

## FARMLAND PRESERVATION PROGRAM ORDINANCE

## ROWAN COUNTY, NORTH CAROLINA

PREAMBLE

An Ordinance to establish a voluntary farmland preservation program under Article 61 of the North Carolina General Statutes.

ARTICLE I  
INTRODUCTIONSection 101 Purpose

The purpose of this ordinance is to encourage the voluntary preservation and protection of farmland from non-farm development, recognizing the importance of agriculture to the economic and cultural life of the county.

Section 102 Title

This ordinance shall be known and may be cited as the Rowan County Farmland Preservation Program Ordinance.

Section 103 Authority

This ordinance is hereby adopted under the authority and provisions of N.C.G.S. 106-735 through 106-743.

Section 104 Definitions

The following are defined for purpose of this ordinance.

- 104.1 Board - County Agricultural Advisory Board established under N.C.G.S.
- 104.2 Chairman - Chairman of the Rowan County Agricultural Advisory Board.
- 104.3 District - Voluntary agricultural district as established by this ordinance.

ARTICLE II  
AGRICULTURAL ADVISORY BOARDSection 201 Creation

A County Agricultural Advisory Board, to consist of five members appointed by the Board of County Commissioners, is hereby established.

## Section 202 Membership

### 202.1 Requirements

- (a) Each Board member shall be a county resident.
- (b) Three of the five members shall be actively engaged in farming and shall be selected from the names of individuals submitted to the Board of County Commissioners by the Soil and Water Conservation District, the Agricultural Extension Advisory Council and the Agricultural Stabilization Conservation Service Committee.

202.2 Tenure - The members are to serve for terms of four years, except that the initial Board is to consist of one appointee for a term of two years; two appointees for terms of three years, and two appointees for terms of four years. Thereafter, all appointments are to be for terms of four years, with reappointments permitted.

202.3 Vacancies - Any vacancy on the Agricultural Advisory Board is to be filled by the Board of County Commissioners for the remainder of the unexpired term.

202.4 Removal for Cause - Any member of the Agricultural Advisory Board may be removed for cause by the Board of County Commissioners upon written charges and after a public hearing.

## Section 203 Funding

203.1 The per diem compensation of the members of the Board shall be fixed by the Board of County Commissioners.

203.2 Funds will be appropriated to the Board to perform its duties.

## Section 204 Procedure

204.1 Chairman - The Board is to elect a chairman and vice-chairman each year at its first meeting following the appointment of new members or reappointment of existing members. The chairman shall preside over all regular or special meetings of the Board. In the absence or disability of the chairman, the vice-chairman shall preside and shall have and exercise all the powers of chairman so absent or disabled. Additional officers may be elected as needed.

204.2 Jurisdiction - The jurisdiction and procedures of the Board are to be as set out herein, except that the Board may adopt supplementary rules of procedure not

inconsistent with this ordinance or with other provisions of law.

- 204.3 Board Year - The Board will use the county fiscal year as its meeting year.
- 204.4 Meetings - Meetings of the Board, following such notice as is required by this ordinance, shall be held at the call of the chairman and at such other time as the Board in its rules of procedure may specify. A called meeting will be held at least every two months.
- 204.5 Majority Vote - The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official or agency, to decide in favor of an applicant, or to pass upon any other matter on which it is required to act under this ordinance.
- 204.6 Records - The Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
- 204.7 Administrative - The Soil and Water Conservation District office will serve the Board for record keeping, correspondence, application procedures under this ordinance and whatever other services the Board needs to complete its duties.

#### Section 205 Duties

The Agricultural Advisory Board shall:

- 205.1 Review and approve applications for qualified farmland and voluntary agricultural districts and make recommendations concerning the establishment and modification of agricultural districts.
- 205.2 Hold public hearings pursuant to Section 501 and Section 502 of this ordinance.
- 205.3 Advise the Board of County Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the county and that will affect agricultural districts.
- 205.4 Perform other related tasks or duties assigned by the Board of County Commissioners.
- 205.5 Each district shall be assigned to a member of the

Board who will monitor and represent that district in all business conducted by the Board. In so far as possible, individual members will represent those districts closest to them geographically. In so far as possible, no member will represent more than 30% of the total number of districts in the County or 30% of total land area.

