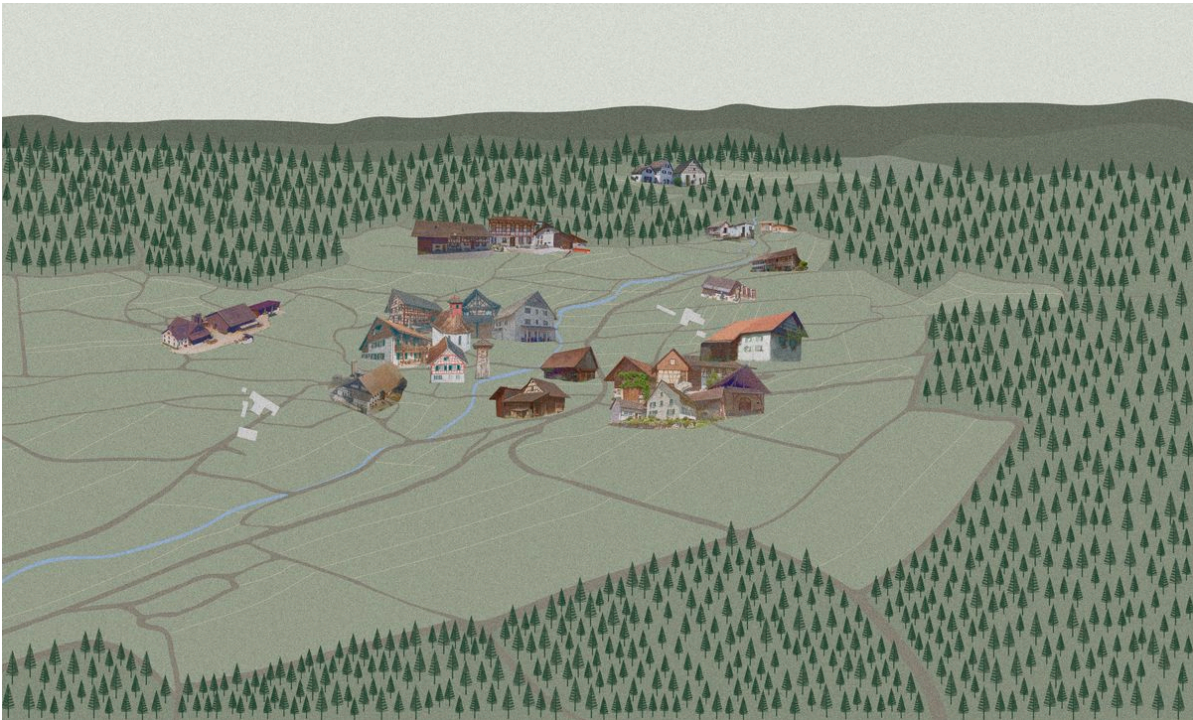


Bachs

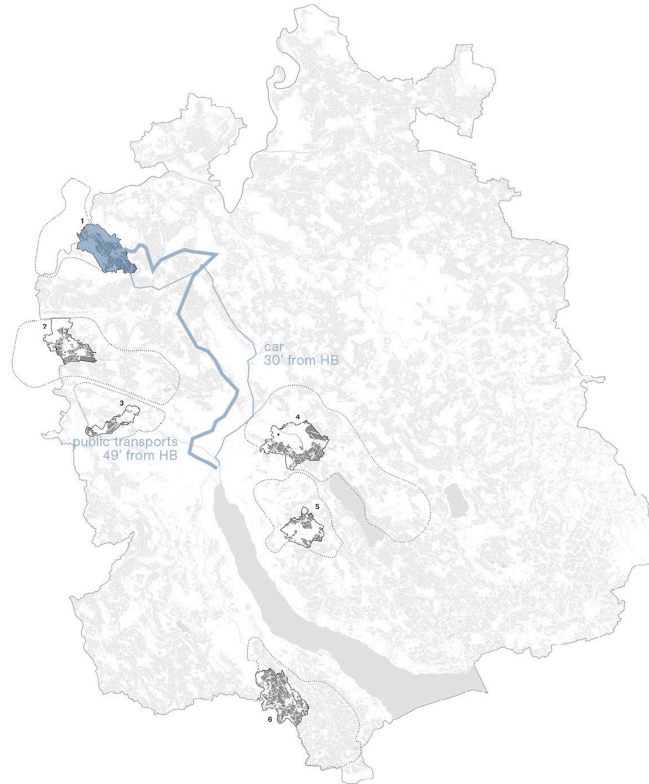
The Farm-Office: A New Approach to Inheritance Politics to Maintain Small-Scale Farming

Amélie Lambert and Donata De Ieso



The municipality of Bachs is located in the Canton of Zurich, near the Canton of Aargau. It is defined by its agricultural valley and its vernacular buildings. Time seems to have stopped here, far from the agitation of the city. The valley, called *Bachsertal*, is composed of the village and various hamlets surrounded by agricultural fields. Farms are small-sized and are often owned by families, who have run the farm for generations.

When we went to Bachs, we visited six farms. All have been in the same family for two to three generations. The family members, grandparents, children and grandchildren work the land and produce the different farm goods. The structure of small-scale family-run farming contributes to the idyllic image of the valley.

