



Agricultural & Forestal Districts

What is an agricultural and forestal district?

In 1977, the Virginia General Assembly passed the Agricultural and Forestal Districts Act. The intent of the Act is to "...encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products...and to conserve and protect agricultural and forestal lands as valued natural and ecological resources"

This Act grants localities the authority to form agricultural and forestal districts.

An agricultural and forestal district is a rural conservation zone reserved for the production of agricultural products, timber, and the maintenance of open space as an important economic and environmental resource. A district is voluntary – it is initiated by a landowner or group of landowners as a mutual undertaking with local government

By establishing a District, property owners agree not to convert their farm, forestland, and other open space to more intense commercial, industrial or residential uses for a term of four to 10 years. In return, the county and the Commonwealth agree not to take actions or make infrastructure investments that will place increased pressure on landowners to convert land in the district to more intense land uses during the term of the District.

What is the statewide status of districts?

The Valley Conservation Council conducted a survey and released a report in October 2009 on the status of districts in the Valley and across the Commonwealth. [Click here](#) to learn more about the districts and emerging trends in various localities in Virginia.

What benefits do districts offer to landowners and their communities?

An agricultural and forestal district provides much stronger protection from development pressures for farmers and other open space landholders than does agricultural zoning. Unlike agricultural zoning, which for all practical purposes encourages low-density residential sprawl, districts discourage land uses not in keeping with agricultural, forestal or open space land uses.



Agricultural and Forestal District, City of Staunton, VA

In addition, zoning regulations can change with elections. An agricultural and forestal district provides protection up to 10 years and may be renewed after its initial term expires. Districts provide a higher level of certainty that farms and forests and other open-space lands will be maintained because they restrict the powers of local, state, and the federal government to make decisions detrimental to agricultural and rural land uses in the district.

What are some specific benefits to landowners?

Districts ensure land use taxation. Qualified land in agricultural and forestal districts is eligible for use-value, or land use taxation, whether or not the local government has a countywide use-value program. In addition, if the county decides to rescind general land use value assessment, landowners in districts may continue to pay lower taxes as long as the land continues to meet state eligibility standards. Certain jurisdictions are considering dropping land use for properties not in a district.

Districts offer some protection from eminent domain. Acquisition of land or easements for power lines, roadways and other infrastructure within a district is subject to special review by the Board of Supervisors to determine whether or not the proposed taking will adversely affect the district.

Districts prohibit the expenditure of public funds for non-farm related purposes within a district except when a public service corporation or public agency files a notice of intent with the Board of Supervisors. The Board must then determine whether or not this expenditure will threaten the district.

Districts offer protection from nuisance ordinances that might limit customary farming and forestry practices.

Districts offer assurance that the district will be taken into account in local planning decisions, such as rezoning. Land use planning decisions or ordinances that would adversely affect land adjacent to the district must take into account the existence of the district.

Districts help to maintain the critical mass of farms necessary to maintain farming infrastructure such as tractor dealers and feed stores. They establish a strong presence where like-minded individuals may band together to protect farming, forestry, and open land.

What are the community benefits?

Districts help protect productive farm, forest, and other open spaces that contribute significantly to a community's rural appeal and character.

Districts help protect surface and ground water supplies as well as other natural resources such as wildlife.

Districts help promote efficient community development patterns. They facilitate the efficient provision of local government services by helping concentrate new development in and around existing communities where services can be provided in the most cost-effective manner.

Districts help ensure equitable tax policies. By committing land to farm, forest and other opens space uses for an extended period of time, agricultural and forestal districts discourage the abuse of use-value

taxation programs by investors who may seek to acquire and hold land strictly for speculative development.

What are the requirements to form a district?

Landowners agree not to subdivide their land to a more intensive non-agricultural or forestal use during the term of the district. Applying landowners and the County government choose a term of between four and 10 years.

A district must have a minimum core of 200 acres in contiguous parcels. Non-contiguous properties may be incorporated into the district, provided that their boundaries are within one mile of the boundary of the minimum 200-acre core or adjacent to land within one mile of the core. Once the 200-acre core is established, there is no minimum parcel size and no minimum number of landowners. There is also no maximum size for a given district.

What is the application process to form a district?

Landowners who wish to form a district must file an application with the County. An application includes:

- Acreage of each parcel to be included and tax parcel number;
- Name, address, and witnessed signature of each landowner who wishes to join the district;
- Term proposed (four to 10 years);
- Location and total acreage of the district;
- Type of district (agricultural, forestal, or agricultural/forestal);
- Proposed name of the district;
- USGS map (7.5 min. series) that shows the district boundaries;
- County real property map that shows the district boundaries;
- County road map that shows the location of the district; and
- Payment of \$300.00.

To whom is the application submitted?

The completed application is submitted to the County Board of Supervisors. It is then reviewed by an appointed Agricultural Districts Advisory Committee, the County Planning Commission, the County Board of Supervisors and the general public. Within 180 days of the date of submittal, the County Board of Supervisors shall approve, modify, or reject the application.

Who serves on the Agricultural Districts Advisory Committee?

This Committee consists of nine individuals who are appointed by the County Board of Supervisors. It must include four landowners actively engaged in farming or forestry within the locality, four other landowners from within the locality (who may be freeholders), and a member of the governing Board.

Does a landowner have to put all of his/her land into the district?

A landowner may leave some of his or her property out of the district. The portion left out should have a separate tax parcel number and be a legally separate parcel of record.

May land be added to the district?

Land may be added or withdrawn at any time during the 180-day review process. Once the review process is completed and the district is formally in place, land may only be added to the district by following the guidelines for the formation of a new district.

May land be withdrawn from the district?

Land may be withdrawn according to the following conditions:

- Heirs may withdraw land up to two years of the death of the landowner.
- Landowners may submit a written request to the County Board of Supervisors to withdraw from a district. The Board may grant the request for “good and reasonable” cause such as economic hardship. Some counties have established guidelines for addressing petitions to withdraw.
- A landowner may withdraw his or her land at any time during the district’s review process. This process takes place at the time that a district expires (four to 10 years).

May land be sold within a district?

Yes, a landholder may sell the land or any portion of it at any time. The agricultural and forestal district runs with the land, however, and a sale does not remove the land from an established district.

May land be subdivided within a district?

Land in an agricultural and forestal district may be subdivided for family members in accordance with current zoning and subdivision regulations. Other subdivisions are not permitted for more intensive non-agricultural or non-forestal use during the term of the district.

When and how is a district renewed?

After the term of a district expires, the County Board of Supervisors will work with participating landowners to review the district and will then determine whether or not to continue, modify or terminate the district.

For more information about agricultural and forestal districts, contact your county government first to see if such districts already exist in your location. Otherwise please get in touch with us here at VCC.

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For 25 years, the Valley Conservation Council has worked with communities and landowners across the Shenandoah Valley, promoting land conservation and sensible models of growth. To date, an astonishing 148,000 acres of valuable farmland and forestland, streams and rivers, and historical landscapes have been permanently protected in our area. We at the Shenandoah Valley Network applaud VCC's 25 years of dedicated work in the Valley and look forward to our continuing partnership in the future!

Kate G. Wofford

Shenandoah Valley Network

Join Our Mailing List



Contact Us:

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Upcoming Events

There are no upcoming events at this time.



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