ARTICLE III  
APPLICATION AND CERTIFICATION OF QUALIFYING  
FARMLAND AND VOLUNTARY AGRICULTURAL DISTRICTS

Section 301 Requirements:

- 301.1 To secure county certification as qualifying farmland, a farm must:
- (a) Be participating in the farm present-use-value taxation program established by N.C.G.S. 105-277.2 through 105-277.7 or is otherwise determined by the county to meet all the qualifications of this program set forth in N.C.G.S. 105-277.3.
  - (b) Be certified by the Soil Conservation Service of the United States Department of Agriculture as being a farm on which at least two-thirds of the land is composed of soils that:
    - 1. Are best suited for providing food, seed, fiber, forage, timber, and oil seed crops;
    - 2. Have good soil qualities;
    - 3. Are favorable for all major crops common to the county where the land is located;
    - 4. Have a favorable growing season, and;
    - 5. Receive the available moisture needed to produce high yields for an average of eight out of ten years, or be one on which at least two thirds of the land have been actively used in agricultural, horticultural or forestry operations as defined in G.S. 105-277.2 (1,2,3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies.
  - (c) Be managed, if highly erodible land exists on the

farm, in accordance with the Soil Conservation Service defined erosion-control practices that are addressed to said highly erodible land.

- (d) Be the subject of a conservation agreement, as defined in G.S. 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable county zoning and subdivision regulations.
- 301.2 To form or be included in a voluntary agricultural district, a landowner may apply to the chairman for such inclusion at the same time he applies for qualifying farmland certification, or at any time subsequent to receiving qualifying farmland certification.
- (a) The purpose of voluntary agricultural districts formed by landowners shall be to encourage the economic and financial health of farming areas, to increase protection from nuisance suits, undesired non-farm development and other negative impacts on participating farms and to increase the identity and pride in the agricultural community and its way of life.
- (b) Requirements to participate.
- (1) An agricultural district shall consist of:
- (i) At least 200 contiguous acres or more of qualifying farmland or
- (ii) At least two qualifying farms, which will create a district of not less than 200 acres and said farms lying within one mile or less of one another.
- (2) An agreement to sustain, encourage and promote agriculture must be executed by the landowners in the district with the county and recorded therein.
- (c) Landowners may apply to participate in existing districts and are encouraged to do so.

### Section 302 Procedure

- 302.1 To secure county certification as a qualifying farm, and if so desired by the applicant, as an agricultural district, a landowner for such certification will apply to the chairman of the Agricultural Advisory Board. Application forms may be obtained from the chairman.

302.2 Upon receipt of an application, the chairman will forward copies immediately to:

- (a) Local tax assessor office.
- (b) Local office of the Soil Conservation Service (SCS) of the United States Department of Agriculture for their evaluation pursuant to Section 206. The said offices shall evaluate, complete and return their copies to the chairman within 30 days of receipt.

302.3 Within 30 days of receipt back from the local tax assessor and SCS offices, the Board will meet and render a decision regarding the applications. The chairman will notify the applicant by mail if the real property of which certification is sought satisfies the criteria established in Section 201 through Section 205 and if the land has been certified as qualifying farmland, and also as a voluntary agricultural district, if application was so sought.

#### Section 303 Identification on County Records

Voluntary agricultural districts will be marked on county maps displayed for public view in the following county offices:

- 304.1 Register of Deeds
- 304.2 Code Enforcement
- 304.3 Tax Supervisor
- 304.4 Soil and Water Conservation District
- 304.5 Agricultural Extension
- 304.6 County Planning
- 304.7 Any other office deemed necessary by the Board.

