



Accessory On-Farm Business: Zoning Survey

SEPTEMBER 2022

34 SURVEY RESPONSES

*SELECTION OF QUOTES AND DATA INCLUDED HERE



Stats



33 have zoning



10 have incorporated AOFB into zoning; 7 are unsure



14 have not yet had any experience applying the AOFB statute; 5 have had conversations but no applications



15 have not communicated with any farms around AOFB or were unsure



21 have high confidence or are generally confident around AOFB determinations



19 do not or are unsure if they find the AOFB statute reasonably and relatively straight-forward

Key Themes



Lack of experience applying Act 143



Lack of communication between farms and towns



Strong confidence in making AOFB determinations



Unclear if statute is reasonably and relatively straightforward to apply



Fear of “bad actors” using this as entry point for non-AOFB use



Desire to simplify or be more permissive to support ag sector

Possible Recommendations

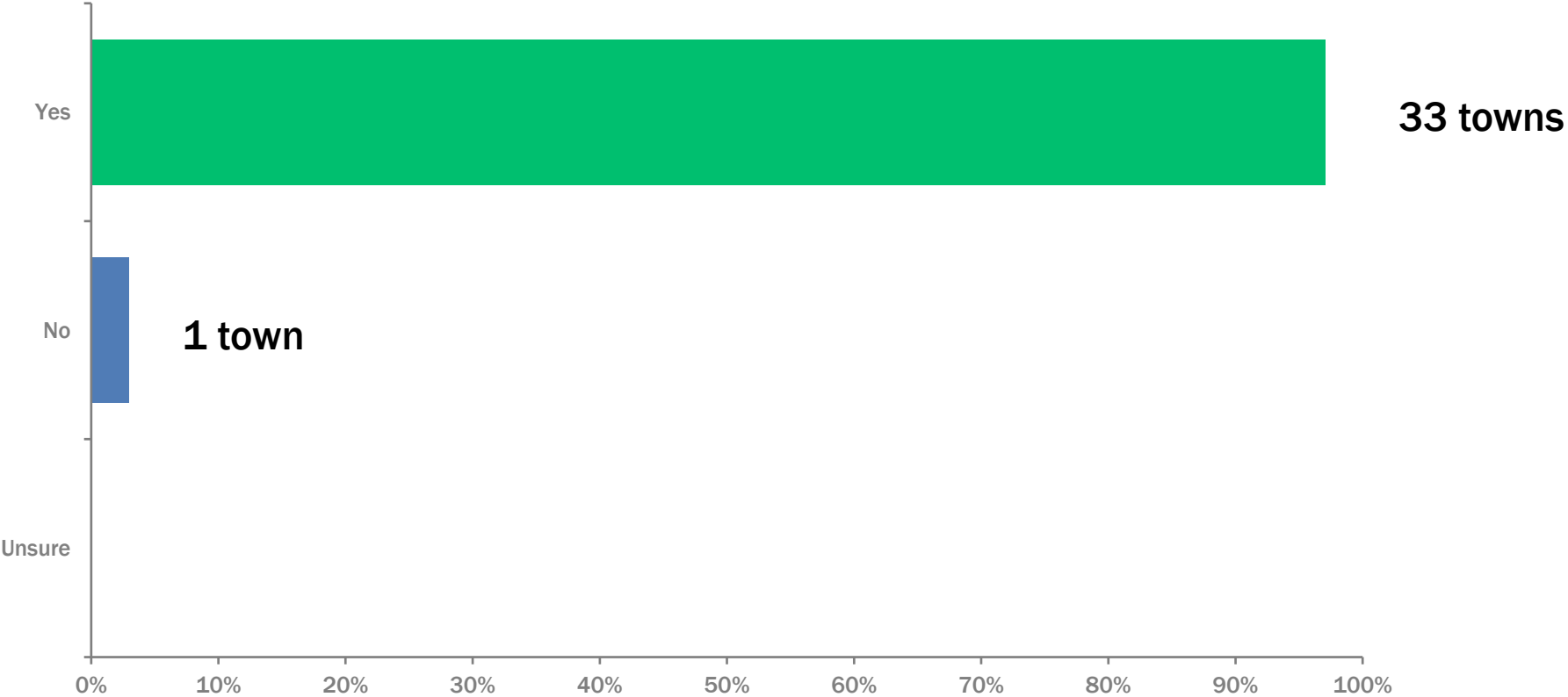
Designated point person for municipalities