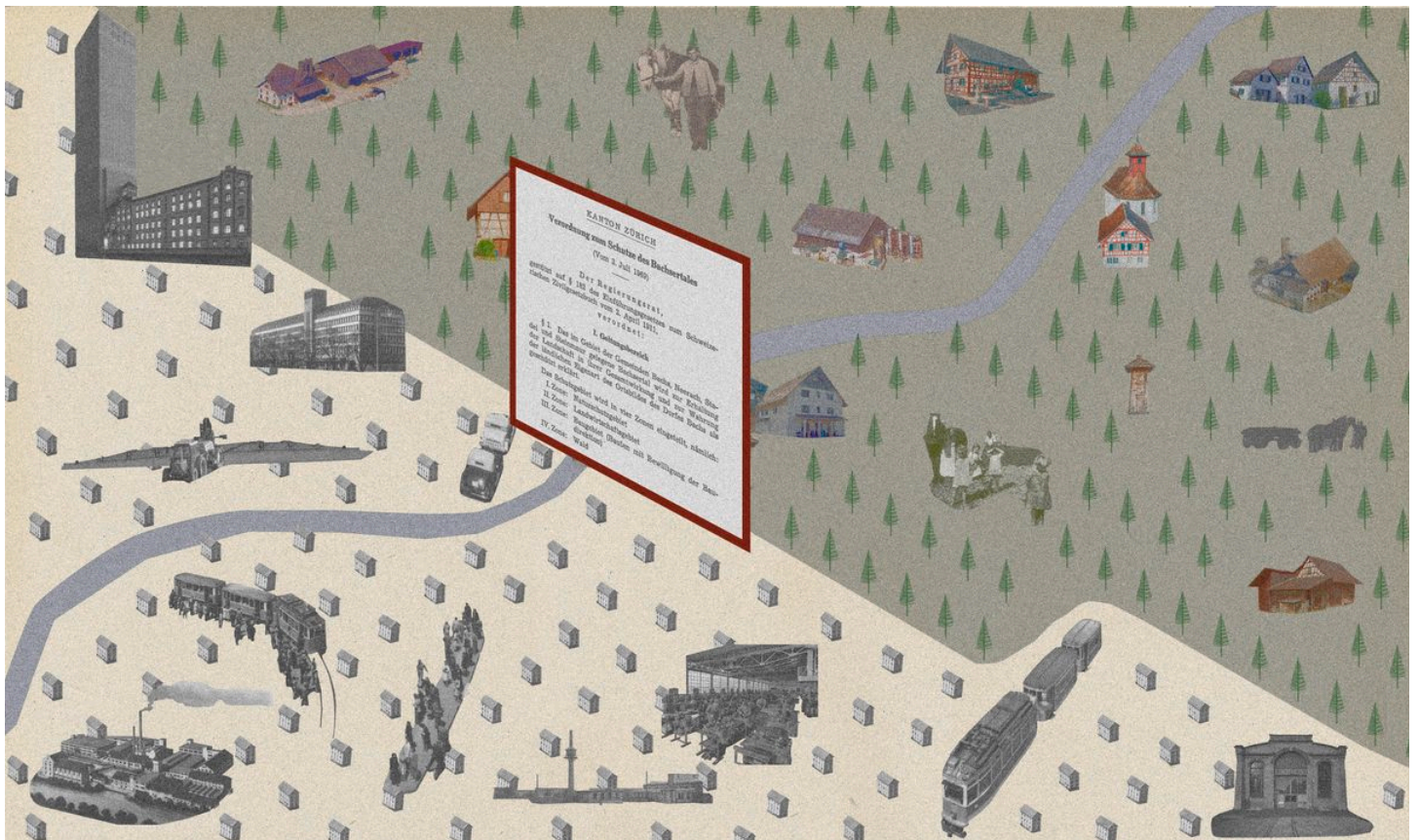


Map of the situation of Bachs in the canton of Zürich, and the travel time by car or by public transport - from the Hauptbahnhof.



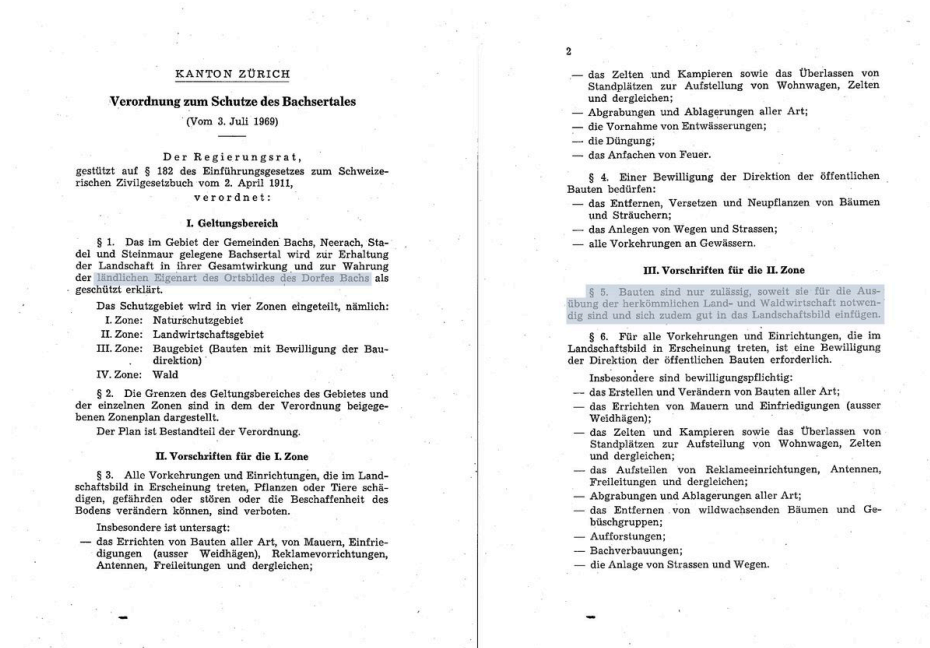
Bachser Farms - The Ideal of Small-Scale Farming
Video showing the bucolic aspect of the farms in Bachs.
https://youtu.be/h3_l8oxHtyg

The *Schutzverordnung* and Its Impact on the Image of Bachs



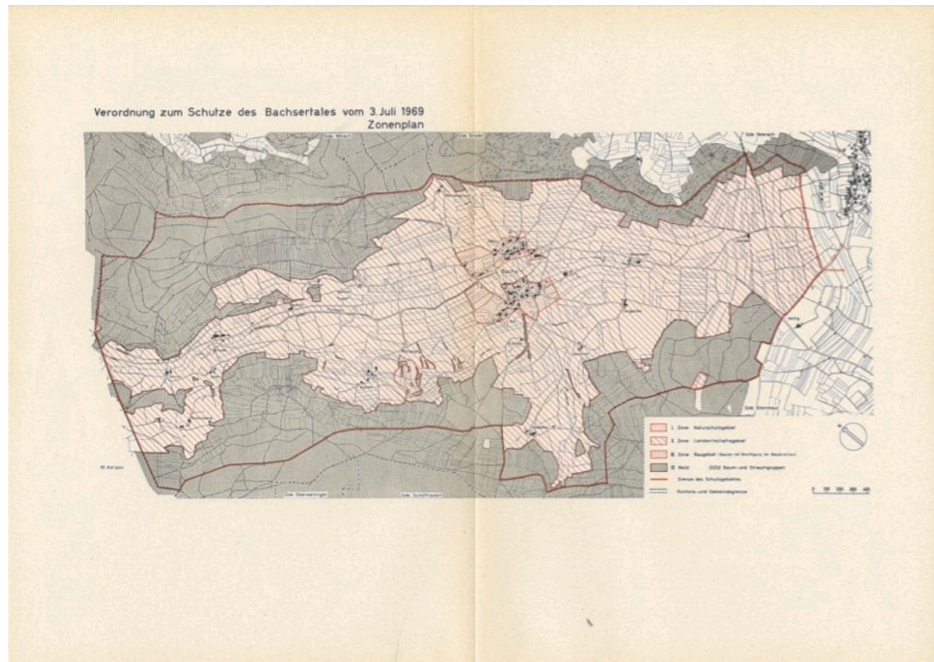
The *Schutzverordnung*, a legislative document from 1969, is responsible for the idyllic image of the Bacherstal. What are the consequences of the regulation for the farms in Bachs?

