

What is an Agricultural District?

The purpose of the Agricultural District Program is to encourage the preservation and protection of farmland from non-farm development. This is in recognition of the importance of agriculture to the economic and social well being of North Carolina.

In Chapter 106, Article 61 of the North Carolina General Statutes, the North Carolina General Assembly authorized counties to undertake a series of programs to encourage the preservation of farmland. As a result, counties throughout the state of North Carolina have begun to adopt Voluntary Agricultural District Ordinances (VAD) and Enhanced Voluntary Agricultural District Ordinances (EVAD).

The ordinance provides for the creation of an Agricultural Advisory Board to administer this program. The Board reviews and approves applications for qualifying farmland as well as establishing the agricultural district.

What are the responsibilities of the Agricultural Advisory Board?

An Agricultural District Ordinance shall provide for the establishment of an agricultural advisory board, organized, and appointed as the county or city that adopted the ordinance shall deem appropriate. The county or city may confer upon this advisory board authority to:

- Review and make recommendations concerning the establishment and modification of agricultural districts.
- Review and make recommendations concerning any ordinance or amendment adopted or proposed for adoption.
- Hold public hearings on public projects likely to have an impact on agricultural operations, particularly if such projects involve condemnation of all or part of any qualifying farm.
- Advise the governing board of the county or city on projects, programs, or issues affecting the agricultural economy or way of life within the county.
- Perform other related tasks or duties assigned by the governing board of the county or city.

For more information please contact:

NC Department of Agriculture & Consumer Services
Attn: Maximilian Merrill
1001 Mail Service Center
Raleigh, NC 27699-1001

Phone: (919) 733-7125

Online:

www.ncagr.com or

www.ncadfp.org

E-mail: ncadfp@ncmail.net

or

Theodore A. (Ted) Feitshans
North Carolina State University
Department of Agriculture & Resource Economics
Rm 3340 Nelson Hall
Campus Box 8109 Raleigh, NC 27695-8109

Phone: (919) 515-5195

E-mail: ted-feitshans@ncsu.edu



North Carolina Agricultural Districts

"A program for landowners that recognizes the importance of agriculture in North Carolina and fosters the growth, development, & sustainability of family farms."



North Carolina Department of Agriculture
& Consumer Services
Steve Troxler, Commissioner

1,000 copies of this document were printed at a cost of \$104.25 or \$.01 per copy.

Eligibility

For Voluntary Agricultural Districts. (As defined in G.S. 106-737):

- Farm participating in the farm present-use-value taxation program (G.S. 105-277.2 – 105-277.7) or is otherwise determined by the county to meet all the qualifications of this program set forth in G.S. 105-277.3.
- Farm managed in accordance with the Soil Conservation Service defined erosion control practices that are addressed to highly erodible land.
- Farm is the subject of a conservation agreement, as defined in G.S. 121-35, between the county and the owner of such land that prohibits nonfarm use or development of such land for a period of at least 10 years, except for the creation of not more than three lots that meet applicable county zoning and subdivision regulations. By written notice to the county, the landowner may revoke this conservation agreement (if a VOLUNTARY Agricultural District). Such revocation shall result in the loss of qualifying farm status.
- Other eligibility requirements required by the individual county.

For Enhanced Voluntary Agricultural Districts: (As defined in G.S. 106-737 & G.S. 106-743):

- Includes all terms of a VAD agreement plus:
- Conservation agreement as defined in G.S. 121-35, between the county and the landowner prohibits nonfarm use or development of such land for an irrevocable period of 10 years.
 - Automatic renewal of conservation agreement for 3 years absent a written notice to the county revoking the conservation agreement as required by the ordinance.

Benefits for Farmers

For Voluntary Agricultural District:

- Recognition & public education about agriculture.** Members of the program will be given signs to post, identifying their farm as a member of a preservation district, indicating to any potential neighbors and passersby that your land is committed to the preservation of the agriculture way of life.
- Increased protection from nuisance suits.** Notice on the property signaling Agricultural District membership and a notice in the computerized land record system making those within a ½ mile of an Agricultural District farm aware of the potential for noise, odor, dust, or slow moving farm vehicles associated with farming.
- Waiver of water and sewer assessments.** Landowners within Agricultural Districts who are not connected to water or sewer systems operated by the county can have water & sewer assessments waived.
- Public hearings required for proposed condemnation.** Public hearing held by the Agricultural Advisory Board if the land in an Agricultural District is considered for a public project that may condemn land.
- Eligibility for funding.** District members may be eligible for farmland preservation funds as local, state, or federal funds become available.
- Official role in county or city government.** The Agricultural Advisory Board acts as advisor to the governing board of the county or city on projects, program, or issues affecting the agricultural economy or way of life within the county or city.

For Enhanced Voluntary Agricultural District:

- All VAD Benefits Plus:**
- May receive up to 25% of its gross sales from the sale of nonfarm products and still qualify as a bona fide farm** that is exempt from zoning regulations under G.S. 153A-340(b).
- Eligible to receive a higher percentage of cost-share funds under the Agriculture Cost Share Program** pursuant to Part 9 of Article 21 of Chapter 143 of the General Statutes.

Benefits for the Public

-Preserving North Carolina's Number 1

Industry:

North Carolina agriculture is an over \$68 billion business annually. The success of the program will foster the growth, development, and sustainability of family farms as well as increase public awareness of agriculture in North Carolina.

-County-wide Economic Benefit:

An American Farmland Trust study showed that for every dollar in taxes received from working land only 34 cents in services is paid by the government. However, services paid to residential development are an average of \$1.15 per dollar of taxes received. Therefore, it is a net gain of revenue for the tax base and thus an economic benefit for any county to preserve working lands.

-Quality of Life:

When farms are kept in agriculture it maintains the quality of life that each North Carolinian enjoys everyday. Fields and woodlands are both a visual pleasure and contribute to clean air and water. Rural working landscapes are an integral part of our heritage that must be preserved for future generations. If we do not save our agricultural areas we will destroy the rustic landscapes that attracts and retains people and industry to North Carolina.

-Ability to buy locally grown products.

Maintaining the agriculture industry in North Carolina allows consumers to purchase and consume products from local agricultural producers.