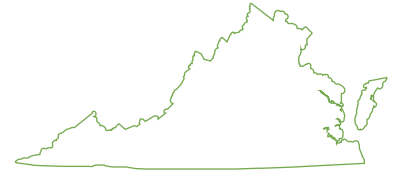


# Agricultural and Forestal Districts

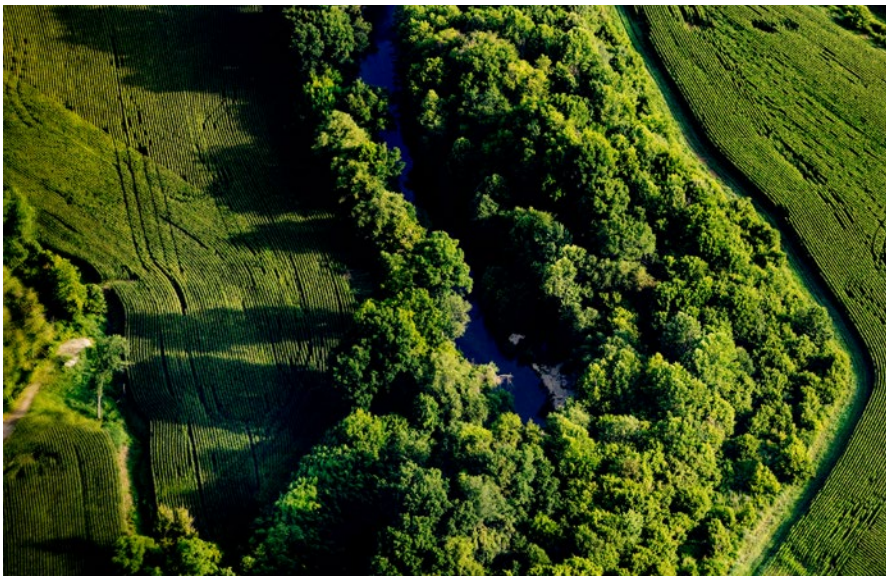


JACOB GILLEY

**A**gricultural district laws are a voluntary, incentive-based response to development pressure. Designed to limit non-farm development, they offer landowners a package of benefits to support farm viability and keep land in farming. The package varies from state to state. Many promote coordination with local planning and include provisions

to protect farmland like limiting eminent domain and special assessments. Many give farmers extra [Right to Farm](#) protections and require agricultural impact statements for public projects to protect farmers from having public facilities sited on their land. Some make enrolled landowners automatically eligible for [Use-Value Assessment](#), provide tax exemptions for farm buildings, and address other issues, like supporting sound conservation practices.

Fifteen states, including Virginia, have active programs with varying acreage requirements and terms of enrollment. According to American Farmland Trust research, they are found to be most effective when they align with local comprehensive plans, offer local governments a right of first refusal if the property comes up for sale, and improve eligibility and/or ranking in the state's Purchase of Agricultural Conservation Easement (PACE) program.



WILL PARSONS/CHESAPEAKE BAY PROGRAM

## Virginia Program Description

### PURPOSE

The Virginia General Assembly passed the [Agricultural and Forestal Districts Act](#) in 1977 to conserve, protect, and improve the state's working lands to produce food and other farm and forest products, and to conserve and protect them as valued natural and ecological resources.

### HOW IT WORKS

Eligible landowners may enroll some or all of their land in a district for between four and 10 years. They can renew their enrollment at the end of the term. They also may add parcels to an existing district at any time by following the process for creating a new district.

In exchange for enrollment, landowners receive use-value assessment, so their land is taxed at its current use, not the market value for its potential use. They also receive some protection from eminent domain. This includes a special public review process for land being acquired for things like roads and power lines, and for public spending on non-farm purposes. And they are protected from local laws that unreasonably restrict farm structures, farming, or forestry practices unless they are directly related to public health.

Each agricultural and forestal district must have a core minimum of at least 200 acres which can be comprised of one or several connected parcels. Once the district is established, landowners may enroll additional parcels of any size, so long as:

- › They are connected to a parcel that is already included in the district;
- › They are within 1-mile of the core; or
- › They are considered to be “agriculturally or forestally significant.”

Once enrolled in a district, landowners may subdivide and develop their property to provide for more intensive farm or forestal production, or to provide dwellings for their immediate family and/or anyone who earns a substantial part of their income from their operation. They

are not allowed to subdivide and then sell land to someone who is not a family member. No other development or subdivision is allowed. Local governments may review their districts and—with the recommendations of the local advisory committee and the planning commission—determine whether to terminate, modify or continue the district.

### CONSIDERATIONS

Agricultural districts provide agricultural landowners with safeguards to keep farmland in farming and farmers on the land. Districts must be recognized in comprehensive plans, local ordinances, and administrative decisions, and state and federal agencies must consider them when developing and implementing policy.

Agricultural and Forestal Districts are created as a partnership between landowners and their local governments. They are especially beneficial to landowners in localities that do not offer land use assessment, as enrollment in the district protects them from special taxes and local laws that unreasonably restrict their operations. Districts offer protection from development pressures as they discourage local policies that do not support agricultural, forestal or open space land uses.

### To Learn More

- › [Code of Virginia 15.2-4300 Agricultural & Forestal Districts Act](#)
- › [ARCGIS Virginia Agricultural Forestal District Layer](#)
- › [Louisa County Example Resources](#)
  - > [Agricultural and Forestal District Instruction Sheet](#)
  - > [AFD Program Brochure](#)
  - > [Frequently Asked Questions](#)
- › [VA Farm Bureau: “Agricultural and Forestal Districts FAQ”](#)