#### Section 304 Public Information Program

The county may take such action as it deems appropriate through the Agricultural Advisory Board or other body or individual to encourage the formation of voluntary agricultural districts and to further their purposes and objectives, including at a minimum a public information program to reasonably inform landowners of the farmland preservation program.

ARTICLE IV  
REVOCATION OF CONSERVATION AGREEMENT

**Section 401 Revocation Procedure**

By written notice to the Board, a landowner of qualifying farmland may revoke the conservation agreement formulated pursuant to Section 301 through Section 304 of this ordinance. Such revocation shall result in loss of qualifying farm status, and consequently, loss of eligibility to participate in a voluntary agricultural district and benefits thereof.

ARTICLE V  
PUBLIC HEARINGS

**Section 501 Purpose**

Pursuant to N.C.G.S. 106-740, which provides that no state or local public agency or governmental unity may formally initiate any action to condemn any interest in qualifying farmland within a voluntary agricultural district until such agency or unit has requested the local Agricultural Advisory Board to hold a public hearing on the proposed condemnation, this section provides for such hearings.

**Section 502 Procedure**

502.1 Upon receiving a request, the Agricultural Advisory Board shall publish notice describing the proposed action in the appropriate newspapers of the area within two (2) days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within fourteen (14) days of receipt of the request.

502.2 The Board will meet to review:

- (a) If the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved.
- (b) Alternatives to the proposed action that are less impactive and disruptive to the agricultural activities and farm land base of the voluntary agricultural district within which the proposed action is to take place.

502.3 The Board will consult with the county agricultural

extension agent, U.S.D.A., Soil Conservation Service personnel and planner, and may consult with any other individuals, agencies or organization, public or private, necessary to the Board's review of the proposed action. Land value will not be a factor in the selection between properties under consideration for the proposed action.

- 502.4 Within ten (10) days after the public hearings, the Board will make a report containing its findings and recommendations regarding the proposed action. The report will be made available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.
- 502.5 Pursuant to N.C.G.S. 105-740, the county will not permit any formal initiation of condemnation by local agencies action while the proposed condemnation is properly before the advisory board within these time limitations.

#### ARTICLE VI WAIVER OF WATER AND SEWER ASSESSMENTS

##### Section 601 Purpose

The purpose of this section is to help mitigate the financial impacts on farmers of some local and state capital investments unused by said farmers.

##### Section 602 Procedure

- 602.1 Landowner(s) belonging to voluntary agricultural districts shall not be assessed for, or required to connect to water and/or sewer systems.
- 602.2 Water and sewer assessments will be held in abeyance, without interest, for farms, whether inside or outside of a voluntary agricultural district, until improvements on such property are connected to the water or sewer system for which the assessment was made.
- 602.3 When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.
- 602.4 Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.
- 602.5 Assessment procedures followed under Article 9 of Chapter 153A of the North Carolina General Statutes shall conform to the terms of this ordinance with respect to

qualifying farms that entered into conservation agreements while such ordinance was in effect.

- 602.6 Nothing in this section is intended to diminish the authority of the county to hold assessments in abeyance under G.S. 153A-201.

## ARTICLE VII NORTH CAROLINA AGENCY NOTIFICATION

### Section 701 Purpose

The Board shall consult as much as possible with the North Carolina Department of Agriculture, the North Carolina Division of Soil and Water and any other entity the Board deems necessary to the proper conduct of its business.

### Section 702 Procedure

A record of this ordinance shall be recorded with the North Carolina Commissioner of Agriculture's Office after adoption. At least once a year the county shall submit a written report to the Commissioner of Agriculture including the status, progress and activities of the county's farmland preservation program, including voluntary agricultural districting information regarding:

- 702.1 Number of landowners enrolled.
- 702.2 Number of acres applied.
- 702.3 Number of acres certified.
- 702.4 Number of acres denied.
- 702.5 Date certified.

