



AGRICULTURAL AND FORESTAL DISTRICT INSTRUCTION SHEET & APPLICATION PACKAGE

The request made by the filing of this application could later be declared void because of incorrect information. It is the responsibility of the applicant to see that all information is correct.

In accordance with the Code of Virginia Chapter 43, Agricultural and Forestal Districts Act, the following is required:

ACREAGE:

Code of Virginia -_15.2-4305 (in part)

“Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels.

A parcel not part of the core may be included in a district, if:

- (i) The nearest boundary of the parcel is within one mile of the boundary of the core,
- (ii) It is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core, or
- (iii) The local governing body finds, in consultation with the advisory committee or planning commission that the parcel not part of the core or within one mile of the boundary of the core contains agriculturally and forestally significant land.”

MAPS

A copy of this completed application and required maps shall be submitted by the applicant landowners. Maps must show the specific parcels to be included and the boundary of the proposed district or addition.

Maps are required to be submitted as outlined below:

1. County tax map(s) and/or maps prepared using the County Geographic Information System (GIS) showing the specific parcels included in the application, outlined in “red” along the parcel boundaries.
2. The parcel or parcels of land to be designated as the “core” of the district, containing a minimum of 200 acres, shall be clearly identified, by outlining these parcels using a different color.
3. All maps submitted should be of sufficient scale to be legible for identifying tax map parcel numbers, street names and/or route numbers, and any other recognizable feature in or near the district (creek, etc.).
4. If the district map is larger than 11”x17” in size, a minimum of five (5) paper copies must be provided, along with a digital file. If the map size is 11”x17” or smaller, only one copy is required, as the County has the copying ability to reproduce these documents.

FEES:

Louisa County has waived all fees relating to Agricultural and Forestal Districts.

NOTIFICATION OF SURROUNDING PROPERTY OWNERS:

The adjacent, abutting, and across the road/street property owners names, addresses, and tax map numbers will be provided by the applicant on this application. The property owners shall be notified by the County of Louisa by first-class mail that an application has been filed and hearings will be held.

Applications should be submitted to the County of Louisa – Community Development Department, 1 Woolfolk Avenue, Ste 201, Louisa, Virginia 23093. For new applications, please contact our office for submittal and review dates, or should you have questions at (540) 967-3430.

PLEASE INDICATE WHO THE CONTACT PERSON WILL BE FOR THE PROPOSED DISTRICT AND A PHONE NUMBER AND EMAIL ADDRESS WHERE THEY MAY BE REACHED.

Contact Name _____

Phone Number _____

Email Address _____

(Please use a separate sheet for each property owner to be included in the District.)

PROPERTY OWNER'S NAME: _____

• MAILING ADDRESS: _____

_____ TAX MAP # _____

• SUBDIVISION NAME: _____ LOT/PARCEL# _____

• ACREAGE: _____ ZONING: _____

• PART OF THE CORE: YES or NO

• WITHIN ONE MILE OF THE BOUNDARY OF THE CORE: YES or NO

• IF THE PROPERTY IS NOT A PART OF THE CORE OR WITHIN ONE MILE OF THE BOUNDARY OF THE CORE THE PROPERTY MAY BE INCLUDED IN THE DISTRICT IF DETERMINED TO BE AGRICULTURALLY AND FORESTALLY SIGNIFICANT LAND AS DEFINED BY THE STATE CODE OF VIRGINIA (15.2-4302), as follows:

- "Agriculturally and forestally significant land" means land that has recently or historically produced agricultural and forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures, and other relevant factors.
- "Agricultural products" means crops, livestock and livestock products, including but not limited to: field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs.
- "Agricultural production" means the production for commercial purposes of crops, livestock and livestock products, and includes the processing or retail sales by the producer of crops, livestock or livestock products which are produced on the parcel or in the district.
- "Forestal production" means the production for commercial purposes of forestal products and includes the processing or retail sales, by the producer, of forestal products which are produced on the parcel or in the district. "Forestal products" includes, but is not limited to, saw timber, pulpwood, posts, firewood, Christmas trees and other tree and wood products for sale or for farm use.

(Describe in Detail the Use of the Subject Property)

We the undersigned have read the above mentioned conditions and request the property described above be designated an Agricultural and Forestal District.

Owner(s) Signatures

Witness

(Use a separate sheet for each owner. If an applicant owns more than one parcel, all parcels may be included on one sheet, **EXCEPT** for parcels that are not a part of the core or within one mile of the boundary of the core.)

GIVE COMPLETE NAMES AND ADDRESSES (INCLUDING ZIP CODES) OF ALL OWNERS ADJACENT, ACROSS THE ROAD OR HIGHWAY FACING THE PROPERTY AND ACROSS ANY RAILROAD RIGHT-OF-WAY, CREEK, OR RIVER FROM SUCH PROPERTY, EVEN IF SUCH PROPERTY LIES IN ANOTHER COUNTY OR TOWN. THIS INFORMATION MUST BE OBTAINED BY THE APPLICANT. (Use additional sheets as necessary.)