Ability to share best practices

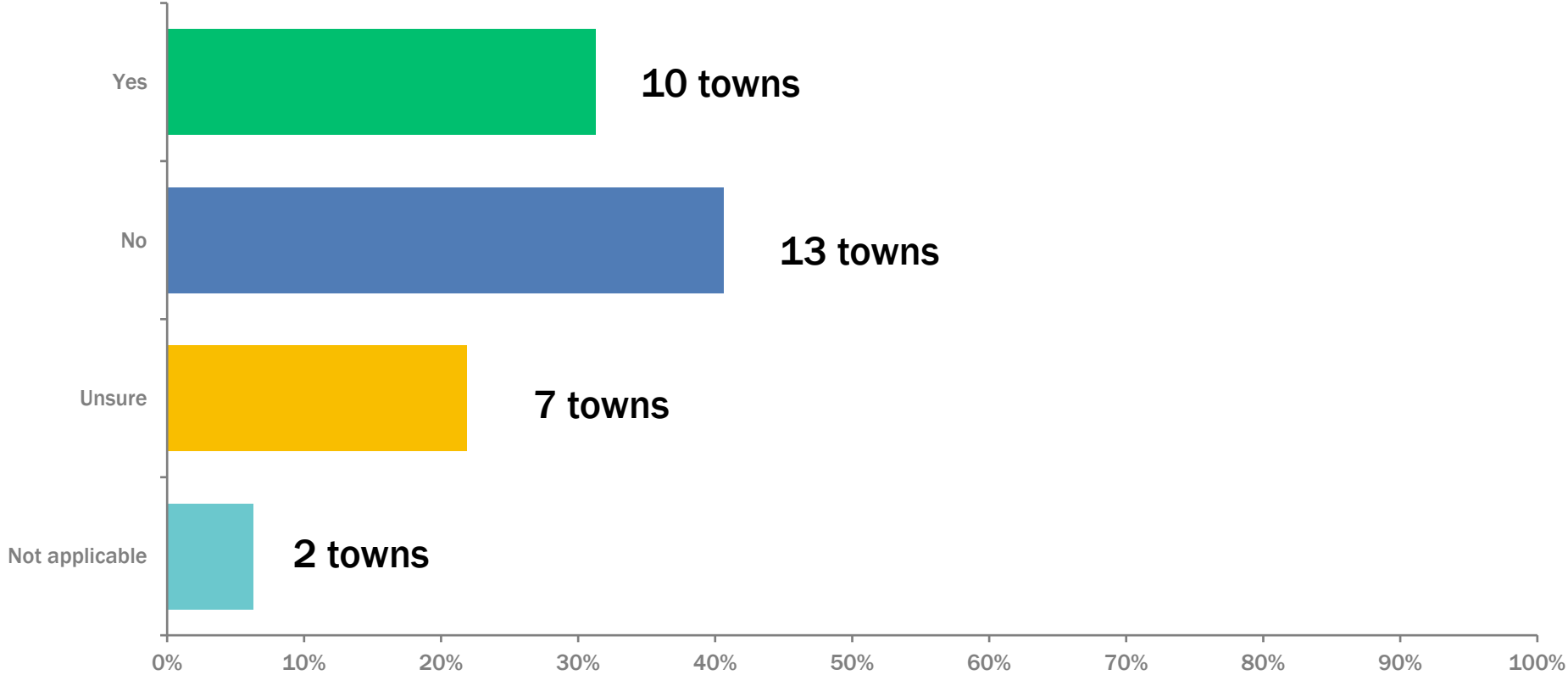
Training and clarity on what is allowed for AOFB

Clarify Act 143

Does your municipality have zoning?



