963-1969. Single family residences in the Village have increased by 11 per cent, in the Town by 38 per cent. The most extraordinary growth is that of mobile homes, an enormous 830 per cent, in actual numbers, an increase from 30 trailers to 280 trailers. Interestingly enough, 41 per cent of the growth in non-farm rural residences has been in the eastern half of the Town, at some distance from the Village center and 93 per cent of the growth in mobile homes is due to the addition of one trailer park on Highway 5-20 near the eastern boundary of the Town. This pattern suggests, but does not prove, that much of the growth in urban development in the rural area of the Town derives from Rochester expansion and does not reflect changes in employment opportunities in the Village. Due to time and personnel limitations of the land use study, it was not possible to ascertain the place of employment for the owners of these new residences.

At the present, this growth is not orderly. A glance at the sketch map of urban uses in Avon indicates the typical strip development along traffic arteries leading away from the metropolitan center. Illustrative of the costly consequences of strip development is the area bounded by the proposed Expressway and Highways 15 and 5-20. Here access to highly desirable interior areas is already severely limited by strip development along the highway frontages. Although this area includes a large parcel of prime agricultural land, the Expressway will so split logical farm units that it can be considered as inevitable lost to agriculture. For that very reason, new urban growth should be channelled into this area, thus relieving the pressure on agricultural enterprises in other parts of the Town.

Instead, non-farm rural residences, i.e. suburban uses, are dotted here and there along the Town roads. The costs of providing urban services to such residences are excessive, and under our present tax structure, are not brought to bear upon the persons requiring the services but are distributed among Town taxpayers. Total tax costs to farmers must, therefore, rise. In addition, although not significant as yet, these urban residents tend to find farming activities unpleasant and, as their numbers increase, the level of complaints will also rise. Eventually, as voting patterns begin to reflect these new residents, restrictions on agriculture will be almost certain. It is clear from the map that, even today, very few parts of the Town are free from such encroachments.

At present, the least threatened area is the flat valley land lying to the west of the valley wall (see map). This level bottom land is particularly well-suited to mechanized agriculture and, because of high water table and drainage problems, is not particularly suited to urban development. However, one large parcel has already been purchased for speculative suburban development at some unstated future time.

The various processes at work in Avon are equivalent to those which have successfully undermined agriculture on Long Island. Without vigorous and prompt action, the end result will be the same in both cases.





Can Good Farm Lands be Saved?

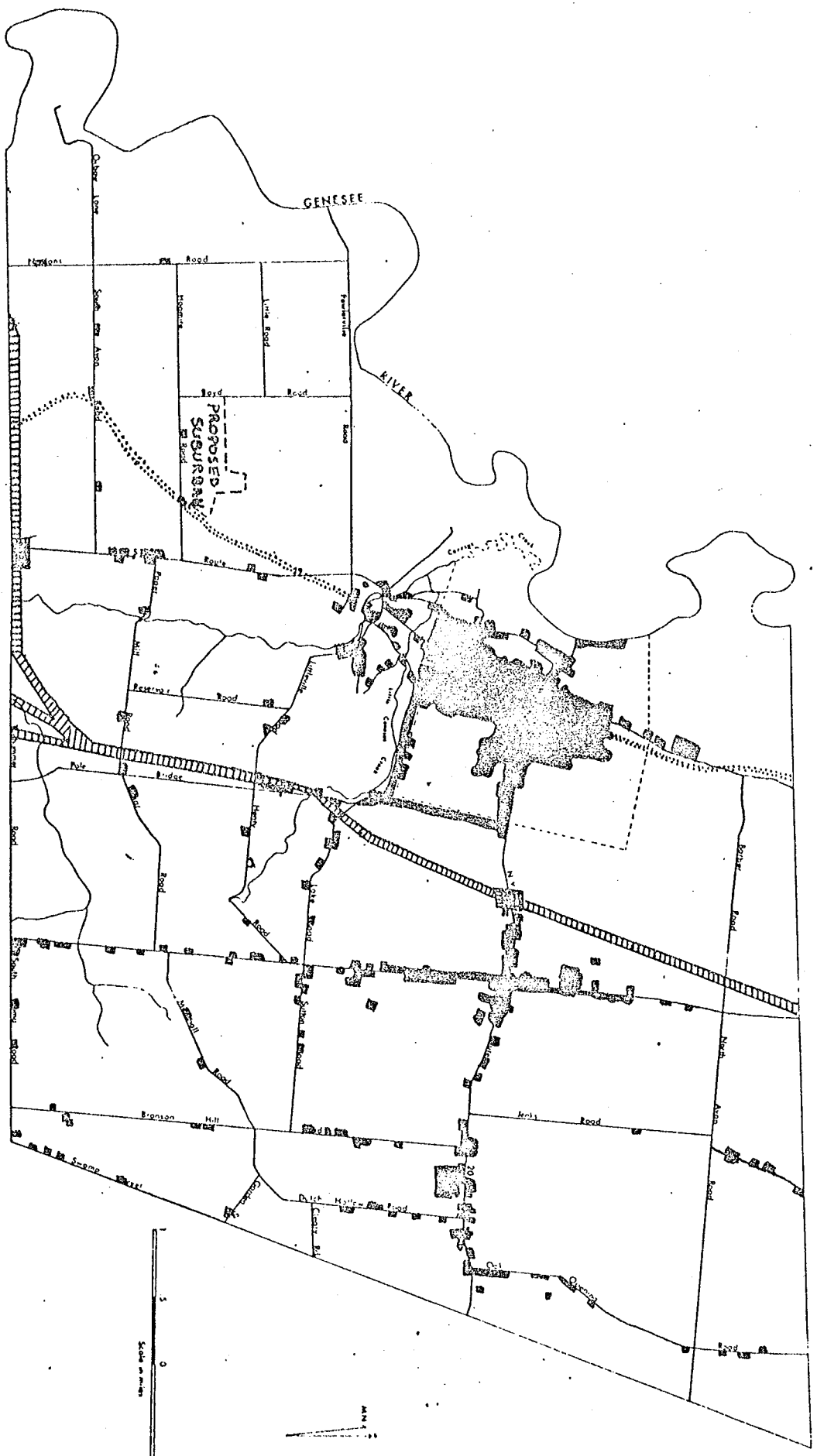
Given sufficient warning and time for action, is this progression inevitable? The answer is NO; tools do exist which can be used to protect farm land and to guide urban expansion into appropriate areas. The two which are of most immediate importance to such areas as Avon are present-use tax assessment (enabling legislation is now before the State Legislature) and rural zoning. Present-use tax assessment, if passed,

