

**LINCOLN COUNTY
VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE**

**ARTICLE I
TITLE**

An ordinance of the Board of County Commissioners of LINCOLN COUNTY, NORTH CAROLINA, entitled, "**VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE.**"

**ARTICLE II
POLICY & PURPOSE**

The Lincoln County Board of Commissioners recognizes the critical need for proper management of environmental issues as Lincoln County faces growth in the coming years. It is the policy of Lincoln County to conserve, protect, and encourage the development, improvement and preservation of its agriculture land and forestland for the production of food, fiber and other products. When other land uses extend into agricultural and forest areas, agricultural and forestry operations often become the subject of nuisance suits. It is the purpose of this Ordinance to reduce potential nuisance suits by providing advance notice to surrounding landowners of the presence of voluntary agricultural districts and 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.

**ARTICLE III
AUTHORITY**

The articles and sections of this ordinance are adopted pursuant to authority conferred by the N.C.G.S. Sections 106-735 through 106-744 and Chapter 153A.

**ARTICLE IV
DEFINITIONS**

The following are defined for purposes of this ordinance:

Agricultural District Advisory Board: Lincoln County Agricultural District Advisory Board.

Chairperson: Chairperson of the Lincoln County Agricultural District Advisory Board.

District: Voluntary Agricultural District as established by this ordinance.

Board of Commissioners: Lincoln County Board of Commissioners.

Conservation Agreement: Agreement between agricultural operation (landowner) and Lincoln County prohibiting non-farm use.

ARTICLE V
AGRICULTURAL ADVISORY BOARD

A. Creation

The Board of Commissioners shall establish an Agricultural District Advisory Board to implement the provisions of this program.

B. Membership

The Agricultural District Advisory Board shall consist of no less than 7 members appointed by the Board of Commissioners.

C. Membership Requirements

1. Each Advisory Board member shall be a Lincoln County resident. Each district shall be assigned to a member of the Board who shall monitor and represent that district in all business conducted by the Board. Individual members will represent those districts closest to them geographically.
2. At least 5 of the 7 members shall be actively engaged in farming.
3. The members actively engaged in farming, as well as other members, shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Lincoln Natural Resources Committee, the Soil and Water Conservation District Board of Supervisors, the County Office of the North Carolina Cooperative Extension Service, the USDA Farm Service Agency County Committee, nonprofit agricultural organizations, conservation organizations, agribusiness, and the public at large.

D. Tenure

The initial board is to consist of 2 appointees for terms of one year; 2 appointees for terms of two years; and 3 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointment permitted.

E. Vacancies

Any vacancy on the Agricultural District Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

F. Removal

Any member of the Agricultural District Advisory Board may be removed for cause by the Board of Commissioners subsequent to written charges being presented to the member and after consultation with the Agricultural District Advisory Board.

G. Funding

The *per diem* compensation, if any, for the members of the Agricultural District Advisory Board may be fixed by the Board of Commissioners and funds may be appropriated to the Agricultural District Advisory Board to perform its duties.

H. Agricultural District Advisory Board Procedure

1. Chairperson

The Agricultural District Advisory Board shall elect a chairperson and vice-chairperson each year at its first meeting of the fiscal year. The chairperson shall preside over all regular or special meetings of the Agricultural Advisory Board. In the absence or disability of the chairperson, the vice-chairperson shall preside and shall exercise all the powers of the chairperson. Additional officers may be elected as needed.

2. Jurisdiction

The Agricultural District Advisory Board may adopt rules of procedure not inconsistent with this ordinance or with other provisions of State law.

3. Agricultural District Advisory Board Year

The Agricultural District Advisory Board shall use the Lincoln County fiscal year as its meeting year.

4. Meetings

Meetings of the Agricultural District Advisory Board shall be held at the call of the chairperson and at such other times as the Agricultural District Advisory Board may specify in its rules of procedure or upon the request of at least a majority of the Agricultural District Advisory Board Membership. A meeting shall be held at least annually and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Agricultural District Advisory Board members. Meeting dates and times shall be posted as far in advance as possible at the meeting site and by advertisement in local newspapers or by other means of public dissemination of the meeting dates as may be agreed upon by at least a majority of the Agricultural District Advisory Board Membership. All meetings shall be open to the public. A quorum of the Agricultural District Advisory Board must be present to conduct business.