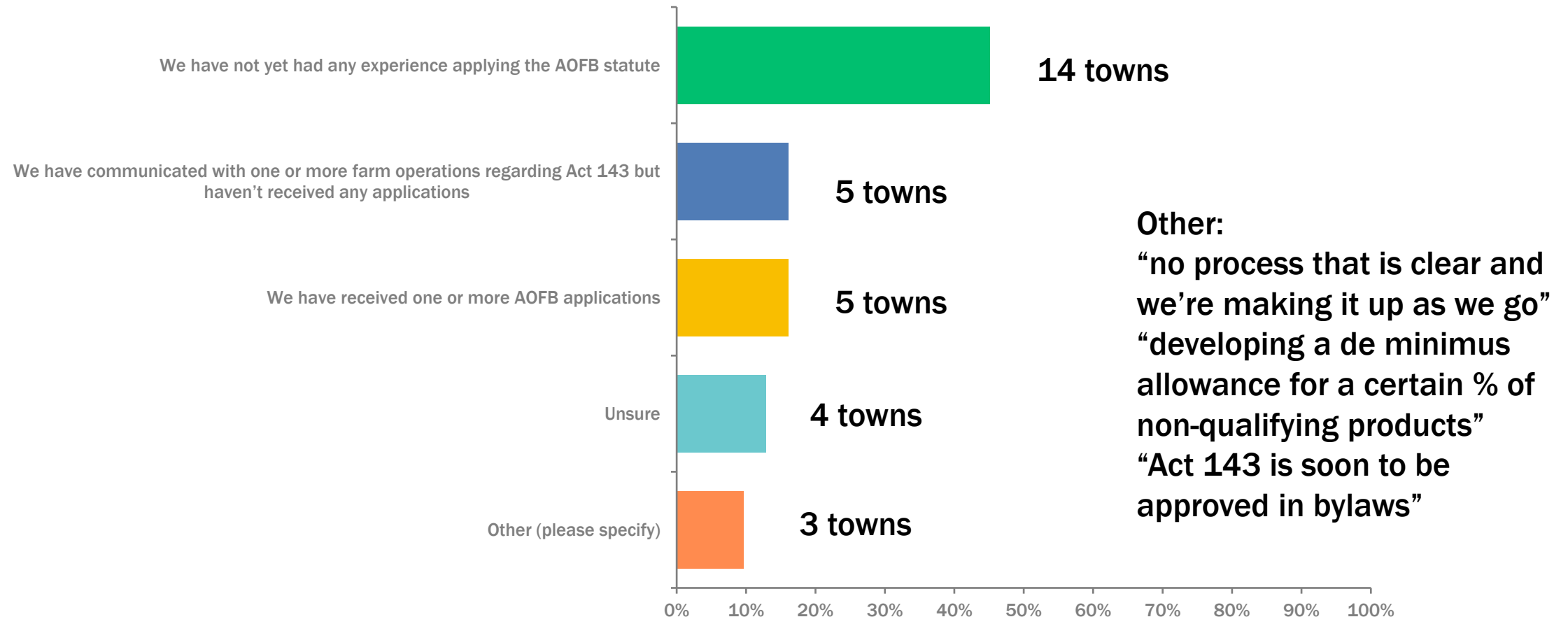
If yes, has your municipality incorporated Act 143 into its zoning?



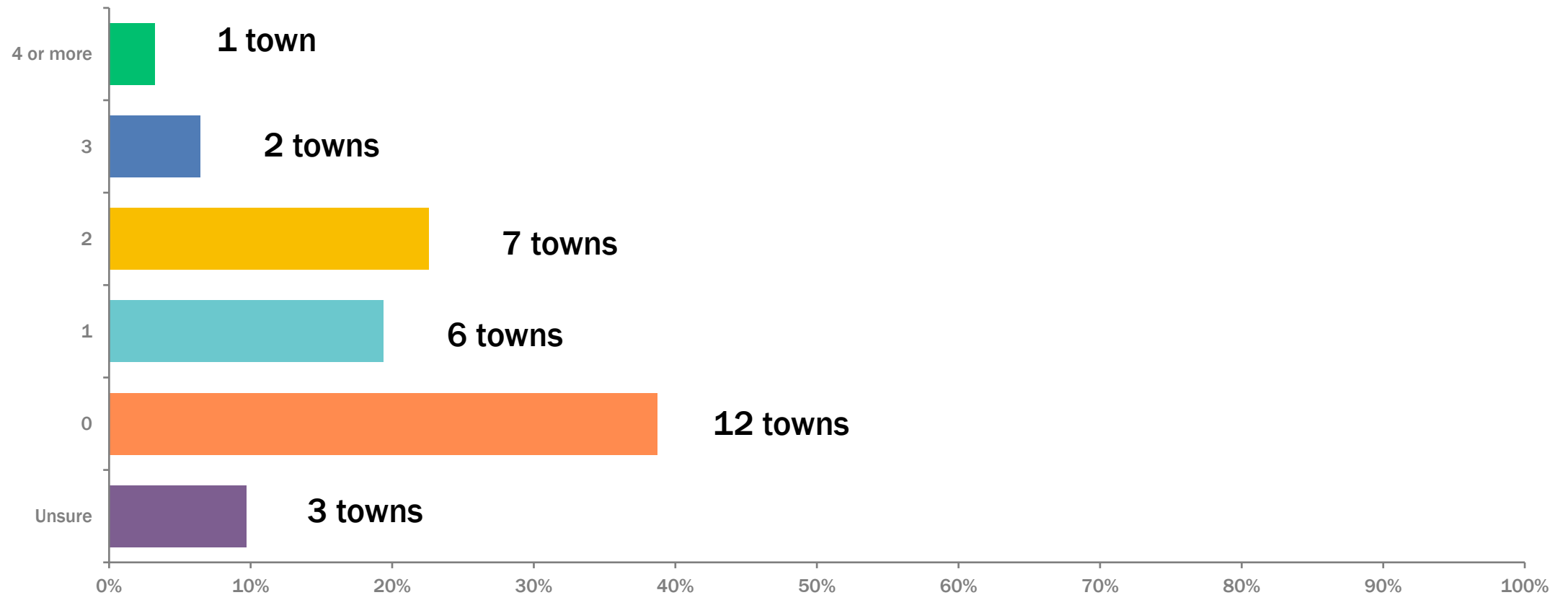
What are current local regulations that would impact AOFB?

