

Legislation Supporting Farmers and Farmland

Farmland Assessment Act of 1964 <http://www.state.nj.us/agriculture/FarmlandAssessmentGuide.pdf>

The N.J. Farmland Assessment Act is the single most effective urban fringe farm retention policy tool state legislators have enacted in the last half-century. Farmland assessment allows for the taxation of land “actively devoted to agricultural or horticultural use” to be assessed on the basis of its use value in agriculture, as opposed to its full market valuation. This strategy, enacted in 1964, discourages the conversion of agricultural land to other uses.

Agriculture Retention and Development Act of 1983 <http://www.nj.gov/agriculture/sadc/rules/>

This act allows for the State to purchase development rights of farms threatened with sale to residential and commercial developers. Permanent deed restrictions are placed on NJ farms so that they must remain as farms and cannot be sold for housing or non-farm commercial development.

Right to Farm Act of 1983 with amendment in 1998 <http://nj.gov/agriculture/sadc/rtfprogram/rtfact/index.html>

Designed to provide a proper balance among the varied and sometimes conflicting interests of land use, this act is a tool for sorting out the respective rights of farmers, their neighbors and municipalities. It protects farming activities and farmers against municipal regulations that attempt to constrain farming and against public and private nuisance actions. In order to qualify for protection under this law, the farm must meet the requirements of a “commercial farm” as defined:

- >5 acres, annual agricultural or horticultural production worth \$2,500; or if <5 acres, production worth \$50,000 annually.
- Agriculture is a permitted use under municipal zoning or master plan (unless grandfathered-in)
- Farm must adhere to generally accepted agricultural practices as determined by the State Agriculture Development Committee. Presently agricultural management practices are established for apiaries, poultry manure application, food processing, vegetable production, fruit production, natural resource conservation, on-farm compost operations, fencing installation, and aquaculture. In development are the agricultural management practices for equine operations, farm markets, greenhouses, and agritourism.
- Farm must comply with relevant state and federal statutes and rules.
- Farm represents no direct threat to public health and safety.