5. Majority Vote

The concurring vote of a majority of the members of the Agricultural District Advisory Board present shall be necessary to decide in favor of an applicant; or to pass upon any other matter on which it is required to act under this ordinance. To reverse any order, requirement, decision or determination of the Agricultural District Advisory Board the concurring vote of a majority of all members of the Agricultural District Advisory Board shall be necessary.

6. Records

The Agricultural District Advisory Board shall keep minutes of the proceedings showing the vote of each member on 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 filed in the office of the Agricultural District Advisory Board and shall be a public record.

7. Administrative

The Soil and Water Conservation District will serve the Agricultural District Advisory Board for record keeping, correspondence, application procedures under this ordinance, and whatever services the Board needs to complete its duties.

I. Duties

The Agricultural District 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. Conduct public hearings on public projects likely to have an impact on agricultural operations, particularly if such projects involve condemnation of all or part of any qualifying farm;
3. Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the county that will affect agricultural districts;
4. Review and make recommendations concerning proposed amendments to this ordinance;
5. Develop a county-wide farmland protection plan as defined in N.C.G.S. §106-744 (e) (1) for presentation to the Board of Commissioners;

6. Study additional methods of farmland conservation and make recommendations to the Board of Commissioners; and perform other agricultural related tasks or duties assigned by the Board of Commissioners.

ARTICLE VI CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS

A. Implementation

In order to implement the purposes stated in Article II, this program provides for the creation of voluntary agricultural districts that meet the following standards:

1. The District shall contain one or more qualified farms that contain a total of not less than 50 acres.
2. If a District consists of more than one qualifying farm, each farm must be within one mile of at least one other qualifying farm within the District.

B. Encourage Formation

The county may take such action as it deems appropriate through the Agricultural District Advisory Board or other entities or individuals to encourage the formation of the Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the agricultural district program.

C. Withdrawal

In the event that one or more participants in the District withdraw and the acreage in the District becomes less than the minimum acreage required or results in the remaining land being noncontiguous, a voluntary agricultural district will continue to exist so long as there is one qualifying farm.

D. Display

The Districts shall be designated on county GIS mapping system and marked on county maps displayed for public view in the following county offices:

1. Register of Deeds
2. Building & Land Development
3. Tax mapping
4. Soil and Water Conservation District/NRCS
5. Cooperative Extension

ARTICLE VII
CERTIFICATION AND QUALIFICATION OF FARMLAND

Requirements

To secure county certification as qualifying farmland, a farm must:

1. Be participating in the farm present-use-value taxation program established by N.C.G.S. §105-277.2 through §105-277.7;
2. Be certified by the Natural Resources Conservation Service (formerly the Soil Conservation Service) of the United States Department of Agriculture as being a farm on which:
 - A. At least two-thirds of the land is composed of soils that:
 1. Are best suited for providing food, seed, fiber, forage, timber, forestry products, horticultural crops 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

- B. At least two thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined by N.C.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.
3. Be managed in accordance with the Natural Resources Conservation Service defined erosion-control practices that are addressed to highly-erodible land if highly erodible land exist on the farm; and
4. Be the subject of a conservation agreement, as defined in N.C.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.

ARTICLE VIII
APPLICATION, APPROVAL, AND APPEAL PROCEDURE

A. Application Procedure

1. A landowner may apply to participate in the program by making application to the chairperson of the Agricultural District Advisory Board or a designated staff person. The application shall be on forms provided by the Agricultural District Advisory Board. The application to participate in a district may be filed with the certification for qualifying farmland.
2. Subject to approval of the application, the landowner shall execute a conservation agreement per Article VII. Paragraph 4.