- “require conditional use and site plan review”
- “hospitality or events...are non-farm business”
- “building permit process”
- “farm related operations are generally exempt”
- “flood hazard regulations”
- “site plan review and performance standards”

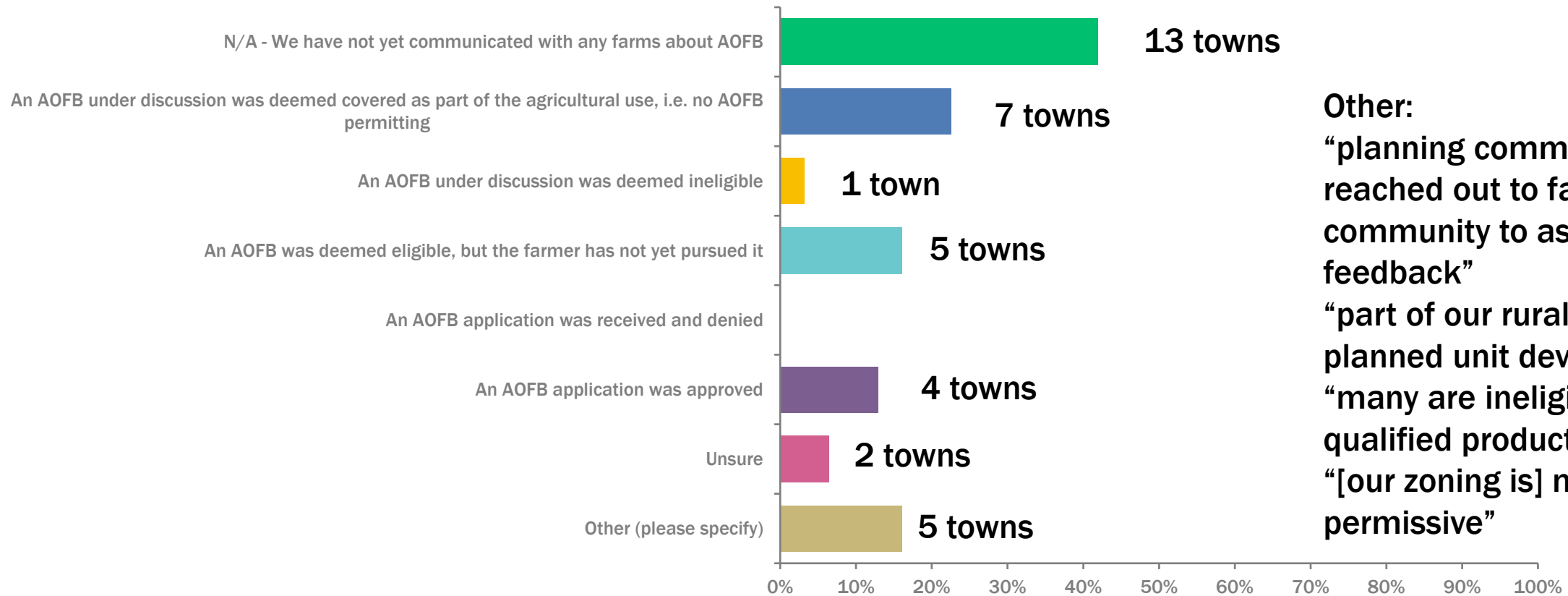
How has your municipality engaged in the application of Act 143?



