

# Enhanced Farmland Protection for North Carolina Landowners

## Why is farmland protection important to North Carolina?

- Agriculture and related businesses in North Carolina are worth more than \$68 billion annually, making it North Carolina's #1 industry.
- In recent years, North Carolina has led the nation in the loss of farms. This trend threatens to impact our agricultural heritage in many different ways, from the loss of farm-related income to reduced availability of fresh food, wildlife habitat, and much more.

## Voluntary Agricultural Districts

Voluntary agricultural districts (VADs) recognize the importance of agriculture to the economic and social wellbeing of North Carolina by encouraging the voluntary preservation and protection of farmland from non-farm development.

Thanks to the North Carolina General Assembly, North Carolina counties and municipalities now have both a basic VAD program and an enhanced VAD program to help protect our farming heritage and our rural economy.

## Public Benefits of Agricultural Districts

In addition to providing direct benefits to landowners, Voluntary Agricultural Districts offer the following advantages for the general public:

- providing a *voluntary* way to support the conservation of rural communities;
- conserving rural lands without adding significant expenses to local government or impacting the tax base;
- supporting each community's rural heritage and economy, and providing local jobs and tax income;
- maintaining scenic views and tourism-based economic activity;
- providing fresh food, flowers, and other local farm products for residents and visitors;
- supporting clean air and water;
- providing wildlife habitat;
- maintaining lower levels of traffic and noise; and
- minimizing the infrastructure burden on county and local government.

## For More Information

The exact provisions of each VAD and EVAD ordinance may vary from one county or municipality to the next. North Carolina State University and North Carolina Cooperative Extension maintain a website with links to existing VAD and EVAD ordinances in each participating county and municipality in North Carolina, as well as model ordinances and other related information:

[www.cals.ncsu.edu/wq/lpn/modelordinances.htm](http://www.cals.ncsu.edu/wq/lpn/modelordinances.htm)

For more information or to apply to enroll your land in an agricultural district, please contact your local Soil and Water Conservation District office or your local Cooperative Extension office.



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## Voluntary Agricultural Districts and Enhanced Voluntary Agricultural Districts: A Comparison

	Eligibility	Benefits	Requirements
<b>Voluntary Agricultural Districts (VAD)</b>	<p>Farmland, forestland, and horticultural lands must meet the following criteria:</p> <ul style="list-style-type: none"> <li>the land must be part of the present-use-value taxation program or be determined eligible for present use value; and</li> <li>the land must be managed in accordance with USDA Natural Resources Conservation Service guidelines with respect to highly erodible land.</li> </ul> <p>Local governments may also require a minimum acreage and/or a minimum number of farms within a certain area to establish a new district.</p>	<ul style="list-style-type: none"> <li>Increased protection from nuisance lawsuits if notice is provided through computerized county land records systems</li> <li>Public hearings for proposed condemnation of enrolled land</li> <li>Water and sewer assessments may be suspended or waived if the land is in VAD but not connected to the utility in question.</li> <li>Possible signage to publicize the land’s enrollment in the program</li> <li>Possible flexibility in city ordinances related to farming operations within a city’s planning jurisdiction</li> <li>Greater public awareness of the local agricultural community and increased pride in its way of life.</li> </ul>	<ul style="list-style-type: none"> <li>The land must be subject to a conservation agreement between the landowner and the county or local municipality that prohibits non-farm use or development 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.</li> <li>This agreement may be revoked by the landowner at any time, usually with only a short period of advanced notice, such as a 30-day notice. Ending the agreement will result in the property no longer qualifying for the VAD program and its benefits.</li> </ul>
<b>Enhanced Voluntary Agricultural Districts (EVAD)</b>	<p>Same eligibility requirements as VAD.</p>	<p>Same benefits as VAD, <u>plus</u>:</p> <ul style="list-style-type: none"> <li>Landowners are eligible to receive a higher percentage of cost-share funds under the Agricultural Cost Share Program – as high as 90% assistance.</li> <li>State agencies, departments, and institutions that award grants to farmers are encouraged to give priority consideration to landowners participating in Enhanced Districts.</li> <li>All utility assessments may be suspended or waived if the land is in EVAD but not connected to the utility in question.</li> <li>The farm may receive up to 25% of gross sales from the sale of non-farm products and still maintain its zoning exemption as a bona fide farm.</li> <li>Landowners may experience fewer unsolicited requests from developers to sell the land, due to the 10-year irrevocable conservation agreement.</li> <li>Landowners can stabilize the use of their land while considering longer-term options, such as permanent working land conservation easements.</li> </ul>	<ul style="list-style-type: none"> <li>Same conservation agreement requirement as VAD, except that the agreement <u>cannot</u> be revoked during the term of the agreement.</li> <li>At the end of its initial term of at least 10 years, the EVAD conservation agreement automatically renews for 3 more years, unless the landowner provides a timely written notice to the county or municipality (usually a 30-day notice). Ending the agreement will result in the property no longer qualifying for the EVAD program and its benefits.</li> </ul>