

ACRE Review Request

Agricultural, Communities, and Rural Environment (ACRE) Law

Submitted to:

Office of Attorney General – Agriculture and Rural Affairs Section
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Email: agriculture@attorneygeneral.gov, acre@attorneygeneral.gov

From:

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Subject:

Request for Review Under ACRE Law – Tyrone Borough Zoning Restriction on
Agricultural Use

Parcel ID: 22-01-11-001-00-000

Acreage: 89.63 acres

Zoning: R-1 Residential (Agricultural Use Prohibited)

Summary of Issue:

Tyrone Borough has zoned our farmland as R-1 Residential, prohibiting agricultural use and leaving no zoning district within the Borough that allows farming. This restriction prevents normal agricultural operations and appears to violate Pennsylvania's ACRE Law and the Municipalities Planning Code.

Our intention is for this parcel (Parcel 22-01-11-001-00-000) to be **returned to Snyder Township**, where it was historically located and where agricultural use is permitted. We believe this adjustment would align the property's zoning with its long-standing agricultural character and ensure compliance with Pennsylvania's right-to-farm protections.

Office of the Attorney General
Commonwealth of Pennsylvania

Subject: Complaint Regarding Agricultural Use Restriction Under ACRE Law

Dear Attorney General,

We, [REDACTED], are writing to formally file a complaint regarding the restriction of agricultural use on our farmland due to the zoning regulations imposed by the Tyrone Borough. We own 89.63 acres of farmland [REDACTED] that was historically part of Snyder Township and operated as the [REDACTED], a dairy cattle farm for many years. However, at some point, this parcel was transferred to the Tyrone Borough, where it is now designated as R1 Residential zoning with no ordinance for agricultural use.

As farmers, our livelihood depends on our ability to cultivate and use our land for agricultural purposes. However, due to the current zoning restrictions, we are prohibited from farming our own land. This is the only real farmland left in the borough—89 acres of rolling hills and tillable fields. We have attended multiple council meetings to request help from the borough that would allow us to farm, but our pleas have been ignored.

After reviewing the Pennsylvania Municipalities Planning Code (MPC), we believe that every municipality must provide zoning for agricultural use. Yet, within Tyrone Borough, there appears to be no designated zoning that explicitly permits agricultural activity. This raises serious concerns about the legality of the zoning ordinance under the Agricultural, Communities, and Rural Environment (ACRE) Law, which was enacted to protect farmers from municipal ordinances that unlawfully restrict normal agricultural operations. We have researched and have seen that involving the Attorney General's office, farmers have been able to challenge and, in some instances, overturn such ordinances, thereby protecting their farming rights.

We strongly believe that Tyrone Borough is unjustly preventing us from utilizing our land for its intended purpose—farming. Their refusal to accommodate agricultural use suggests an agenda to push for land development rather than the preservation of farmland, which is a significant loss for our community and the agricultural heritage of this region.

We are seeking your intervention in reviewing the Borough's zoning policies and ensuring compliance with ACRE and the MPC. We ask that the Attorney General's office investigate why the Borough has failed to designate any land for agricultural use and whether their actions constitute an unlawful restriction on farming operations.

Additionally, another possible resolution would be for Tyrone Borough to release our land back to Snyder Township, where agricultural use is permitted without the restrictions imposed by the Borough's R1 zoning. Snyder Township's boundaries already weave through the Borough, and returning our land to its previous jurisdiction would allow us to farm as intended. We attended multiple meetings with the Tyrone Borough Council to formally request the release of our land

back to Snyder Township, but the council refused to vote or make any motion whatsoever on our request.

Our family of six relies on this land to sustain our way of life. We wish to preserve what remains of the farming community within Tyrone Borough and uphold our right to farm. Although it is a financial hardship, we push forward with this sacrifice to own and preserve farmland as it was intended. We request your assistance in finding a resolution that allows us to continue our agricultural operations without undue municipal interference.

Thank you for your time and consideration. We look forward to your response and any guidance you can provide on how we may proceed.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

Zoning Districts Tyrone Borough: <https://ecode360.com/16110212>