The context in which the Schutzverordnung was written is characterized by urban sprawl and major industrialisation in Switzerland. This development originated in towns but spread to communes further away from urban centres. To protect the authenticity of Bachs, the canton of Zurich imposed the Schutzverordnung on the municipality. This will ensure that the valley retains its vernacular character.



Extract of the Schutzverordnung: the second page refers to the zone that particularly interests us, the *Landwirtschaftsgebiet* (the agricultural land). Source: *Verordnung zum Schutze des Bachsertales*, Kanton Zürich, 1969.

The *Verordnung zum Schutze des Bachsertales* consists of protecting the image of the village, the *Ortsbild*. To achieve this, it identifies distinct zones: the *Naturchutzgebiet* (nature reserve), the *Landwirtschaftsgebiet* (agriculture area), the *Baugebiet* (building area) and the *Wald* (forest). Regulations are described for each zone. They relate specifically to restrictions on new construction, or to elements that would disturb the image of the village. The major implication for the commune of Bachs concerns its development, which still remains limited today.



Plan of Bachs, with the four zones of the *Schutzverordnung*. Source: *Verordnung zum Schutze des Bachsertales*, Kanton Zürich, 1969.

The building area, a potential source of development, is restricted to the heart of the village. The agriculture area also covers the various hamlets incorporating the farms. In this zone, no growth is permitted.

Following the writing of this text, the village of Bachs almost hasn't expanded, in contradiction with the surrounding villages. The video that follows compares the areas outside the application of the *Verordnung zum Schutze des Bachsertales* with the municipality of Bachs.



Bachser Farms - What Difference with the Outside of the Verordnungszone ?
Video comparing the Bachser farms with the ones that are located outside of the village, which is protected by the *Schutzverordnung*.

<https://youtu.be/DDa9-NCO3Vk>

The Advantages of Small-Scale Farming



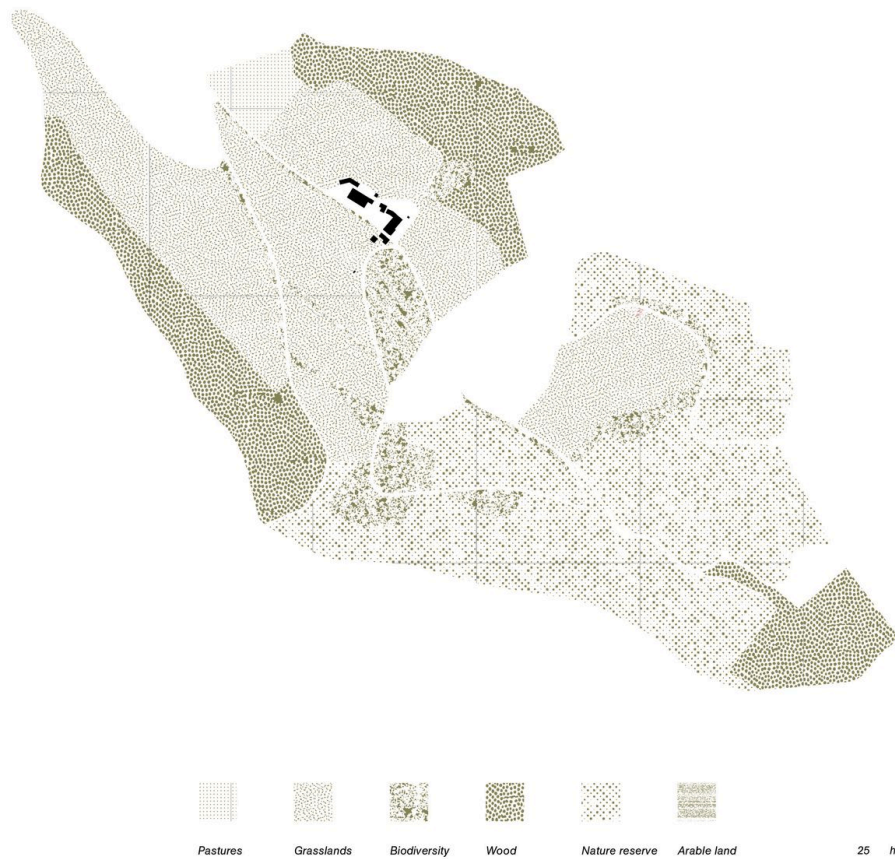
Why and for whom is it beneficial to keep small-scale farming?

The Bachsertal is composed of small-scale, family farms. In the course of our research, we were keen to point out the positive aspects of this farming structure. We observe a model that is based on the premise of the family farm as a place to live and work. The fact that it is little and family-owned allows autonomy in terms of farm management.



Axonometry drawing of the *Rüebisberg Hof*, laying out the farm as a place to live, where farmers work and dwell.

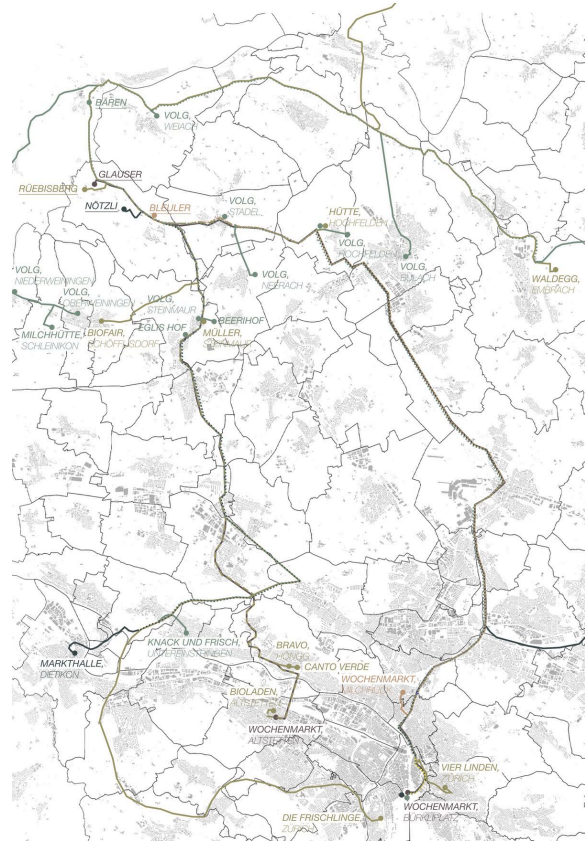
The diversity of production means that the farm can be active throughout the year and offer a variety of products. In this way, it avoids the monoculture model characteristic of agricultural industries. It also means that the land is more carefully looked after, as it is not under constant pressure to produce the highest yields. The diversity of production does not only have benefits for the farmers, but it has also a positive impact on biodiversity and it is crucial for the image of the landscape. Indeed, the greenness of the fields in Bachs testifies of the non-intensive land use.