* PROPERTY OWNER'S NAME: _____

MAILING ADDRESS: _____

_____ TAX MAP # _____

SUBDIVISION NAME: _____ LOT/PARCEL# _____

ACREAGE _____ ZONING _____

* PROPERTY OWNER'S NAME: _____

MAILING ADDRESS: _____

_____ TAX MAP # _____

SUBDIVISION NAME: _____ LOT/PARCEL# _____

ACREAGE _____ ZONING _____

* PROPERTY OWNER'S NAME: _____

MAILING ADDRESS: _____

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SUBDIVISION NAME: _____ LOT/PARCEL# _____

ACREAGE _____ ZONING _____

* PROPERTY OWNER'S NAME: _____

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SUBDIVISION NAME: _____ LOT/PARCEL# _____

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* PROPERTY OWNER'S NAME: _____

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SUBDIVISION NAME: _____ LOT/PARCEL# _____

ACREAGE _____ ZONING _____

* PROPERTY OWNER'S NAME: _____

MAILING ADDRESS: _____

_____ TAX MAP # _____

SUBDIVISION NAME: _____ LOT/PARCEL# _____

ACREAGE _____ ZONING _____

- * PROPERTY OWNER'S NAME: _____
MAILING ADDRESS: _____
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SUBDIVISION NAME: _____ LOT/PARCEL# _____
ACREAGE _____ ZONING _____
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SUBDIVISION NAME: _____ LOT/PARCEL# _____
ACREAGE _____ ZONING _____
- * PROPERTY OWNER'S NAME: _____
MAILING ADDRESS: _____
_____ TAX MAP # _____
SUBDIVISION NAME: _____ LOT/PARCEL# _____
ACREAGE _____ ZONING _____

Section B: To be completed by the Local Governing Body.

**SCHEDULE FOR RECEIVING AND PROCESSING APPLICATIONS
FOR THE CREATION OF
AGRICULTURAL / FORESTAL DISTRICTS**

1. Application received by the Community Development Department _____
2. Program Administrator Refers Application to the Advisory Committee (Meeting Date)

3. First Public Hearing Notice to Paper Adjacent Owners are notified _____
*The notice shall contain:
 - (i) A statement that an application for a district has been filed with the program administrator pursuant to this chapter;
 - (ii) A statement that the application will be on file open to public inspection in the office of the clerk of the local governing body;
 - (iii) where applicable a statement that any political subdivision whose territory encompasses or is part of the district may propose a modification which must be filed with the local planning commission within thirty days of the date of the notice;
 - (iv) A statement that any owner of additional qualifying land may join the application within thirty days from the date of the notice or, with the consent of the local governing body, at any time before the public hearing the local governing body must hold on the application;
 - (v) A statement that any owner who joined in the application may withdraw his land, in whole or in part, by written notice filed with the local governing body, at any time before the local governing body acts pursuant to § [15.2-4309](#); and
 - (vi) A statement that additional qualifying lands may be added to an already created district at any time upon separate application pursuant to the requirements of the State Code.
4. Planning Commission Public Hearing. _____
5. Planning Commission Recommendation to Board of Supervisors _____
6. Second Notice to Paper and Adjacent Owners Notified _____
7. Board of Supervisors Public Hearing. _____
8. Information forwarded to Virginia Department of Agriculture and Consumer Services; Department of Forestry; and notification of the Commissioner of the Revenue Office _____

_____ Approved
_____ Modified
_____ Rejected

§ 15.2-4309. Hearing; creation of district; conditions; notice.

A. The local governing body, after receiving the report of the local planning commission and the advisory committee, shall hold a public hearing as provided by law, and after such public hearing, may by ordinance create the district or add land to an existing district as applied for, or with any modifications it deems appropriate.

B. The governing body may require, as a condition to creation of the district, that any parcel in the district shall not, without the prior approval of the governing body, be developed to any more intensive use or to certain more intensive uses, other than uses resulting in more intensive agricultural or forestal production, during the period which the parcel remains within the district. Local governing bodies shall not prohibit as a more intensive use, construction and placement of dwellings for persons who earn a substantial part of their livelihood from a farm or forestry operation on the same property, or for members of the immediate family of the owner, or divisions of parcels for such family members, unless the governing body finds that such use in the particular case would be incompatible with farming or forestry in the district. To further the purposes of this chapter and to promote agriculture and forestry and the creation of districts, the local governing body may adopt programs offering incentives to landowners to impose land use and conservation restrictions on their land within the district. Programs offering such incentives shall not be permitted unless authorized by law. Any conditions to creation of the district and the period before the review of the district shall be described, either in the application or in a notice sent by first-class mail to all landowners in the district and published in a newspaper having a general circulation within the district at least two weeks prior to adoption of the ordinance creating the district. The ordinance shall state any conditions to creation of the district and shall prescribe the period before the first review of the district, which shall be no less than four years but not more than ten years from the date of its creation. In prescribing the period before the first review, the local governing body shall consider the period proposed in the application. The ordinance shall remain in effect at least until such time as the district is to be reviewed. In the event of annexation by a city or town of any land within a district, the district shall continue until the time prescribed for review.

C. The local governing body shall act to adopt or reject the application, or any modification of it, no later than 180 days from (i) November 1 or (ii) the other date selected by the locality as provided in § [15.2-4305](#). Upon the adoption of an ordinance creating a district or adding land to an existing district, the local governing body shall submit a copy of the ordinance with maps to the local commissioner of the revenue, and the State Forester, and the Commissioner of Agriculture and Consumer Services for information purposes. The commissioner of the revenue shall identify the parcels of land in the district in the land book and on the tax map, and the local governing body shall identify such parcels on the zoning map, where applicable and shall designate the districts on the official comprehensive plan map each time the comprehensive plan map is updated.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. [833](#); 2011, cc. [344](#), [355](#).