B. Approval Process

1. Upon submission of the application to the Agricultural District Advisory Board, the Agricultural District Advisory Board shall meet within sixty (60) days to approve or disapprove the application. The chairperson shall notify the applicant by first class mail of approval or disapproval of participation in the agricultural district.
2. Upon receipt of an application, the chairperson will forward copies immediately to the following offices which shall be asked to provide comments, if any, to the Agricultural District Advisory Board prior to the date set for the Agricultural District Advisory Board vote on the application.
 - a. The Lincoln County tax assessor;
 - b. The Lincoln Soil and Water Conservation District office; and
 - c. The Natural Resources Conservation Service.

The offices shall evaluate, complete and return their copies to the chairman within 30 days of receipt.

C. Appeal

If the Agricultural District Advisory Board denies an application, the petitioner shall have thirty (30) days to appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

**ARTICLE IX
REVOCATION OF CONSERVATION AGREEMENT**

By written notice to the Agricultural District Advisory Board, a landowner of qualifying farmland may revoke the Conservation Agreement or the Agricultural District Advisory Board may revoke the same Conservation Agreement based on noncompliance by the landowner, subject to the same provisions as contained in Article VIII for appeal of denials. Such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a district. Absent noncompliance by the landowner, neither the Agricultural District Advisory Board nor the Board of Commissioners shall revoke any conservation agreements prior to its expiration.

**ARTICLE X
PUBLIC HEARINGS**

A. Purpose

Pursuant to N.C.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 within a District until such agency or unit has requested the Agricultural District Advisory Board to hold a public hearing on the proposed condemnation, this ordinance provides for such hearings.

B. Procedure

1. Upon receiving a request, the Agricultural District Advisory Board shall publish notice describing the proposed action in the appropriate newspapers of Lincoln County within five (5) business 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 thirty (30) days of receipt of the request.
2. The Agricultural District Advisory Board shall meet to review:
 - a. Whether 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; and
 - b. Whether there are alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District within which the proposed action is to take place.
3. Land value will not be a factor in the selection between properties under consideration for the proposed action.

4. Within ten (10) days after the hearing, the Agricultural District Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public prior to its being conveyed to the decision-making body of the agency proposing the acquisition.
5. Pursuant to N.C. G. S. 106-740, the Board of Commissioners shall not permit any formal initiation of condemnation by local agencies while the proposed condemnation is properly before the Agricultural District Advisory Board within these time limitations.
6. Prior to initiating condemnation proceedings which would convert land in a District to non-farm uses: the county or any other local unit of government shall submit to the Agricultural District Advisory Board a statement that the governmental unit has considered alternatives to condemning farm land in the district.

ARTICLE XI PUBLIC NOTIFICATION

A Purpose

The purpose of this section is to help meet the needs of agriculture as an industry and to prevent conflicts between voluntary agricultural district participants and non-farm landowners in proximity to districts.

B. Procedure

1. Upon certification of qualifying farmland and designation of real property as a District, the Agricultural District Advisory Board, in cooperation with the county, shall provide notification to property owners, residents and other interested persons in and adjacent to any designated agricultural district. The purpose of such notification is to inform all current and potential residents and property owners in and adjacent to an agricultural district that farming and agricultural activities may take place in this district any time during the day or night. These activities may include, but are not limited to the following: pesticide spraying, manure spreading, machinery operations, livestock operations, forestry operations including logging and similar activities.

Types of Notification

- a. Signs identifying approved agricultural districts shall be placed along the rights-of-way of major roads.

- b. Maps identifying approved districts shall be provided to the Register of Deeds, the Soil and Water Conservation Office, the Cooperative Extension Office, Building & Land Development and Tax Mapping.
- c. The following notice shall be available for public inspections in the Register of Deeds Office:

NOTICE TO REAL ESTATE PURCHASERS IN LINCOLN COUNTY
OF VOLUNTARY AGRICULTURAL DISTRICTS FOR FARMLAND
CONSERVATION

Lincoln County has established voluntary agricultural districts for farmland conservation to protect and preserve agricultural lands and activities. These districts have been developed and mapped by the County to inform all purchasers of real property that certain agricultural activities including, but not limited to, pesticide spraying, manure spreading, machinery operations, livestock operations, forestry operations including logging and similar activities may take place in these districts any time during the day or night. Maps and information on the location and establishment of these districts can be obtained from the Soil & Water Conservation District Office/NRCS, Register of Deeds, Cooperative Extension Service, Building & Land Development and Tax Mapping.