Distributing produce to small markets allows farms to be independent of the big distribution chains, which limit agricultural production by standards of size or type of produce. It also gives them better prices, a fairer return on their labour and freedom of choice in production. For example, Bachsermärt is a small shop that collects products from Bachs. It aims to highlight the quality of these products and distribute them in the town.



Map of the network of *Bachsermärt* shops, the first of which opened in the village.



Map of the network of city markets and shops, selling products from Bachser farms.

A Hamlet Beyond the Rural Image



Are Bachs' idyllic farms really what they seem from the outside, namely farms? How are these buildings actually used? Does the *Schutzverordnung* truly protect the Bachsertal from the disappearance of small-scale farming?

Looking at the valley we don't notice that more than half of the farms have closed. The buildings of the farms that are not active anymore are surrounded by land that now belongs to neighboring farms that are still in operation. As a result, they don't serve the same purpose and have become detached from their primary function, farming; yet, they still have the appearance of a working farm.



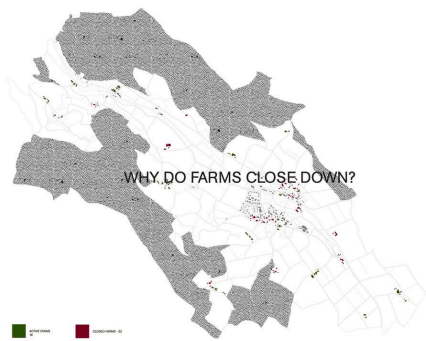
GIF showing the evolution of land ownership in the Bachser Cadasterplan, from 1985 to present.

In 1985, there were 40 active farms. Today there are just 18.

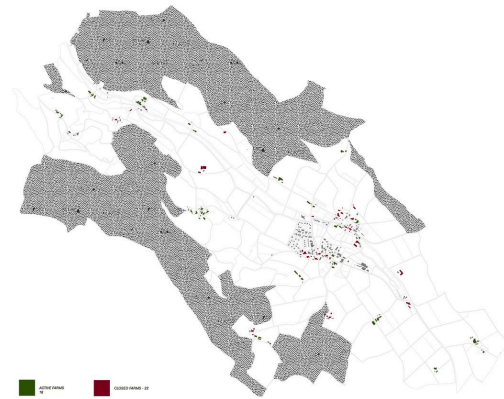


Comparison of the land owned by two Bachser farms: the Rüebisberg Hof, which still looks like a hamlet, and the Blackface Farm, which land is scattered and remote from the buildings.

What we can observe from the study of land ownership is that farms have started buying up land that is “far” from where they live. Rübisberg Hof and the Blackface Farm are good examples to show what is happening now in Bachs. The first farm is the perfect, ideal small-scale farm, while for the second, the hamlet structure dissolved and the land is starting to expand punctually in the area. This makes us wonder if all the benefits that we cited before still apply to this kind of farms. We realize it is a phenomenon that is only in its early stage, and its development could jeopardise the existence of small-scale farming.

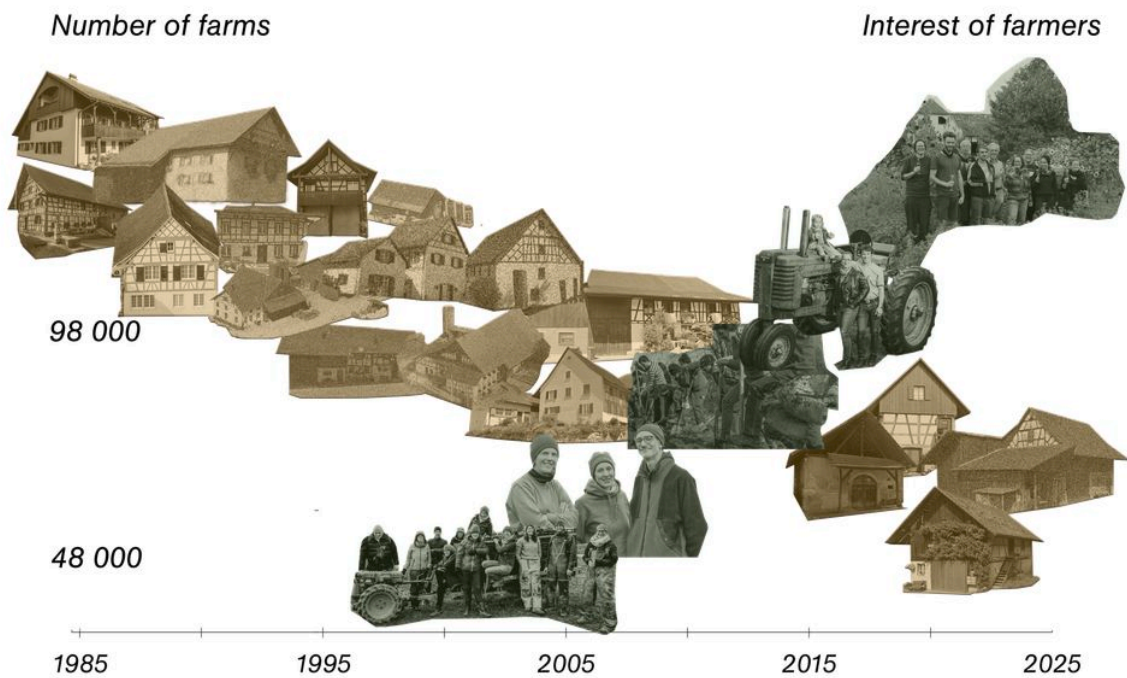


Cadasterplan of the current situation of farms - open or close - in Bachs.



Cadasterplan of the current situation of farms - open or close - in Bachs.
Source: *Gemeindeportrait Zürich*, 2023.

The Question of Succession



In Switzerland, the interest in profession of the farmer has increased over time, but the number of farms have dropped since the beginning of industrialisation. How is that possible?

The evolution of land ownership at Bachs raises the question of how land is passed on. Are there priorities in the acquisition of land? What are the conditions for buying agricultural land? Are there special conditions for families?

There are various factors involved in the purchase of farmland: the priorities of family members, the completion of an agricultural education, and the value of the land.