### Section 703 Reports

Copies of the reports cited in Section 502 will be sent to:

- 703.1 N.C. Department of Transportation.
- 703.2 Secretary, N.C. Department of Commerce.
- 703.3 N. C. Hazardous Waste Commission.
- 703.4 N.C. Low-Level Radioactive Waste Commission.
- 703.5 Any public benefit corporations operating within the county.
- 703.6 Any other entities the Board deems

appropriate.

ARTICLE VIII  
LEGAL PROVISIONS

Section 801 Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 802 Conflict With Other Ordinances and Statutes

Whenever the provisions of this ordinance conflict with other ordinances of the County of Rowan, North Carolina, the more stringent provision shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this ordinance, the provisions of such statute shall govern.

Section 803 Amendments

This ordinance may be amended from time to time as need by the Board of Commissioners under the general ordinance amendment procedure.

Section 804 Effective Date

This ordinance shall be effective from the date of its passage, July 19, 1990.

Section 805 Adoption

Duly adopted by the Board of Commissioners of the County of Rowan, North Carolina, this the 19th day of July, 1990.

*Dennis J. Parnow*  
Clerk to the Board

*J. Newton Cohn*  
Chairman  
Rowan County  
Board of Commissioners

## Chapter 8.5

## FARMLAND PRESERVATION\*

- Art. I. In General, §§ 8.5-1-8.5-20  
 Art. II. Agricultural Advisory Board, §§ 8.5-21-8.5-40  
 Art. III. Application, Certification of Qualifying Farmland, Voluntary Agricultural Districts, §§ 8.5-41-8.5-60  
 Art. IV. Public Hearings, §§ 8.5-61-8.5-80  
 Art. V. Waiver of Water and Sewer Assessments, §§ 8.5-81-8.5-100  
 Art. VI. State Agency Notification, §§ 8.5-101-8.5-103

## ARTICLE I. IN GENERAL

## Sec. 8.5-1. Purpose.

The purpose of this chapter is to encourage the voluntary preservation and protection of farmland from nonfarm development, recognizing the importance of agriculture to the economic and cultural life of the county.

(Ord. of 7-19-90, § 101)

## Sec. 8.5-2. Authority.

This chapter is adopted under the authority and provisions of G.S. 106-735 through 106-743.

(Ord. of 7-19-90, § 103)

## Sec. 8.5-3. Definitions.

The following are defined for the purposes of this chapter:

*Board* shall mean the county agricultural advisory board established under state law.

*Chairman* shall mean the chairman of the county agricultural advisory board.

*District* shall mean voluntary agricultural district as established in this chapter.

(Ord. of 7-19-90, § 104)

**Cross reference**—Rules of construction and definitions, § 1-3.

## Secs. 8.5-4-8.5-20. Reserved.

\*Editor's note—An ordinance adopted July 19, 1990, not specifically amendatory of this Code, has been codified as Ch. 8.5 at the discretion of the editor.

**Cross references**—Administration, Ch. 2; soil erosion and sedimentation, Ch. 18; hazardous, infectious and low-level radioactive waste, § 19-101 et seq.

**State law reference**—Authority to adopt, G.S. 106-736-106-743.

## § 8.5-21

## ROWAN COUNTY CODE

## ARTICLE II. AGRICULTURAL ADVISORY BOARD

**Sec. 8.5-21. Created.**

A county agricultural advisory board, to consist of five (5) members appointed by the board of commissioners, is hereby established.  
(Ord. of 7-19-90, § 201)

**Sec. 8.5-22. Membership.**

(a) *Requirements.* Each board member shall be a county resident. Three (3) of the five (5) members shall be actively engaged in farming and shall be selected from the names of individuals submitted to the board of commissioners by the soil and water conservation district, the agricultural extension advisory council and the agricultural stabilization conservation service committee.