2. Limit of Liability

In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this ordinance.

3. No Cause of Action

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or voluntary agricultural district as defined in this ordinance.

ARTICLE XII
SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW

Developers of subdivisions or planned unit developments shall designate on preliminary development plans, the existence of the Districts located within one-half aerial mile of the proposed development.

**ARTICLE XIII
BUILDING PERMIT REGISTRATION**

A. Signed Registration

Lincoln County shall require persons applying for a building permit to sign the following statement, which shall be maintained at the office of the Agricultural District Advisory Board: "I have reviewed the most current Lincoln County Agricultural Districting Map found in the Register of Deeds office. I understand that activities such as pesticide spraying, manure spreading, machinery operation, livestock operations, logging and other common farming and forestry activities may occur at any time in these areas."

**ARTICLE XIV
WAIVER OF SEWER ASSESSMENTS**

Pre-existing agricultural districts that exist before a new sewer district is established will be exempt from sewer assessment.

**ARTICLE XV
CONSULTATION AUTHORITY**

The Agricultural District Advisory Board may consult with the Lincoln Natural Resources Committee, North Carolina Cooperative Extension Service, Lincoln Soil And Water Conservation District, Natural Resources Conservation Service Office, North Carolina Department of Agriculture & Consumer Services and with any other individual, agency, or organization the Agricultural District Advisory Board deems necessary to properly conduct its business.

**ARTICLE XVI
NORTH CAROLINA AGENCY NOTIFICATION**

Annually Report to the North Carolina Department of Agriculture and Consumer Services

A copy of this ordinance shall be sent to the Office of the North Carolina Commissioner of Agriculture and Consumer Services, the Board of Commissioners, the County Office of the North Carolina Cooperative Extension Service, and the Soil and Water Conservation District office after adoption. At least annually the county shall submit a written report to the Commissioner of Agriculture and Consumer Services on the county's agricultural district program, including the following information:

1. Number of landowners enrolled;
2. Number of acres applied;

3. Number of acres certified;
4. Number of acres denied;
5. Date certified;

ARTICLE XVII LEGAL PROVISIONS

A. Severability

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

B. Conflict with other Ordinances and Statutes

Whenever the provisions of this ordinance conflict with other ordinances of Lincoln County, this ordinance 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.

C. Amendments

After notification and in consultation with the Agricultural District Advisory Board this ordinance may be amended from time to time by the Board of Commissioners.

LINCOLN COUNTY
VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE
APPLICATION FORM

NAME _____

STREET OR PO BOX _____

CITY _____ STATE _____ ZIP _____

TELEPHONE (____) _____

In order to participate within an Agricultural District the property must meet the following:

1. Contain a minimum of 50 contiguous acres of qualified farmland,
OR
Contain a minimum of 50 acres with two or more different landowners with qualifying farms which are located within a mile of each other.
2. Be participating in the farm present use valuation taxation program established by 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 G.S. 105-277.3.
3. Be certified by the Natural Resources Conservation Service of the United States Department of Agriculture as being a farm on which:
 - A. At least two-thirds of the land is composed of soils that:
 1. Are best suited for providing food, seed, fiber, forage, timber, forestry products, horticultural crops, 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
 - B. At least two thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined by N.C.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.
4. Be managed in accordance with the Natural Resources Conservation Service defined erosion-control practices that are addressed to highly-erodible land if highly erodible land exist on the farm; and
5. Be the subject of a conservation agreement, as defined in N.C.G.S. 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for period of at least ten years, except for creation of not more than three lots that meets applicable county zoning and subdivision regulations.

