

Conditions for the AFD Program

There are certain conditions to create an AFD. Any parcel in the district shall not, without approval from the Board of Supervisors, be developed into more intensive use other than uses resulting in more intensive agricultural or forestal production during the period the parcel remains in the district. Landowners and members of the owners' immediate family who earn a substantial livelihood from a farm or forestal operation on the same property are allowed to have dwellings within the AFD however these areas are subject to normal taxes. Lastly, an AFD participant is committed to keep their farm or forest land in active production for 10 years.

Qualifications for the AFD Program

In order for land to qualify for the AFD program it must meet a few requirements. Each AFD must have a core of at least 200 acres in either one parcel or in contiguous parcels. A parcel not part of the core can be included if it is within one mile of the boundary of the core, if it is contiguous to a parcel in the district which is within one mile of the boundary of the core, or if the Board of Supervisors determines that the parcel contains agriculturally and forestally significant land. If these requirements are met, landowners may submit an application for the creation of a district or for an addition to a district between January 15 and February 15 of each year to the local governing body. Each application requires a \$500.00 processing fee. The application will be reviewed by the agricultural and forestal advisory committee and then submitted to the Board of Supervisors. The Board of Supervisors will hold a public hearing on the creation or addition to the district after which they will have 180 days to create, add to, or modify the district in question.

Many people wonder how Northampton County's Agricultural-Forestal District (AFD) program works and what property can be included. We hope the following information will be helpful to you.

Purpose of the Program

The Commonwealth of Virginia's "Agricultural and Forestal Districts Act" (Code of Va., 15.2-4301) states:

It is the policy of the Commonwealth to conserve and protect and 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. It is also the policy of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to provide a means for a mutual undertaking by landowners and localities to protect and enhance agricultural and forestal land as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance.

Agricultural and forestal lands are critical economic and environmental resources for the Commonwealth. Due to their importance, they need to be protected and conserved. The 1977 Agricultural and Forestal District Act recognizes that agricultural and forested lands are rapidly being lost due to population increases and developmental pressures. The AFD Act counters these pressures by offering landowners protection and incentives to preserve their agricultural and forested lands. The AFD Act gives localities the authority to create Agricultural and Forestal Districts which gives landowners the opportunity to conserve their agricultural and forested lands on a long-term scale.

Benefits of the AFD Program

Some benefits of an AFD for landowners include tax relief from land use taxation, protection from ordinance and zoning that can restrict farming activities, protection from eminent domain under certain conditions, and the ability to adapt to the changing needs of the families and the community at the end of each term. Northampton County also benefits from having AFDs. Agricultural and forestal lands provide significant revenue from sale of products. Forested and open lands protect watersheds and wildlife, promote aquifer recharge, and contribute to the beauty of the Eastern Shore.

Review of AFDs

AFDs are reviewed every 10 years after their creation. This review shall begin at least 90 days before the expiration of the 10 years. The agricultural and forestal advisory committee will hold a public meeting with the landowners within the district and will then hold a public hearing. After the public hearing the Board of Supervisors will have 180 days to create, add to, or modify the district in question.

Withdrawing Land from an AFD

Any owner of land in an AFD may file a written request to withdraw all or part of their land from the district. This request is reviewed by the agricultural and forestal advisory committee who makes recommendations concerning the withdrawal of land to the Board of Supervisors. A public hearing is held and the Board of Supervisors determines whether or not to allow the withdrawal of land. Land that is withdrawn from an AFD is subject and liable for roll-back taxes. Land that is withdrawn from an AFD is subject to local laws and ordinances that were prohibited through the AFD Act. Finally, upon the death of a property owner, the heir to the land is entitled to withdraw the land in the AFD within two years of the death of the owner.

For information regarding Northampton County's AFD Program, please contact

Administrative Clerk
Planning, Permitting, and Enforcement
P.O. Box 538
16404 Courthouse Road
Eastville, VA 23347
(757) 678-0443, ext. 544

The Agricultural-Forestal District Program

In

Northampton County

How to become part of Virginia's effort to preserve and protect productive lands

Basic information for landowners

Produced by the

AFD Advisory Committee

and the

Northampton County

Planning, Permitting, and Enforcement Office



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