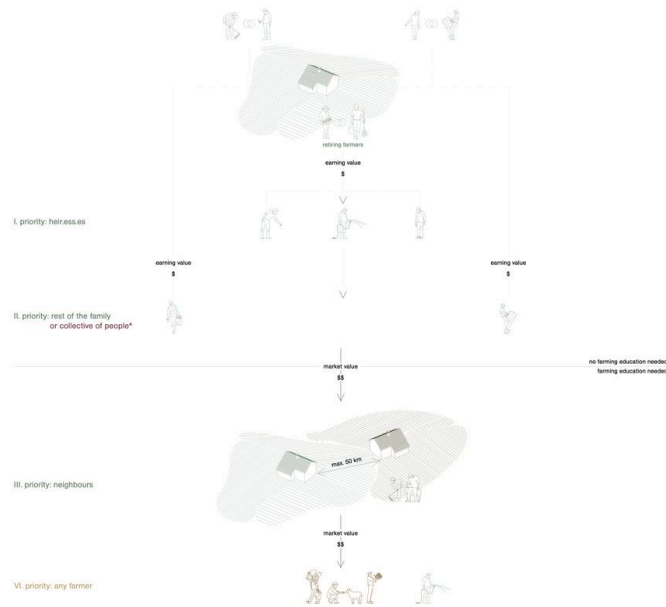


Diagram showing the functioning of Swiss succession law regarding farms and their land. Source: Federal law on Rural Land Law Rural Land Law, 1991 and 2014.

The first priority in the case of a family farm is the heirs. Then comes the possibility of acquiring the land for the rest of the family. In the case of succession of land within the family, the value of the land that is assigned is an earning value. It is less expensive than the commercial market value of the land, which is less controlled. This system protects family farms.

The role of agricultural training is now essential. If a farmer has no agricultural training and can inherit his parents' land, he will not be able to access the subsidies granted by the confederation. To access them, they will have to follow an agricultural education course.

If members of the family do not wish to take over the land, the next in line are the neighbours. Neighbours who are eligible to apply for farms may not be located more than 50 km from the acquisition site.

Subsequently, any farmer may acquire the land. The only condition is that he must be trained. The land will be sold at market value.

"The Agricultural Sector Is Moving Away from the Family Farm Structure

[...], Towards an Increasingly Industrial Type of Agriculture" - *Landarbeiter Und Landarbeiterinnen in Not*, Platform Für Eine Sozial Nachhaltige Landwirtschaft

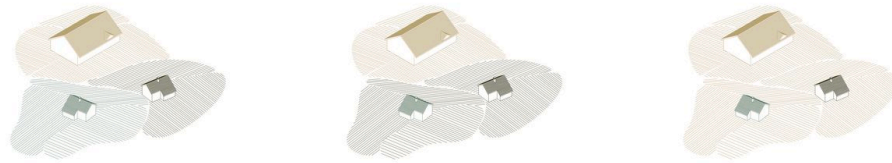
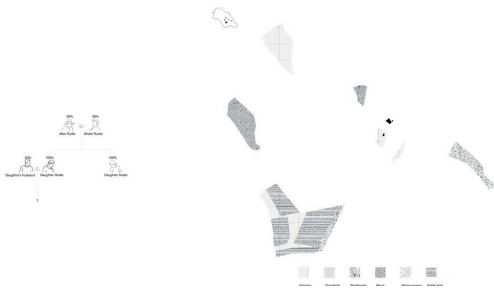


Diagram showing the problem in farm succession: large, industrialised farms are rebuying land from the small-scale farms that are dying.

The problem is that, these days, the ownership of agricultural land is tending towards large-scale industry. This model of small-scale farming is certainly positive from the points of view we have mentioned before, but it is also very restrictive: people who inherit a small-scale farm and wish to keep it must dedicate their entire lives to this task. This discourages many heirs from taking over the farm. As the farming profession is not very profitable, neighbouring small farmers sometimes give up on expanding by buying the land to which they are then priority. This leaves only those farms that can really afford to buy land at market value – the larger, more industrialised farms –, leading to the loss of small-scale farms. Paradoxically, we observe an increasing interest in farming in Switzerland.

"In Switzerland, One Farmer Gives up Everyday. At the Same Time, Many Young People Are Looking for a Farm - Mostly in Vain. The Reasons Lie in Land Law." - *Trotz Hofsterben Finden Sie Keinen Betrieb*, Tages Anzeiger, April 2023.

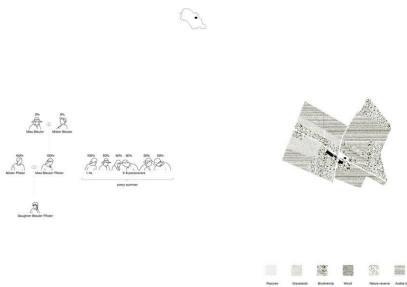
Following our visit, we were able to observe that the 6 families with whom we spoke have or have had succession problems. On the Noetzli farm, the farmers have no direct successors. For the Blackface farm family, succession is possible, but their daughter will not be able to access subsidies because she has no agricultural training.



Family tree and land ownership of the Blackface Farm, owned by the Ruder family.



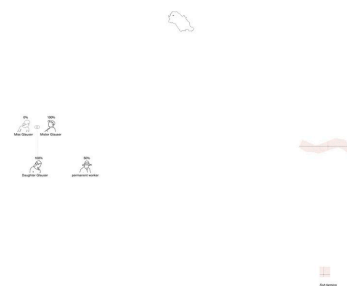
Family tree and land ownership of the Besenbeiz Eichhof, owned by the Albrecht family.



Family tree and land ownership of the Obstbau Bleuler, owned by the Bleuler-Pfister family.



Family tree and land ownership of the Nötzli Gemüse, owned by the Nötzli family.



Family tree and land ownership of the Forellenzucht Glauser, owned by the Glauser family.



Family tree and land ownership of the Rüebisberg Hof, owned by the Weidmann family.

We have put forward a hypothesis of land succession for the Bachs valley based on the current system of priorities. The risk we want to highlight is the acquisition of land by large agricultural firms and the disappearance of small-scale farms.



GIF showing an hypothesis of extreme future scenarios regarding the land ownership in Bachs.

How to Protect Small-Scale Farming

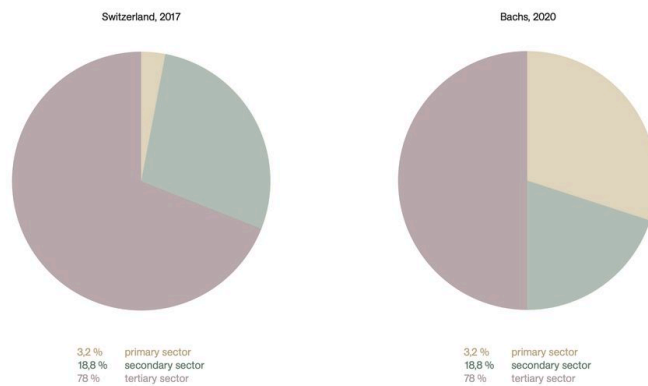


What can we change in the current functioning of rural property in order to avoid the death of small farms?

Redefining Approach to Inheritance

When analyzing the working sectors' repartition of Switzerland and Bachs inhabitants, we can observe a great gap between the first sector and the tertiary sector. In Bachs, 50% of residents are involved in the tertiary sector.