PROPERTY INFORMATION

	PARCEL #1	PARCEL #2	PARCEL #3
Parcel identification number *			
USDA Tract Number **			
Property Address			
Township			
Number of Acres			
Current Land Use (field crops, livestock, horticulture, forestry, etc)			
Is this property currently in present-use-valuation (land use) taxation program (G.S. 105-277.2 through 1050-277.7) through the Lincoln County Tax Office? ***	_____ (Y/N)	_____ (Y/N)	_____ (Y/N)
How many years has this tract been actively used in agriculture, horticulture or forestry (as defined by NCGS 105-277.2)?	_____ Years	_____ Years	_____ Years
On annually planted cropland are you following a soil conservation plan on highly erodible land (HEL)?	_____ (Y/N)	_____ (Y/N)	_____ (Y/N)
If not, are you willing to develop and follow a plan with NRCS on these HEL fields?	_____ (Y/N)	_____ (Y/N)	_____ (Y/N)

* Found at Lincoln County GIS site; www.lincolncounty.org.

** Found at Farm Service Agency or Soil And Water Conservation District/NRCS Office.

*** If property is not in the present-use-valuation (land use) taxation program, one may complete an application at the Lincoln County Tax Office to determine if the property meets the qualifications for the present-use-valuation (land use) taxation program.

CONSERVATION AGREEMENT

If approved by the Agricultural District Advisory Board, I agree to sustain, promote and encourage agriculture in the District, support protection against nuisance suits, undesired non-farm development and other negative impacts on participating farms and I agree to prohibit non-farm use or development of the land under this Agreement for a period of at least ten years, except for the creation of not more than three lots that meet applicable county regulations. This Agreement may be revoked by the landowner by written notice to the Agricultural District Advisory Board or the Agricultural District Advisory Board may revoke the same Conservation Agreement based on non-compliance by the landowner.

Signed _____ Date _____
(landowner)

Signed _____ Date _____
(landowner)

Signed _____ Date _____
(landowner)

RETURN TO : Lincoln County Soil and Water Conservation District
115 West Main Street
Lincolnton N.C. 28092

(704) 736-8501



Natural Resources Conservation Service
115 West Main Street, Citizens Center
Lincolnton, NC 28092
704-736-8501 Fax 704-736-8504

Lincoln County Voluntary Agricultural District Program

Natural Resources Conservation Service in Cooperation with the Lincoln Soil and Water Conservation District

Farmland Qualification Checklist

(Article VII-2.A and 2.B)

Applicant Name _____

Date _____

Parcel #(s) _____, _____, _____, _____, _____

Tract #(s) _____, _____, _____, _____, _____

The following parcels have been actively used in agricultural, horticultural, or forestry operations for each of the last five years?

_____, _____, _____, _____, _____

If Not:

The following parcels have two thirds of the land composed of soils that are best suited for providing food, seed, fiber, forage, timber, forestry products, horticultural crops and seed crops? (Defined as soils meeting the Prime or Statewide Important Farmland criteria.)

_____, _____, _____, _____, _____

Parcels with annually tilled crops:

Parcel # _____, _____, _____, _____, _____

Plan Y/N _____, _____, _____, _____, _____

Date of Plan _____, _____, _____, _____, _____

NRCS Representative

Date

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

NAME _____ **Date Application Received** _____

PARCELS INCLUDED IN APPLICATION _____, _____, _____, _____
_____, _____, _____, _____, _____, _____

OTHER APPLICATIONS SUBMITTED CONJOINTLY _____

TO BE COMPLETED BY THE LINCOLN COUNTY TAX OFFICE:

The following parcels included in this application **are** in the present-use-valuation (land use) taxation program (G.S. 105-277.2 through 105-277.7)

_____, _____, _____, _____, _____

The following parcels included in this application **are not** in the present-use-valuation (land use) taxation program (G.S. 105-277.2 through 105-277.7)

_____, _____, _____, _____, _____

The following parcels **are not** in the present-use-valuation (land use) taxation program, **but** information has been provided to the tax office showing the following parcels would qualify.