(b) *Tenure.* The members are to serve for terms of four (4) years, except that the initial board is to consist of one (1) appointee for a term of two (2) years, two (2) appointees for terms of three (3) years, and two (2) appointees for terms of four (4) years. Thereafter, all appointments are to be for terms of four (4) years, with reappointments permitted.

(c) *Vacancies.* Any vacancy on the agricultural advisory board is to be filled by the board of commissioners for the remainder of the unexpired term.

(d) *Removal for cause.* Any member of the agricultural advisory board may be removed for cause by the board of commissioners upon written charges and after a public hearing.  
(Ord. of 7-19-90, § 202)

**Sec. 8.5-23. Funding.**

(a) The per diem compensation of the members of the board shall be fixed by the board of commissioners.

(b) Funds will be appropriated to the board to perform its duties.  
(Ord. of 7-19-90, § 203)

**Sec. 8.5-24. Procedure.**

(a) *Chairman.* The board is to elect a chairman and vice-chairman each year at its first meeting following the appointment of new members or reappointment of existing members. The chairman shall preside over all regular or special meetings of the board. In the absence or disability of the chairman, the vice-chairman shall preside and shall have and exercise all the powers of the chairman so absent or disabled. Additional officers may be elected as needed.

(b) *Jurisdiction.* The jurisdiction and procedures of the board are to be as set out herein, except that the board may adopt supplementary rules of procedure not inconsistent with this chapter or with other provisions of law.

(c) *Board year.* The board will use the county fiscal year as its meeting year.

(d) *Meetings.* Meetings of the board, following such notice as is required by this chapter, shall be held at the call of the chairman and at such other time as the board in its rules of procedure may specify. A called meeting will be held at least every two (2) months.

(e) *Majority vote.* The concurring vote of a majority of the members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official or agency, to decide in favor of an applicant or to pass upon any other matter on which it is required to act under this chapter.

(f) *Records.* The board shall keep minutes of the proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(g) *Administrative.* The soil and water conservation district office will serve the board for record keeping, correspondence, application procedures under this chapter and whatever other services the board needs to complete its duties.

(Ord. of 7-19-90, § 204)

#### **Sec. 8.5-25. Duties.**

The agricultural advisory board shall:

- (1) Review and approve applications for qualified farmland and voluntary agricultural districts and make recommendations concerning the establishment and modification of agricultural districts.
- (2) Hold public hearings pursuant to sections 8.5-61 and 8.5-62 of this chapter.
- (3) Advise the board of commissioners on projects, programs or issues affecting the agricultural economy or activities within the county and that will affect agricultural districts.
- (4) Perform other related tasks or duties assigned by the board of commissioners.
- (5) Each district shall be assigned to a member of the board who will monitor and represent that district in all business conducted by the board. Insofar as possible, individual members will represent those districts closest to them geographically. Insofar as possible, no member will represent more than thirty (30) percent of the total number of districts in the county or thirty (30) percent of total land area.

(Ord. of 7-19-90, § 205)

**Secs. 8.5-26—8.5-40. Reserved.**

**Sec. 8.5-44. Public information program.**

The county may take such action as it deems appropriate through the agricultural advisory board or other body or individual to encourage the formation of voluntary agricultural districts and to further their purposes and objectives, including at a minimum a public information program to reasonably inform landowners of the farmland preservation program. (Ord. of 7-19-90, § 304)

**Sec. 8.5-45. Revocation of conservation agreement; procedure.**

By written notice to the board, a landowner of qualifying farmland may revoke the conservation agreement formulated pursuant to sections 8.5-41 through 8.5-44. Such revocation shall result in loss of qualifying farm status and, consequently, loss of eligibility to participate in a voluntary agricultural district and benefits thereof. (Ord. of 7-19-90, § 401)

**Secs. 8.5-46—8.5-80. Reserved.****ARTICLE IV. PUBLIC HEARINGS****Sec. 8.5-61. Purpose.**

Pursuant to G.S. 106-740, which provides that no state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland with a voluntary agricultural district until such agency or unit has requested the local agricultural advisory board to hold a public hearing on the proposed condemnation, this article provides for such hearings. (Ord. of 7-19-90, § 501)

**Sec. 8.5-62. Procedure.**

(a) Upon receiving a request, the agricultural advisory board shall publish notice describing the proposed action in the appropriate newspapers of the area within two (2) days of the request and will, in the same notice, notify the public of a public hearing on the proposed condemnation, to be held within fourteen (14) days of receipt of the request.