As a result of the Covid 2019 crisis, we have seen an increase in the number of home offices, particularly in the office sectors. This means that people can work from anywhere. We would like to combine this opportunity with the growing interest in agriculture.



Repartition of people working in the three different sectors.
Sources: blog.betterstudy.ch and *Gemeindeporträt Zürich*, 2023.

Our proposal is to introduce a group that can position itself at the same level as family members. The aim is to support small-scale farming. This new community is made up of people who are interested in farming and who want to farm part-time. This collective can either take over the farm or just come and help the family structure.

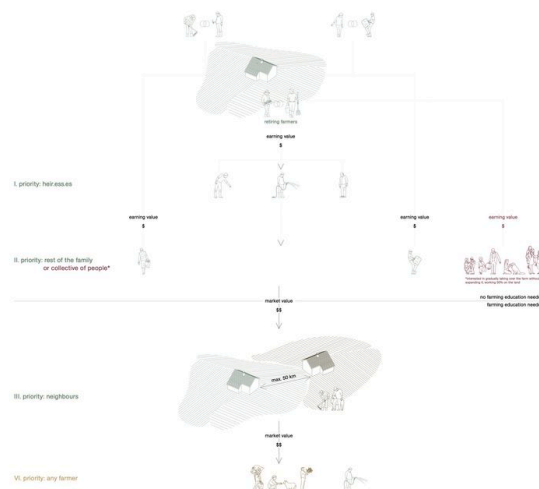


Diagram of our redefinition of the succession in Federal law.

In order to achieve this new integration, we are taking action in the Bachs Schutzverordnung. The main amendment we are adding is the possibility of building and renovating agricultural buildings located in the Landwirtschaftzone, so as to accommodate the collective. We are also including a statement in the introduction to the text to the effect that the municipality of Bachs also supports small-scale farms. To this end, we are adding a paragraph at the end aimed at the estate, giving the collective the possibility of taking over a farm if it were to close.

1

KANTON ZÜRICH

Verordnung zum Schutze des Bachsertales
(Vom 3. Juli 1969)

Der Regierungsrat,
gestützt auf § 182 des Einführungsgesetzes zum Schweizerischen Zivilgesetzbuch vom 2. April 1911,
verordnet:

I. Geltungsbereich

§ 1. Das im Gebiet der Gemeinden Bachs, Neerach, Stadel und Steinmaur gelegene Bachsertal wird zur Erhaltung der Landschaft in ihrer Gesamtwirkung und zur Wahrung der ländlichen Eigenart des Ortsbildes des Dorfes Bachs als geschützt erklärt. Die kleinstrukturierte Landwirtschaft im Tal unterstützt dieses Ortsbild von Bachs. Aus diesem Grund ist die Gemeinde Bachs der Ansicht, dass dieses Landwirtschaftsmodell geschützt werden muss.

Das Schutzgebiet wird in vier Zonen eingeteilt, nämlich:

I. Zone: Naturschutzgebiet
II. Zone: Landwirtschaftsgebiet
III. Zone: Baugebiet (Bauten mit Bewilligung der Bau-
direktion)
IV. Zone: Wald

§ 2. Die Grenzen des Geltungsbereiches des Gebietes und der einzelnen Zonen sind in dem der Verordnung beigegebenen Zonenplan dargestellt.
Der Plan ist Bestandteil der Verordnung.

II. Vorschriften für die I. Zone

§ 3. Alle Vorkehrungen und Einrichtungen, die im Landschaftsbild in Erscheinung treten, Pflanzen oder Tiere schädigen, gefährden oder stören oder die Beschaffenheit des Bodens verändern können, sind verboten.

Insbesondere ist untersagt:

- das Errichten von Bauten aller Art, von Mauern, Einfriedigungen (ausser Weidhagen), Reklamevorrichtungen, Antennen, Freileitungen und dergleichen;

*Verordnung zum Schutze des
Bachsertales, Kanton Zürich, 1969.*

3

Die Bewilligung darf nur erteilt werden, wenn die beabsichtigten Massnahmen weder das Landschaftsbild beeinträchtigen noch in anderer Weise den Wert des Schutzgebietes vermindern.

§ 7. Nicht bewilligungspflichtig sind die für die herkömmliche Bestellung von Wald, Feld und Garten nötigen Vorkehrungen.

§ 8. Bauten haben von Bächen beidseits einen Abstand von 15 m, von der Bachmitte aus gemessen, einzuhalten.
Vom Waldrand haben die Bauten einen Abstand von 30 m einzuhalten.
Längs bewaldeten Bächen gilt der Waldabstand.

§ 9. Bewilligungsgesuche sind mit den nötigen Unterlagen, bei Bauten unter Beilage eines Situationsplanes, der Grundriss- und Fassadenpläne sowie eines Beschriebes der für die äussere Gestaltung zur Verwendung kommenden Materialien und Farben, dem Gemeinderat einzureichen.
Dieser leitet sie mit seiner Stellungnahme an die Direktion der öffentlichen Bauten weiter.
Die geplanten Massnahmen dürfen erst in Angriff genommen werden, wenn die schriftliche Zustimmung der Direktion der öffentlichen Bauten und nötigenfalls die Rodungsbewilligung des Regierungsrates vorliegt.

Ausnahmen für die II. Zone

Für das Landwirtschaftsgebiet können Ausnahmen von der oben genannten Regelung gehen. Die kleinbäuerliche Familienlandwirtschaft ist ein Merkmal, das zum Ortsbild von Bachs beiträgt.

§ 10. Um sie zu erhalten, werden Ausnahmen für den Bau und die Renovierung von Bauernhäusern im Landwirtschaftsgebiet gemacht.

§ 11. Dies ist möglich, wenn ein Kollektiv bereit ist, zu helfen oder einen bestehenden Bauernhof zu übernehmen. Ein Umbau des Bauernhofes ist möglich, solange er nur den Bedürfnissen der Anzahl von Personen entspricht, die das Kollektiv bilden.

*Verordnung zum Schutze des
Bachsertales, Kanton Zürich, 1969.*

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- das Zelten und Kampieren sowie das Überlassen von Standplätzen zur Aufstellung von Wohnwagen, Zelten und dergleichen;
- Abgrabungen und Ablagerungen aller Art;
- die Vornahme von Entwässerungen;
- die Düngung;
- das Anfachen von Feuer.

§ 4. Einer Bewilligung der Direktion der öffentlichen Bauten bedürfen:

- das Entfernen, Versetzen und Neupflanzen von Bäumen und Sträuchern;
- das Anlegen von Wegen und Strassen;
- alle Vorkkehrungen an Gewässern.

