



Municipal Zoning Laws

If you plan to build a new farm facility, establish a retail farm outlet, add worker housing, add horse boarding/riding facilities, etc., check with your local municipality to find out which laws apply. Some common restrictions/requirements might include: road setbacks, lot size, dimensions, signage size and placement, site plan requirements, screening, etc.

Farms located in certified agricultural districts are generally exempt from many local and some state regulations including SEQR (State Environmental Quality Review), some building codes, and from the need to provide professionally stamped plans for farm buildings, etc. Contact your county planning or assessment departments to see if the property you own is in an agricultural district.

If you are located in an agricultural district and find local zoning to be excessively restrictive to your farm development plans, check the NYS Dept. of Agriculture & Markets website for information on local laws and the agricultural district law and how they relate. In many cases, the Agricultural District law protects farm operations from restrictive local laws. For more information, access the following document from the Ag & Markets website: *Local Laws and Agricultural Districts: Guidance for Farmers and Local Governments* www.agmkt.state.ny.us/AP/agsservices/new305/guidance.pdf

A process exists by which you can request an opinion from NYS Dept. of Agriculture & Markets Agricultural Protection Program staff to make a determination if a local law is restrictive to farming. It is suggested that you call the staff and discuss the matter with them prior to filing an official request for assistance (see telephone number listed below). Formal requests for assistance must be made in writing and include details on local restrictions and requirements as evidenced in zoning code or some other ruling.

Mail your request for review to:

NYS Dept. of Agriculture & Markets
Div. of Agricultural Protection & Development Services
10 B Airline Drive
Albany, NY
Phone: 518-457-7076
www.agmkt.state.ny.us/AP/agsservices/agdistricts.html

If you are not located in an Agricultural District then you must comply with local regulations.

NYS Building Codes

Farm Buildings are exempt from the building code for building construction. Exemptions for farm buildings from the property maintenance and some fire safety codes are being sought through legislative action. For current information on these provisions contact NY Farm Bureau at 518-436-8495 or visit www.nyfb.org or contact:

New York State Department of State Code Enforcement and Administration
41 State Street, Suite 1130, Albany, NY 12231 Tel: 518-474-4073