(b) The board will meet to review:

(1) If the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved.

(2) Alternatives to the proposed action that are less impactive and disruptive to the agricultural activities and farmland base of the voluntary agricultural district within which the proposed action is to take place.

(c) The board will consult with the county agricultural extension agent, U.S.D.A. Soil Conservation Service personnel and planner, and may consult with any other individuals,

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agencies or organizations, public or private, necessary to the board's review of the proposed action. Land value will not be a factor in the selection between properties under consideration for the proposed action.

(d) Within ten (10) days after the public hearings, the board will make a report containing its findings and recommendations regarding the proposed action. The report will be made

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available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.

(e) Pursuant to G.S. 106-740, the county will not permit any formal initiation of condemnation action by local agencies while the proposed condemnation is properly before the advisory board within these time limitations.

(Ord. of 7-19-90, § 502)

**Secs. 8.5-83—8.5-80. Reserved.**

**ARTICLE V. WAIVER OF WATER AND SEWER ASSESSMENTS****Sec. 8.5-81. Purpose.**

The purpose of this section is to help mitigate the financial impacts on farmers of some local and state capital investments unused by such farmers.

(Ord. of 7-19-90, § 601)

**Sec. 8.5-82. Procedure.**

(a) Landowner(s) belonging to voluntary agricultural districts shall not be assessed for or required to connect to water and/or sewer systems.

(b) Water and sewer assessments will be held in abeyance, without interest, for farms, whether inside or outside of a voluntary agricultural district, until improvements on such property are connected to the water or sewer system for which the assessment was made.

(c) When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

(d) Statutes of limitation are suspended during the time that any assessment is held in abeyance without interest.

(e) Assessment procedures followed under G.S. Article 9 of Chapter 153A shall conform to the terms of this chapter with respect to qualifying farms that entered into conservation agreements while such chapter was in effect.

(f) Nothing in this section is intended to diminish the authority of the county to hold assessments in abeyance under G.S. 153A-201.

(Ord. of 7-19-90, § 602)

**Secs. 8.5-83—8.5-100. Reserved.**

## § 8.5-101

## ROWAN COUNTY CODE

## ARTICLE VI. STATE AGENCY NOTIFICATION

**Sec. 8.5-101. Purpose.**

The board shall consult as much as possible with the state department of agriculture, the state division of soil and water and any other entity the board deems necessary to the proper conduct of its business.

(Ord. of 7-19-90, § 701)

**Sec. 8.5-102. Procedure.**

A record of the ordinance from which this chapter derives shall be recorded with the state commissioner of agriculture's office after adoption. At least once a year the county shall submit a written report to the commissioner of agriculture including the status, progress and activities of the county's farmland preservation program, including voluntary agricultural districting information regarding:

- (1) Number of landowners enrolled.
- (2) Number of acres applied.
- (3) Number of acres certified.
- (4) Number of acres denied.
- (5) Date certified.

(Ord. of 7-19-90, § 702)

**Sec. 8.5-103. Reports.**

Copies of the reports cited in section 8.5-62 will be sent to:

- (1) The state department of transportation.
- (2) The secretary of the state department of commerce.
- (3) The state hazardous waste commission.
- (4) The state low-level radioactive waste commission.
- (5) Any public benefit corporations operating within the county.
- (6) Any other entities the board deems appropriate.