III. Vorschriften für die II. Zone

§ 5. Bauten sind nur zulässig, soweit sie für die Ausübung der herkömmlichen Land- und Waldwirtschaft notwendig sind und sich zudem gut in das Landschaftsbild einfügen.

§ 6. Für alle Vorkkehrungen und Einrichtungen, die im Landschaftsbild in Erscheinung treten, ist eine Bewilligung der Direktion der öffentlichen Bauten erforderlich.

Inbesondere sind bewilligungspflichtig:

- das Erstellen und Verändern von Bauten aller Art;
- das Errichten von Mauern und Einfriedigungen (ausser Weidhagen);
- das Zelten und Kampieren sowie das Überlassen von Standplätzen zur Aufstellung von Wohnwagen, Zelten und dergleichen;
- das Aufstellen von Reklameeinrichtungen, Antennen, Freileitungen und dergleichen;
- Abgrabungen und Ablagerungen aller Art;
- das Entfernen von wildwachsenden Bäumen und Gebüschgruppen;
- Aufforstungen;
- Bachverbauungen;
- die Anlage von Strassen und Wegen.

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IV. Vorschriften für die III. Zone

§ 12. In der III. Zone sind Bauten zulässig mit Bewilligung der Direktion der öffentlichen Bauten.

Im übrigen gelten die Vorschriften der §§ 7—10.

V. Vorschriften für die IV. Zone

§ 13. In diese Zone fallen die Waldparzellen ohne Rücksicht auf die Eigentumsverhältnisse.

§ 14. Rodungsbewilligungen dürfen von der zuständigen Behörde nur erteilt oder zur Bewilligung beantragt werden, wenn wichtige öffentliche Interessen dies verlangen und weder durch die Rodung noch durch die geplanten Massnahmen eine Beeinträchtigung des Landschaftsbildes zu befürchten ist.

Kahlschläge sind grundsätzlich untersagt. Im Interesse des Waldbaues notwendige kleinflächige Kahlschläge dürfen durch das zuständige Kreisforstamt bewilligt werden, wenn keine Beeinträchtigung des Orts- und Landschaftsbildes eintritt und keine schädlichen Rückwirkungen auf die angrenzenden Waldungen zu befürchten sind.

VI. Nachfolge

§ 15. Um landwirtschaftlichen Kollektiven die Übernahme von kleinen Bauernhöfen zu ermöglichen, macht die Gemeinde Bachs eine Ausnahme vom bäuerlichen Bodenrecht. Betroffen sind die Artikel 61 und 62 im Kapitel 2 über den Erwerb von landwirtschaftlichen Betrieben und Grundstücken nach folgendem § 16.

§ 16. Die Kollektive, die für die Nebenerwerbslandwirtschaft ausgerichtet sind, erhalten beim Erwerb des künftigen Hofes die gleiche Priorität wie die Nachkommen der Bauern.

Im Namen des Regierungsrates,
Der Präsident:
A. Günthard
Der Staatschreiber:
Dr. Epprecht

Zürich, den 29. Mai 2023

Verordnung zum Schutze des
Bachsertales, Kanton Zürich, 1969.

Verordnung zum Schutze des
Bachsertales, Kanton Zürich, 1969.

A New Model: the Farm-Office

We have carried out 2 case studies to demonstrate how the collective could play a part in the farm's survival. In the first case, it intervenes in the total takeover of the farm because the current family has no successor and also lives on the farm. In the second case, the family structure has children who can take over the farm. However, to ease the pressure on the children, the collective comes to the farm part-time.

In the first case, the farm is taken over in its entirety from the collective. It's a process. First, the collective is created by 2 families who want to work part-time on a farm, in this example. Then they put themselves on a waiting list as potential successors, while waiting for a farm to do the same process to find a successor. When the collective finds a farm, a process of cohabitation on the farm for one year begins. After that year, the ownership succession process begins. The collective owns 50% of the farm. Then after 10 years, when the farmers are no longer there, the collective owns the entire farm.

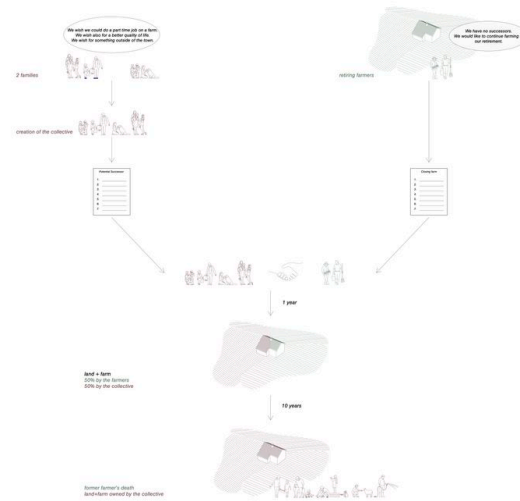
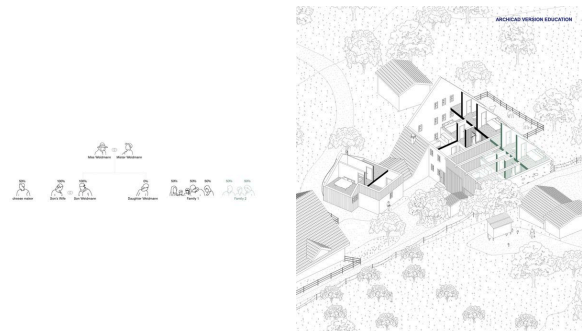


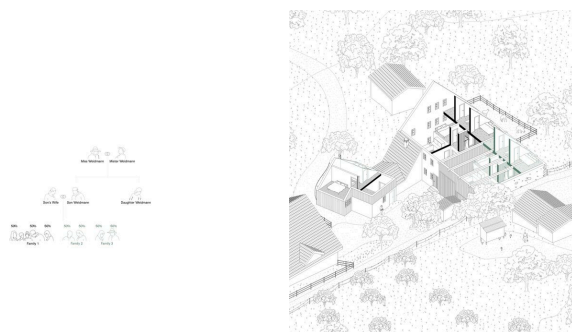
Diagram showing the process of succession of a farm whose owners are retiring to a collective of families.



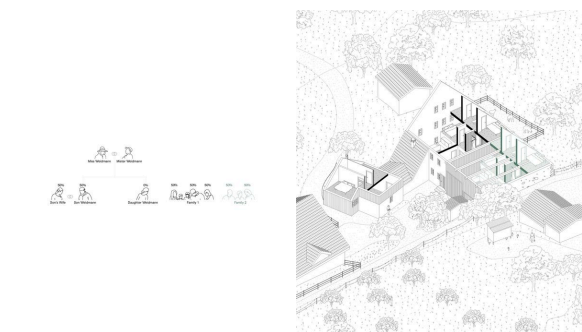
Axonometry drawing of the current state of the Rüebisberg Hof. The Weidmann parents, who are retired but still work on the farm, live in the big house on the right; the Weidmann couple lives in the small house on the left.