How many farms have you communicated with about a possible AOFB since Act 143 took effect in 2018?

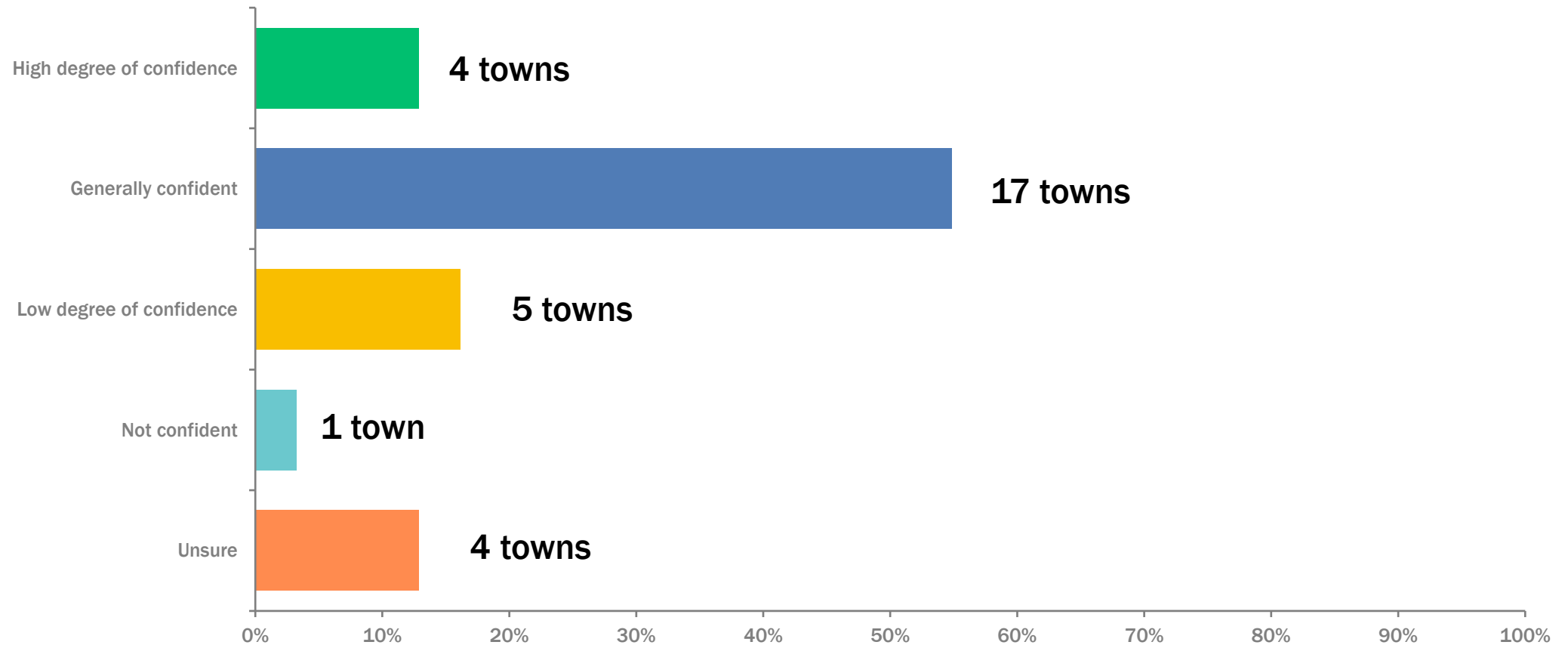


What were the results of your communication with farms about an AOFB? Check all that apply