(Ord. of 7-19-90, § 703)

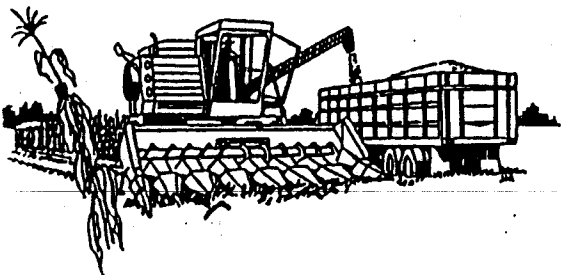
Cross reference—Hazardous, infectious, low-level radioactive waste, § 19-101 et seq.

What restrictions will be placed on my farm if I join one of these districts?

The Farmland Preservation District members will be the subject of a non-binding conservation agreement between the County and the landowner that prohibits non-farm use or development of that land for a period of at least 10 years. The conservation agreement, however, will allow the development of up to three lots on a parcel of land included in a District. The development of these lots must meet any applicable zoning and subdivision regulations.

What happens if I decide to sell my land?

A landowner in an agricultural district may revoke the conservation agreement for a parcel of land in the preservation program by giving written notice to the Board. This revocation will result in loss of eligibility for that parcel to participate in a voluntary agricultural district as well as loss of associated benefits.



FOR MORE INFORMATION  
PLEASE CONTACT:

**BRUCE RIDER**

~~ROWAN SOIL AND WATER~~  
CONSERVATION DISTRICT ✓  
2727-C OLD CONCORD ROAD  
SALISBURY, NC 28146  
TELEPHONE # 637-1604

HAROLD CAUDILL OR KEVIN  
FISHER  
COOPERATIVE EXTENSION  
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2727-A OLD CONCORD ROAD  
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TELEPHONE # 638-3101

AGRICULTURAL ADVISORY  
BOARD MEMBERS:

MRS. GLORIA CORRELL  
TELEPHONE # 278-4344

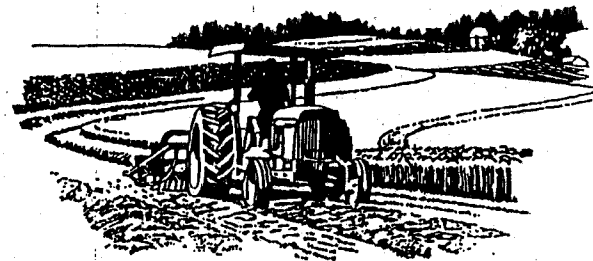
MR. RICHARD DEAL  
TELEPHONE # 857-8660

MR. H. FRANK KING  
TELEPHONE # 279-3957

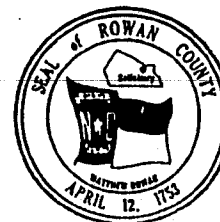
MR. WILLIE SHAVER  
TELEPHONE # 633-1669

MR. CHARLES SLOOP  
TELEPHONE # 637-3519

# FARMLAND PRESERVATION DISTRICTS



ROWAN COUNTY,  
NORTH CAROLINA



SOIL & WATER  
CONSERVATION

## What are Farmland Preservation Districts?

The purpose of Farmland Preservation Districts is to encourage the voluntary preservation and protection of farmland from non-farm development. This is in recognition of the importance of agriculture to the economic and cultural life of the county.

The General Assembly of the State of North Carolina authorized counties to undertake a series of programs to encourage the preservation of farmland. This statutory authority is found in Chapter 106, Article 61 of the North Carolina General Statutes. On July 19, 1990 the Rowan County Board of Commissioners adopted the Farmland Preservation Program Ordinance for Rowan County, North Carolina.

The ordinance provides for the creation of an Agricultural Advisory Board to establish these districts. The Board will review and approve applications for qualifying farmland as well as applications for voluntary agricultural districts.

