

Eligibility for Farmland Preservation

In order to be eligible for farmland preservation the property needs to be located within an adopted Agricultural Development Area and eligible for farmland assessment. Please note that County, municipality and nonprofit organizations may have different criteria.

The land must exhibit development potential based on the following standards:

1. The municipal zoning ordinance for the land as it is being appraised must allow additional development, and in the case of residential zoning, at least one additional residential site beyond that which will potentially exist on the farm.
2. Where the purported development value of the land depends on the potential to provide access for additional development, the municipal zoning ordinances allowing further subdivision of the land must be verified. If access is only available pursuant to an easement, the easement must specify that further subdivision of the land is possible. To the extent that this potential access is subject to ordinances such as those governing allowable subdivisions, common driveways and shared access, these facts must be confirmed in writing by the municipal zoning officer or planner.
3. If the land is 25 acres or less, the land shall not contain more than 80% of soils classified as freshwater or modified agricultural wetlands according to the NJDEP wetlands maps.
4. If the land is 25 acres or less, the land shall not contain more than 80% soils with slopes in excess of 15% as identified on a USDA NRCS SSURGO version 2.2 or newer soils map.

If the land does not meet any of the standards above, it may be eligible based on an allocation of development credits pursuant to a transfer of development potential program authorized and duly adopted by law.

FOR LANDS GREATER THAN 10 ACRES the land also must meet the criteria below to be eligible for preservation with SADC funding:

- At least 50% of the land or a minimum of 25 acres (whichever is less) is tillable and consists of soils that can support agricultural or horticultural production.

FOR LANDS LESS THAN OR EQUAL TO 10 ACRES the land also must meet the criteria below to be eligible for preservation with SADC funding:

- The land produces agricultural or horticultural products of at least \$2,500 annually. Supporting documentation must be provided (tax forms, receipts, etc.)
- At least 75% of the land or a minimum of 5 acres (whichever is less) is tillable and consists of soils that can support agricultural or horticultural production.

Please note that if the applicant or the applicant's immediate family defined as applicant's spouse, child, parent or sibling residing in the same household is a current CADB board member or Municipal Agriculture Advisory Committee member, they must resign prior to submission of an application for farmland preservation.



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