
DEVELOPMENT AND LAND USE TRENDS/ISSUES

Many factors influence development and land use patterns in Ontario County. Among them are the physical characteristics of the environment, proximity to regional resources and markets, the economy and employment opportunities, transportation and other infrastructure systems, government regulations and community attitudes.

This section looks at the farmland resources of Ontario County and its towns, the historic changes, and trends that will impact the amount of farmland, and the economic viability in the future. To further profile agriculture and land use trends, the County is divided into three regions with profiles of individual towns. They include **Western Ontario County** (Towns of Bristol, Canadice, Canandaigua, East Bloomfield, Naples, Richmond, South Bristol and West Bloomfield); **Northern Ontario County** (Towns of Victor, Farmington, Manchester, & Phelps); and **Eastern Ontario County** (Towns of Hopewell, Gorham, Seneca and Geneva).

About the Data

The only consistent source of information on changes in town and County agricultural land use during the 1990's is the data collected by town assessors on each parcel and categorized according to the *Property Type Classification and Ownership Codes Assessor's Manual*, New York State Board of Real Property Services.

There are ten major agricultural land types within the category. They are further subdivided to reflect particular uses within the category. (For example 110 - Livestock has seven subcategories such as Dairy, Poultry and Poultry Products, Sheep and Wool, etc.). The population figures are estimates prepared by the Ontario County Planning Dept. based on U.S. Dept. of Commerce Census data.

Ontario County's Farmland Resource

Driving around the countryside, it may seem like there is plenty of farmland and therefore no particular cause for concern. To those not involved with agriculture, farmland and farming is viewed as a traditional part of our society and landscape with an unfounded presumption that it will always be there. The change is usually incremental and imperceptible and the trend usually impossible to reverse once it has begun to be noticed.

Approximately 76% of Ontario County (311,900 acres) is classified as prime, unique, or statewide significant agricultural soils according to the U.S. Dept. of Agriculture, Natural Resource Conservation Service. In 1999, Ontario County had 191,609 acres classified as "agriculture". Using this as a substitute for land with significant agricultural soils, 61% or 191,609 acres has been lost since the soil survey was done in the 1940's. Once this land has been converted to non-agricultural use, it is nearly impossible to return it to its original state of production.

In the last seven years alone, 15,776 acres of classified as agricultural were converted to non-agricultural uses, an 8% loss or 6 acres a day (see Table

4). Between 1990 and 2000 Ontario County population grew by an estimated 6,304; from 95,101 to an estimated 101,405, according to projections completed by the Ontario County Planning Department.

Table 4. Profile of Agricultural Land in Ontario County.

Town	Total Acreage	Total Acreage in Ag Parcels - '92	Total Agricultural Acreage - '99	% Loss '92-'99	% Town Acreage in Ag Parcels 1992	% Town Acreage in Ag Parcels 1999
Bristol	23,439	5,251	3,808	27%	22%	16%
Canadice	20,569	2,360	1,532	35%	11%	7%
Canandaigua	40,120	18,452	17,799	4%	46%	44%
East Bloomfield	20,452	12,587	10,232	19%	62%	50%
Farmington	25,252	16,627	14,037	16%	66%	56%
Geneva	12,361	7,492	7,076	6%	61%	57%
Gorham	33,815	22,453	21,464	4%	66%	63%
Hopewell	22,849	17,464	17,069	2%	76%	75%
Manchester	22,647	15,091	14,863	2%	67%	66%
Naples	24,770	4,618	3,199	31%	19%	13%
Phelps	40,588	27,049	26,480	2%	67%	65%
Richmond	28,352	13,416	11,589	14%	47%	41%
Seneca	32,140	28,872	27,708	4%	90%	86%
South Bristol	26,928	2,362	1,900	20%	9%	7%
Victor	22,190	4,706	4,717	0%	21%	21%
West Bloomfield	16,239	8,576	8,136	5%	53%	50%
Ontario County	412,711	207,376	191,609	8%	50%	46%

Source: N.Y. Real Property Tax Data

Agricultural Districts

Approximately 56% of Ontario County is located within agricultural districts according to 1998 N.Y. Real Property Tax Data. Agricultural districts were created to protect and preserve agricultural lands from loss to non-agricultural development. Article 25AA-Agricultural districts, of the Agriculture and Markets Law states that:

The socio-economic vitality of agriculture in this state is essential to the economic stability and growth of many local communities and the state as a whole. It is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is also the declared policy of the state to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air sheds, as well as for aesthetic purposes.