1979

LAND USE IN AVON TOWNSHIP

SOURCE: LAND USE SURVEY
SUC, GENESEO

-  URBAN
-  PROPOSED GENESEE EXPRESSWAY
-  INTERCHANGE
-  VALLEY WALL



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is a valid means of protecting the farm economy by permitting agricultural land to retain its usual tax level irrespective of encroaching and adjacent urban uses and values, so long as the land legitimately remains in agriculture under the personal direction of an owner or manager. Farmers would not be forced out of agriculture by a declining profit margin due to steadily rising taxes.

Rural zoning is a surprisingly flexible tool which can be used to slow the pace of urban encroachment and to establish desirable patterns of development, or, as in California, to create exclusive agricultural districts which permit only agricultural activities and, therefore, completely protect the farmer. Three fundamental types of rural zoning can be used: estate and suburban residential-farming districts which hold farming open over the short term and which limit and guide the form of urban growth by controlling density and types of urban uses, general rural, or farming-residential, districts in which farming is considered the primary use but residential development is permitted subject to fairly restrictive regulations regarding lot size, set-backs, etc., and farming zones where residential development is either restricted to very large tracts or prohibited entirely. A given rural area in the path of urban expansion can profitably use all three.

Residential-farming zoning can be applied to areas which are in the process of transition. Such regulations benefit primarily future urban residents by preventing the invasion of the area by industry, commerce and noxious and nuisance uses. Zoning is designed to develop attractive residential areas. There is no particular effort to protect agriculture; the emphasis is on orderly transition to urban uses.

Farming-residential zones are designed to prevent scattered, single urban dwellings and premature subdivision and to encourage profitable agriculture for a considerable length of time. Minimum tract sizes are set large enough to discourage purchase for residential development. Normally, the average is 5 acres, although such regulations range from 2 to 20 acres (see The Why and How of Rural Zoning, Economic Research Service, U. S. Department of Agriculture) (3). Such regulations do not prevent non-farm residential use but do militate against the speculative developer whose profits are dependent on small-lot, high-density development.

Only the exclusive agricultural district in which non-agricultural uses are specifically prohibited can completely protect agriculture. Such zoning is desirable for two types of agricultural land, that which is not presently needed for urban expansion and on which premature development would create excessive costs and that which, for physical reasons, should not go into urban uses at any time in the future. There is sufficient precedent for such restrictive districts, especially in California and Wisconsin, to indicate their efficacy in preventing non-economic, urban encroachments.

Some Suggestions for Avon

Can rural zoning be used as a means of guiding urbanization and protecting the agricultural base in Avon? Consider the following suggestions. All of the valley floor lying to the west and below the valley wall should be zoned exclusively for agriculture or other non-urban uses such as forest and recreation districts. Physical conditions in the area are such that intensive urbanization would be both expensive and unsatisfactory. In addition to reasons stated previously, the increased problems of pollution of the Genesee River and of possible future flood damages also suggest continued agriculture as the best use for the land.

All areas of stream beds, poor drainage and steep, wooded slope should be zoned as forest-recreation districts. This will protect against damaging uses and retain assured open spaces whatever the level of future urbanization.

The areas centered on East Avon and lying between East Avon and Avon itself should be considered as transitional and zoned residential-farming with appropriate regulations to ensure an attractive residential neighborhood in the future. In this context, commercial zoning, now a long strip along the highway frontages, should be limited to the East Avon area itself which then could develop as an efficient and attractive commercial center for surrounding residential areas. A secondary such future residential zone could be anticipated surrounding the junction of Oak Opening Road and Highway 5-20 where urban development is already underway.

The remainder of the Town should be held in farming-residential tracts designed to inhibit urban development. At the discretion of Town residents, those outlying agricultural areas to the north and the south where urban penetration is minimal, as yet, could be held in exclusive agricultural districts for an indeterminate period of time as an economically productive reserve of land for future urban needs. There would be a further advantage in that such zoning to the north would be complementary to the proposed Greenbelt separating Rochester from future urbanized centers to the south. Where highly productive farms include sizable pieces of prime agricultural land, some consideration should be given to incorporating them in Greenbelt zones as permanent agricultural units.

If accompanied by Town and Village action on roads, sewers, water lines, etc., in areas where urbanization should be encouraged, by stringent restrictions on services to detached areas and, hopefully, by specialized assessment procedures to relieve operating farms of urban tax loads, urban growth could be controlled and certain agricultural capabilities could be retained. A balanced and economically viable region would result.

References

- (1) Shelton, R., E. Hardy and C. Meade. 1969. Land Utilization Map of New York. New York State Land Use and Natural Resources Inventory.
- (2) Change/Challenge/Response. 1964. New York State Office for Regional Development. The policy section of Development Policy for New York State, reprinted without change of date.
- (3) The Whys and How of Rural Zoning. 1967. United States Department of Agriculture Economic Research Service. Agriculture Information Bulletin #196.