_____, _____, _____, _____, _____

Certified by Lincoln County Tax Office _____

(Signature and Date)

Return to Lincoln Soil and Water Conservation District
115 West Main St, Citizens Center
Lincolnton, NC 28092

TO BE COMPLETED BY THE LINCOLN SOIL AND WATER CONSERVATION DISTRICT AND NRCS OFFICE:

Parcels meeting criteria per NRCS review (VII-2.A and 2.B)

_____, _____, _____, _____, _____

Parcels not meeting criteria per NRCS review (VII-2.A and 2.B)

_____, _____, _____, _____, _____

Certified by SWCD/NRCS _____

(Signature and Date)

REVIEW BY ADVISORY BOARD:

Approved _____, _____, _____, _____, _____

(Signature and Date)

Denied _____, _____, _____, _____, _____

Total Acres Approved _____

Township-Number in Township-Participant Number _____

Assigned Agricultural District Number _____

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**LINCOLN COUNTY
VOLUNTARY AGRICULTURAL DISTRICT
BUILDING PERMIT REGISTRATION**

I have reviewed the most current Lincoln County Agricultural Districting Map found at the Register of Deeds Office or Building & Land Development. I understand that activities such as pesticide spraying, manure spreading, machinery operations, livestock operations, logging and other common farming and forestry activities may occur at any time in these areas.

Location of Property (Parcel ID, Subdivision or Address):

Print Name: _____

Signature: _____ Date: _____

Return to: Lincoln Soil & Water Conservation District
115 West Main Street, Citizens Center
Lincolnton, N.C. 28092

The Conservation Agreement

Participants with qualifying farmland must agree to:

- Sustain, promote and encourage agriculture in the district.
- Support protection against nuisance suits and undesired non-farm development.
- Prohibit non-farm use or development of the land for a period of at least ten years except for the creation of not more than three lots that meet applicable county regulations.

Since this is a voluntary program, landowners can revoke the agreement by written notice to the Agricultural District Advisory Board.

For More Information Contact:

Lincoln Soil & Water Conservation District
115 West Main Street
Citizens Center Building
Lincolnton, NC 28092
Telephone #: 704-736-8501

N.C. Cooperative Extension Service
115 West Main Street
Citizens Center Building
Lincolnton, NC 28092
Telephone #: 704-736-8452

Lincoln County Tax Office
1 Court Square
Lincoln County Courthouse
PO Box 938
Lincolnton, NC 28092
Telephone #: 704-736-8542

Agricultural District Advisory Board Members

John Beam..... 704-435-2653
G.K. Davis..... 704-735-6893
Gary Davis..... 704-276-2728
Kenneth Dellinger..... 828-428-4531
Keith Gilbert..... 704-276-1682
Dan Houser..... 704-435-3667
Rex Lynch..... 828-428-4611

VOLUNTARY AGRICULTURAL DISTRICT



LINCOLN COUNTY NORTH CAROLINA

Lincoln County Voluntary Agricultural District Ordinance

The Lincoln County Board of Commissioners recognizes the critical need for proper management of environmental issues as Lincoln County faces growth in the coming years. It is the policy of Lincoln County to conserve, protect and encourage the development, improvement and preservation of its agriculture land and forestland for the production of food, fiber and other products. When other land uses extend into agricultural and forest areas, agricultural and forestry operations often become the subject of nuisance suits.

The purpose of this ordinance is to reduce potential nuisance suits by providing advance notice to surrounding landowners of the presence of voluntary agricultural districts and 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.

Who are the members of the Agricultural District Advisory Board?

The Agricultural District Advisory Board consists of seven (7) Lincoln County residents. 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. Individual members will represent those districts closest to them geographically.

At least five (5) of the seven (7) members shall be actively engaged in farming. The Board of County Commissioners shall select members for appointment. The names and telephone numbers of Board members are listed on the back of this brochure.

Assistance is provided by the Lincoln Soil & Water Conservation District, Lincoln County Tax Office, North Carolina Cooperative Extension Service, Lincoln County Building & Land Development and the Lincoln County Register of Deeds Office.

What are the qualifications to become a member of the program?

Farms must be 50 acres in size; or when combined with other participating farms within a mile of each other, total a minimum of 50 acres. This may include one or more participants.

Farms must be in or qualify for the Present-use-valuation Taxation Program with the Lincoln County Tax Office.

Farms must be properly managed according to the Natural Resources Conservation Service's defined erosion control practices if highly erodible land exist on the farm.

Farms must have a conservation agreement as defined in N.C.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 10 years except for the creation of not more than 3 lots that meet applicable county zoning and subdivision regulations.