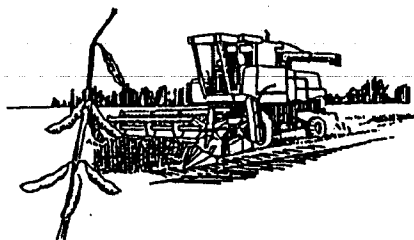
## Who are the members of this Agricultural Advisory Board?

The Board is composed of five County residents. Three of the board members are required to be actively engaged in farming. Members are selected from a list of names submitted to the County Commissioners. The names and telephone numbers of Board members are listed on the back of this brochure. Assistance is provided by the Rowan Soil and Water Conservation District and the Rowan County Planning Department.

## What are the qualifications to become a member of a district?

The farm must be participating in the farm present-use-value taxation program or be determined by the County to meet the qualifications of this program. The primary qualifications for this farm present-use-value taxation program are the following: (1) Agricultural land owned by an individual for at least four (4) years, consisting of at least ten (10) acres, that have produced an average income of one thousand dollars (\$1,000) per year for three (3) years, or, (2) horticultural land owned by an individual for at least four (4) years, consisting of at least five (5) acres, producing an average income of one thousand dollars (\$1,000) per year for three (3) years, or meet the Department of Revenue requirements for Christmas tree production, or, (3) be individually owned forest land consisting of at least 20 acres that are in actual production and not included in a farm unit. The land must be certified by the Soil Conservation Service as appropriate for this Farmland Preservation Program.

The agricultural district will consist of at least 200 acres of qualifying farmland, individually or separately owned, which are located within one mile of each other. Participating land owners will sign an agreement to sustain, encourage and promote agriculture. A complete list of requirements is available at the Rowan Soil and Water Conservation District office or the Rowan County Planning Department.



## What will joining a Farmland Preservation District do for me?

As a part of a Farmland Preservation District, public hearings will be required on a proposed condemnation by state or local public agencies. Landowners in certified districts will not be required to connect to water and/or sewer systems, or be assessed water and sewer charges until that property is connected to such service. The County is restricted from spending monies to convert land to non-farm uses in voluntary agricultural districts unless no conversion alternative exists.

The district will help increase the identity and pride in the agricultural community and its way of life. Members of a district will have increased protection from undesired non-farm development and other negative impacts on participating farms. Protection from nuisance suits will be increased. Maps designating Agricultural Districts will be posted in appropriate county offices.



**ROWAN COUNTY  
FARMLAND PRESERVATION PROGRAM  
DISTRICTS/PROPERTY OWNERS/ACREAGES**

		Acres	Acreage in District
<b>District 1</b>			
Landowners:	<b>District 1</b>	43.40	
		222.76	
		136.60	
		11.16	
		132.00	
		72.58	
		194.78	
		70.28	883.56
<b>District 2</b>	<b>District 2</b>	139.47	
Landowners:		79.32	218.79
<b>District 3</b>	<b>District 3</b>	93.85	
Landowners:		4.00	
		84.16	
		14.74	
		51.66	
		53.37	
		162.70	464.48
<b>District 4</b>	<b>District 4</b>	61.40	
Landowners:		72.00	
		195.78	
		43.00	
		15.50	387.68
<b>District 5</b>	<b>District 5</b>	142.00	
Landowners:		68.00	
		3.39	
		90.37	
		30.42	
		72.00	
		105.00	511.18
<b>District 6</b>	<b>District 6</b>	380.90	
Landowners:		97.00	
		195.00	
		316.50	
		21.00	
		128.89	
		42.00	
		153.00	
		150.00	
		34.00	1516.29
<b>District 7</b>	<b>District 7</b>	60.00	
Landowners:		227.72	
		48.10	
		57.46	363.30
<b>District 8</b>	<b>District 8</b>	102.42	
Landowners:		155.70	258.12
<b>District 9</b>	<b>District 9</b>	171.58	
Landowners:		81.00	252.58
<b>Total Acreage in Preservation</b>			<b>4867.98</b>