Axonometry drawing of the first step of the process: the "test". When the Weidmann couple will be retiring soon, they will welcome two new families on the farm - one in the former parents' house, the other in the barn that will be renovated thanks to the new *Schutzverordnung*. For one year, they will work together on the land in order to then decide if the collective of families will be the next successor of the farm.



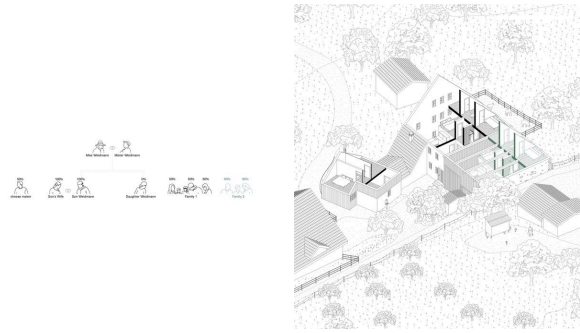
Axonometry drawing of the second step of the process: the mutual-help and co-owning of the farm. As the Weidmann couple is retired, they still work partly on the farm with the members of the families.



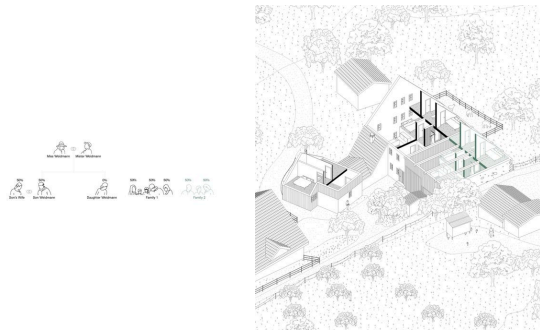
Axonometry drawing of the third step of the process: the succession. The Weidmann couple passed away, so the farm is now owned by the collective of families, which has expanded. The third family lives in the former couple's house.



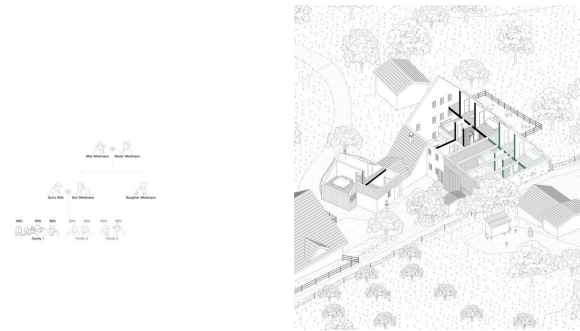
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Axonometry drawing of the second step of the process: the mutual-help and co-owning of the farm. As the Weidmann couple is retired, they still work partly on the farm with the members of the families.



Axonometry drawing of the third step of the process: the succession. The Weidmann couple passed away, so the farm is now owned by the collective of families, which has expanded. The third family lives in the former couple's house.

In the second case, an office with an interest in agriculture decides to change its work structure. Its specificity is that it does part-time work in the office and on the farm. A collective is set up, and people are put on the list to help a farm. This model is therefore compatible with the family structure, which would like to invest less in the farm and carry out the same process. In this configuration, the property remains within the current family, since succession is possible.

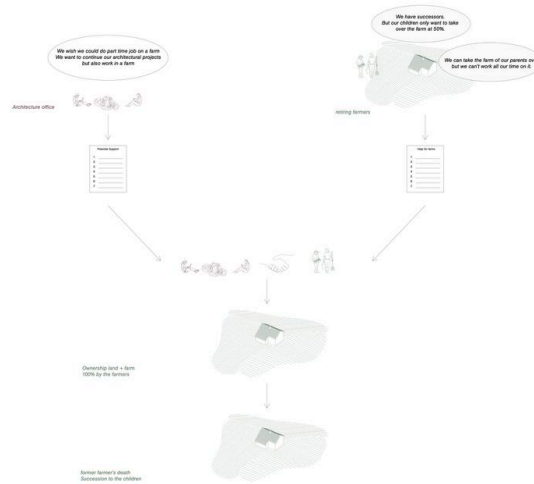


Diagram showing the process of setting up of a mutual-help between a family of farmers and an office.



Axonometry drawing of the current state of the Rübisberg Hof. The Weidmann parents, who are retired but still work on the farm, live in the big house on the right; the Weidmann couple lives in the small house on the left.



Axonometry drawing of the mutual-help between the Weidmann family and an office. The Weidmann couple, who is retired but still work on the farm, live in the small house on the left; the office is installed in the former parents' house thanks to the *Schutzverordnung*. The Weidmann children live outside of the farm.

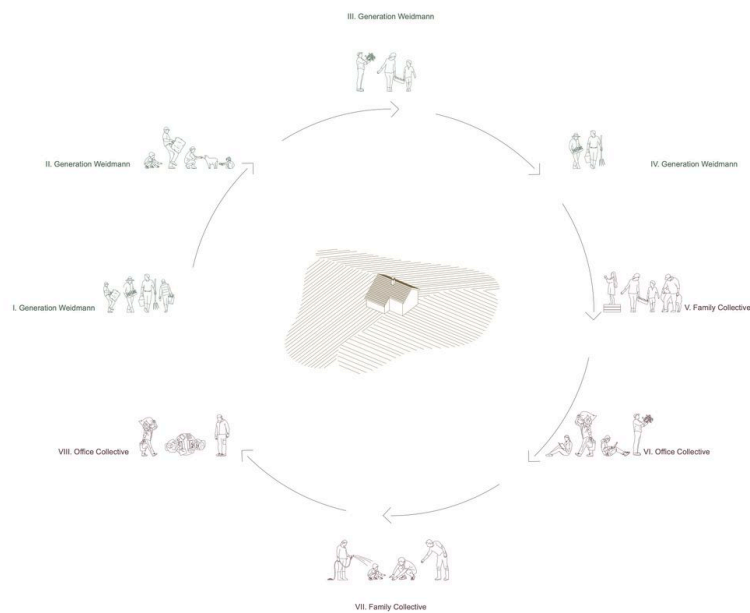


Diagram of the new principle of small-scale farming,
which does not only rely on family successions anymore.

This process allows the small-scale farm to become independent of the family succession system and also to escape the risk of being acquired by other farms. It becomes its own entity, with its own buildings and land, where the collectives exchange over the years to take care of the farm.

“THE AGRICULTURAL SECTOR IS MOVING AWAY FROM THE FAMILY FARM STRUCTURE [...], TOWARDS AN INCREASINGLY INDUSTRIAL TYPE OF AGRICULTURE”

Landarbeiter und Landarbeiterinnen in Not, Plattform für eine sozial nachhaltige Landwirtschaft

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