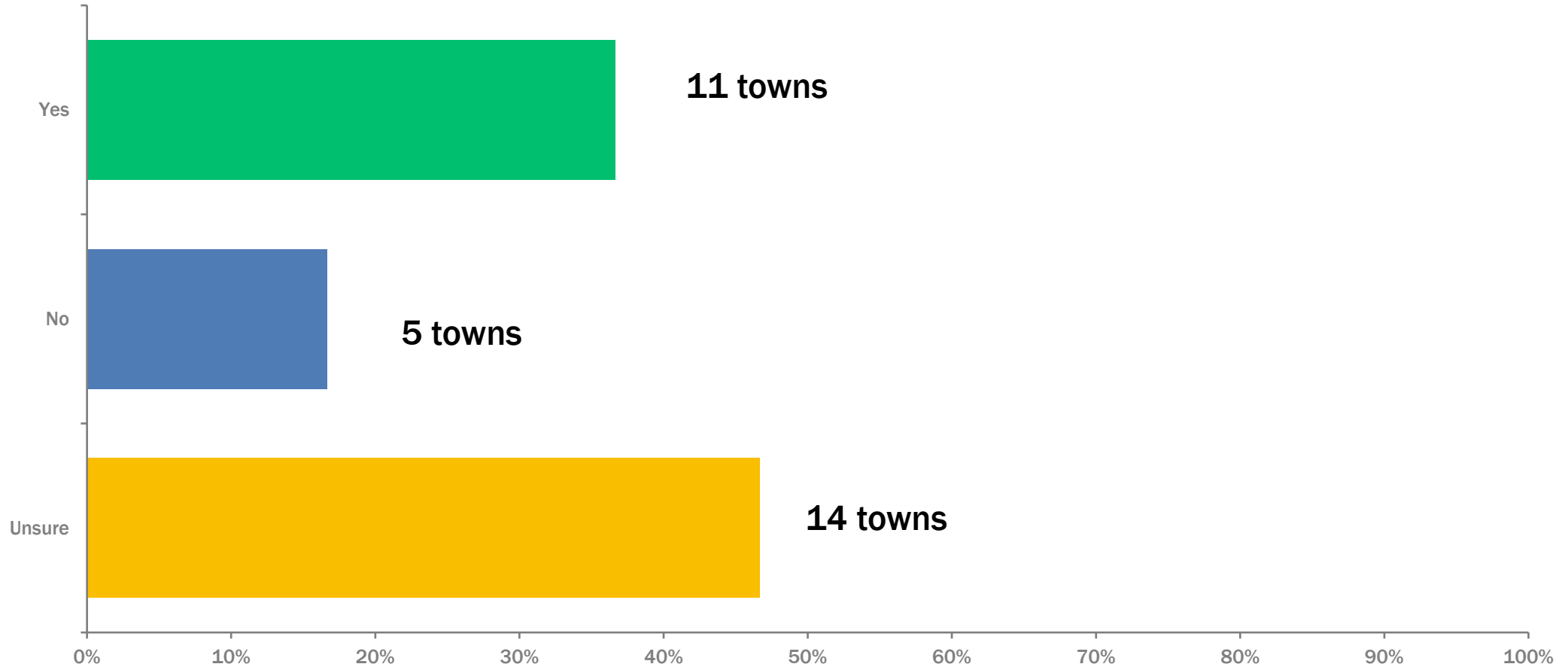


Other:
 “planning commission has reached out to farming community to ask for regulation feedback”
 “part of our rural enterprise planned unit development”
 “many are ineligible due to qualified product definition”
 “[our zoning is] more permissive”

What degree of confidence do you have in making AOFB determinations?



As a municipality, do you find the AOFB statute reasonably and relatively straight-forward to apply?



Please explain your answer

- “language seems fairly straightforward”
- “we haven’t applied it yet”
- “we treat them like ag activities”
- “very small farms [not subject to RAPs] fall through the cracks”
- “who knows what the future brings”
- “a lot of grey area”
- “bad actors could use as a ‘foot in the door’ for non-AOFB use”

What is your general experience in applying Act 143?

- “none”
- “my municipality is urban”
- “we try to keep it simple and not overthink it”
- “loose definition of ‘farm’ generated consternation from public”
- “avoid in favor of approving under other provisions of town zoning”
- “most people we talk with are highly likely to qualify as AOFB”
- “Act 143 was a mistake”
- “confusion but getting clearer as rules are coming into focus”
- “limited given that we offer our own municipal permitting pathways to accomplish the same idea – but with more flexibility”

How can VAAFM be more helpful with the implementation of Act 143?

- “we don’t know what we don’t know”
- “easy to find/reach designated point person for municipalities”
- “would be helpful to see what other municipalities have done”
- “law itself needs to be clearer”
- “providing more training”
- “more specifics on what should and should not be allowed”
- “be a resource for calls about out of the ordinary proposals”
- “clearer thresholds”
- “you’re doing just fine”

Contact Us



agriculture.vermont.gov/development/accessory-farm-businesses



(802) 522-7042



Julia.Scheier@vermont.gov