Though the law does not provide complete protection for farming and farmers, it is an important mechanism to preserve farmland. Specifically, the law provides for the establishment of a county agricultural and farmland protection board and provides for placement of unique and irreplaceable agricultural lands in district by local owner proposal. Advantages include: agricultural tax assessment based on soil classification; limits on local regulation that might unreasonably restrict or regulate farms, limitation on exercise of eminent domain and other public acquisitions; coordination of local

planning and comprehensive plans with the policy and goals of agricultural district law; and a "right to farm" clause, stating that a sound agricultural practice shall not constitute a private nuisance.

Inclusion in an agricultural district limits the assessments made on the property for special service districts such as water and sewer. Assessments are limited to any buildings and/or residences on the parcel rather than a calculation based strictly road frontage.

Agricultural Conservation Easements

Preserving significant farmland requires a long-term, multi-faceted approach involving many strategies and tools. The use of agricultural conservation easements is one tool that more and more communities are using, in conjunction with an overall farmland preservation strategy, in an attempt to maintain their agricultural land base.

An agricultural conservation easement is a *voluntary* legally binding agreement between a landowner and a unit of government or non-profit land conservation organization/land trust that specifically states what the landowner can do with the property and what "rights" they forego. Because the goal of the agricultural conservation easement is to maintain viable farmland, the owner retains all rights necessary to conduct farming operations and can sell, give or transfer title to the property. Future owners are bound by the conditions of the easement. The owner gives up the right to use the property for other uses allowed by local planning and zoning regulations--residential, commercial or industrial development.

Compensation

Towns or land trusts can purchase conservation easements (the term purchase of development rights [PDR] is often used). Landowners can sell the easement at its full value, donate it, or enter into a combination of both, known as a bargain sale. In a bargain sale, the landowner sells the easement for less than its full value donating the difference in value to the town or land trust. The donated value generally qualifies as a charitable tax deduction.

Duration of the Easement

The term of an easement is either ***permanent or temporal*** (for a fixed period of time). A **permanent** easement lasts forever and binds all subsequent landowners. Virtually all PDR or Purchase of Agricultural Conservation Easement (PACE) programs are for permanent easements.

Temporal conservation easements are for a fixed period of time -- a certain number of months or years. At the end of the term the landowner is no longer bound by the conditions of the easement and can sell or develop the property as it is zoned. Temporal easements are generally associated with conservation easement programs established by towns that exchange a reduction in property taxes for the easement -- the longer the term, the greater the tax break. If the owner breaks the easement, they are generally required to pay back taxes and a penalty.

Programs such as these have been very successful in many communities, including Perinton and Penfield in Monroe County. While not providing permanent protection, temporal easements have the advantage of relieving some of the landowner's property

tax burden while allowing the town time to develop a long-term strategy to protect farmland.

Regional and Town Agricultural Land Use Profile

Western Ontario County

Towns of Bristol, Canadice, Canandaigua, East Bloomfield, Naples, Richmond, South Bristol and West Bloomfield (City of Canandaigua; Villages of Bloomfield and Naples)

Table 5. Profile of Agricultural Land in Western Ontario County Farms.

Town	Total Acreage	Total Acreage in Ag Parcels - '92	Total Agricultural Acreage - '99	% Loss '92-'99	% Town Acreage in Ag Parcels - '92	% Town Acreage in Ag Parcels - '99
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Richmond	28,352	13,416	11,589	14%	47%	41%
South Bristol	26,928	2,362	1,900	20%	9%	7%
West Bloomfield	16,239	8,576	8,136	5%	53%	50%
Region Total	200,869	67,622	58,195	14%	34%	29%

Source: Real Property Tax Data - 1992 & 1999

Overview

Geology, glaciers, and geography has given western Ontario County a rich diversity of landscapes defined by five Finger Lakes -- Hemlock, Canadice, Honeoye and Canandaigua -- and their watersheds. The lakes and scenic beauty of this area has historically made western Ontario County a prime summer cottage location for residents of the Rochester area.

A system of long steeply sloped wooded hills and relatively narrow valleys separate the lakes. In these areas, particularly in the Towns of Bristol, Canadice, southern Canandaigua, Naples, Richmond, and South Bristol, smaller pockets of prime farm soils and consequently smaller farming operations, are interspersed. The hilly, southern portion of the region gives way to the more gently rolling countryside of East and West Bloomfield, and Canandaigua. Traversed by historic Rts. 5 & 20, this area has the largest concentration of prime farm soils and active agricultural operations.

Proximity to the growing suburbs of the southeastern Monroe County is making western Ontario County a desirable location for vacation home development, conversion of existing second homes to year round residences, and new home development. The major improvements to the Rt. 332 corridor will likely have a significant impact on development patterns, particularly in Canandaigua.