

WHAT IS AN AGRICULTURAL SECURITY AREA?

An Agricultural Security Area (“ASA”) is a law that was established in 1981 to strengthen agriculture. The proposed ASA is developed by property owners and brought before township supervisors. The action to develop an ASA is between landowners and the township. Landowners who join an ASA receive special consideration when faced with nuisance ordinances and condemnation. They may also voluntarily apply to sell a conservation easement. An ASA is not mandatory and is not a land use law. A landowner retains all of his rights, including the right to sell and the right to subdivide.

Will I be able to operate an existing side business or start a new one if I join an ASA?

Yes. An ASA has no restrictions or regulatory control over farm businesses. Decisions regarding farm businesses are made by individual townships.

If I join an ASA will it be recorded with my deed?

It will not be recorded with the deed to your property, nor will it appear as a judgment or lien. The ASA will be recorded as a separate document in the Recorder of Deeds office so that in the case of potential condemnation it will appear as official record that your farm has special protections.

Will an ASA eventually lead to restrictive agricultural zoning in my township?

In most townships in Lancaster County, restrictive zoning was adopted **before** the creation of the ASA. And some townships with ASA currently have lenient zoning or none at all. All zoning changes are the sole responsibility of your township’s elected officials.

Will I be required to participate in the easement program if I join in ASA?

No. The decision to apply to sell a conservation easement is a voluntary and personal one. The Agricultural Preserve Board does not approach landowners in ASA areas about selling their development rights.

Does the Agricultural Preserve Board promote restrictive agricultural zoning in ASA?

If an individual township decides they would like to adopt some form of agricultural zoning they may request a copy of a sample agricultural zoning ordinance that the Agricultural Preserve Board and the Planning Commission have written. It is intended as a guide and is available at the request of the township. The County makes available to the townships many sample ordinances including those for residential and commercial development. The Agricultural Preserve Board does not promote restrictive agricultural zoning in any other way.

Does the County pressure townships with ASAs to then enact restrictive agricultural zoning?

No. Under Pennsylvania law, county government has not regulatory power or coercive authority over township zoning issues. However if a township applies for county funds for a project the county may attach certain conditions before awarding the grant. The decision to apply for county funds or make zoning changes is the sole responsibility of your township officials.

Can a township still widen or improve existing roads and use some of my road frontage to do so?

Yes. Activities relating to existing highways such as, but not limited to, widening roadways, the elimination of curves or reconstruction of damaged areas requires no approval from the Agricultural Lands Condemnation Board.

However, should a roadway be proposed to cut through a farm in an ASA and the landowner is not in favor of such project he/she could facilitate the condemnation process by refusing to participate. This type of condemnation would have to go before the Agricultural Lands Condemnation Board in Harrisburg. If the landowner is not opposed to such action and works with the township there is no condemnation process.