

Farm and Forest Business Zoning Can Benefit Woodlot Owners

What is farm and forest business zoning?

Farm and forest business zoning would allow landowners to have small accessory businesses to provide an economic incentive to maintain their working farms and forests. An accessory use is defined as “a use of land or of a building, customarily incidental and subordinate to the principal use of the land or building.” Currently many towns allow a homeowner to have a home occupation as an accessory use as long as it is contained inside the house. However, property owners, regardless of how much land they have, are currently not allowed to use their land for a business.

Why is farm and forest business zoning needed?

Since the advent of zoning, communities have segregated commercial and residential uses into distinct districts. Businesses are precluded in a residential zone. As a result, large landowners who historically were able to use their land for a variety of businesses can no longer do so. This hinders their ability to make a living for themselves or create jobs for other people in the community. There have been some very contentious court cases to stop land owners from having businesses that they erroneously believed were allowed on their property. While farmers can have a farm, they are prevented from carrying out many of the uses needed to make a living. Forest land owners are even more restricted from having a business. For many landowners, splitting off a few house lots from time to time becomes the only way to keep up with expenses. The economic pressures on large landowners, combined with the restrictions of traditional zoning, can contribute to a haphazard, sprawling pattern of development that is often at odds with a town’s goals to protect rural character and quality of life while encouraging appropriate economic development. Moreover, it has been well documented that the costs of providing community services to residential development is much more expensive than maintaining working farms and forests.

What forest businesses are being proposed?

The business uses proposed for wood lot owners include, but are not limited to: retail of forest products, retail sales buildings, forest product processing, and meeting space.

Will there be limits on the businesses allowed?

A land owner can have an accessory business if they meet the lot size requirement (5 acres and up is proposed) and some reasonable limits on issues like signs, parking, noise, setbacks, screening, building size and outdoor lighting. Zoning currently requires all uses to follow similar limits to protect public health and safety. The limits proposed in this ordinance attempt to strike a balance between allowing businesses in residential zones and limiting impacts on adjacent property owners. Simultaneously, a user-friendly process for farm/forest land owners to establish a business will be developed. Most uses are allowed by right, avoiding the need for the land owner to seek a zone change or approval from the zoning board, which significantly streamlines the process.

How can you provide input on this ordinance?

The towns of Exeter, Foster and Gloucester are currently working on a draft farm and forest business ordinance. If you have any questions, comments or would like your town to consider this ordinance contact Scott Millar, from Grow Smart RI at smillar@growsmartri.com. Grow Smart RI is assisting towns in preparing the ordinance at no charge to the town.