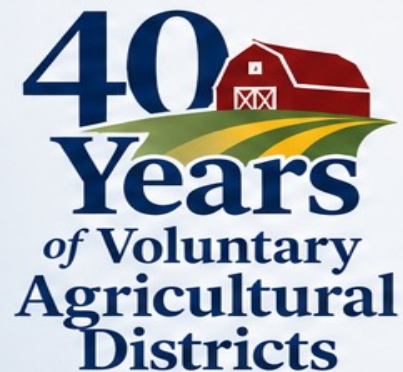




★
North Carolina Department of
Agriculture and Consumer Services

VAD 101

**Evan Davis, NCDA&CS Farmland
Preservation Division Director**

**N★C
FOREVER
FARMS**



Why VADs exist



Recognition of farms

Build identity and pride in the agricultural community and its way of life



Reduce conversion threat

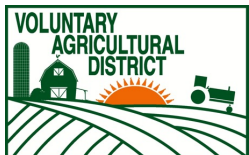
Record notice provisions and public hearings keep working farms working



Promotion of agriculture

Ag Advisory Boards are a strong voice for agriculture in local government

VAD is the first step in farmland preservation.



Where agricultural districts came from

1965



California

First program in the nation

A 10-year conservation agreement in exchange for agricultural use-value assessment

1971



New York

First comprehensive program

Added review of local regulations, scrutiny of eminent domain, and pro-farming state policy

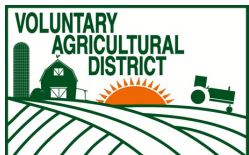
1986



North Carolina

"An Act to Establish Policies to Preserve Farmland"
ratified July 16, 1986

The basis of today's VAD program



North Carolina Department of Agriculture and Consumer Services
Farmland Preservation Division

Who adopts it and where it applies



A local ordinance

Counties or municipalities may adopt a VAD ordinance under state enabling law.

Most programs are **county** ordinances.

Land is eligible when it sits in:



The unincorporated area of the county



A municipal extraterritorial jurisdiction (ETJ)



A municipality with a program, interlocal agreement or MOU letting the county run the program there



What goes in a VAD ordinance

REQUIRED

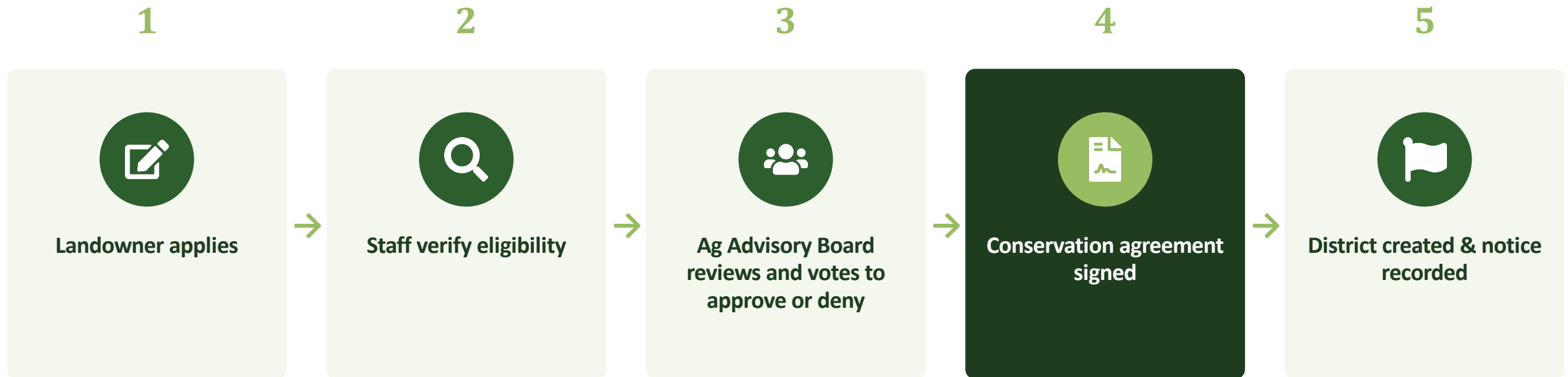
- ✓ Qualifying farmland standards
- ✓ An agricultural advisory board
- ✓ Creation of districts
- ✓ Record notice of proximity to farmland
- ✓ Public hearings on condemnation or rezoning

OPTIONAL

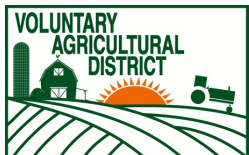
- Minimum district size
 - Acreage, number of tracts, proximity of tracts
- Waiver of water and sewer assessments
- An Enhanced VAD (EVAD) option



From application to district



Signing the conservation agreement is what creates the district.



Qualifying farmland: the three tests



Bona fide farm

Meets G.S. 106-743.4(a) and G.S. 160D-903



Erodible land managed

If USDA-NRCS designates land as Highly Erodible, it must follow NRCS practices



10-year agreement

Landowner signs a 10-year conservation agreement

Which of these can qualify as agriculture for VAD enrollment?

A



Beekeeping

B



Agritourism

C



Aquaculture

D



All of the above

Answer on the next slide →

What counts as agriculture?

Production, and activities incidental to production, of:

Crops

Grains

Fruits and vegetables

Ornamental plants

Dairy

Livestock

Poultry

Horticulture

Forestry

Horses

Bees

Aquaculture

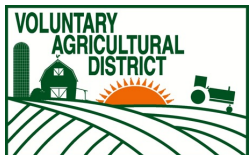
Agritourism

Value-added products

Grain warehouses

General farm operations

— as defined in G.S. 106-581.1



Proving a bona fide farm

Any **one** of these is sufficient evidence:



Farm sales-tax exemption certificate

Issued by the NC Department of Revenue



Present-use value tax listing

Property tax listing showing PUV eligibility (G.S. 105-277.3)



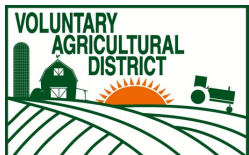
Schedule F

From the owner's or operator's most recent federal return



Forest management plan

For managed forestland



True or false: Enrolling in a standard VAD permanently ties up your land.

True

Once you're in, you're in



False

You can withdraw with written notice



Answer on the next slide →

The conservation agreement

The goal:

“Prohibit nonfarm use or development.”

Revocable with written notice, generally 30 days.

May restrict:

- Construction
- Dumping of trash
- Removing trees, shrubs, and vegetation
- Excavation or mining
- Harm to drainage, flood control, erosion, or soil conservation



Conservation agreement vs. conservation easement

CONSERVATION AGREEMENT (VAD)

CONSERVATION EASEMENT

Contractual agreement	vs	Property interest, development rights removed
Finite term of years, revocable	vs	Most are perpetual, “runs with the land”
1–2 page document	vs	20+ pages, recorded with Register of Deeds
Staff determine qualification	vs	Appraisal, survey, title work, environmental audit, baseline documentation report
Mostly indirect financial benefits	vs	Benefits based on property value

How districts have evolved

THEN

Community districts

High acreage thresholds, sometimes hundreds of acres across multiple neighboring tracts, reflect whole agricultural communities.



NOW

One parcel, one district

Individual tracts can qualify as districts on their own, opening the program to far more landowners.

Ordinances may still set minimum acreage, number of tracts, and proximity requirements.

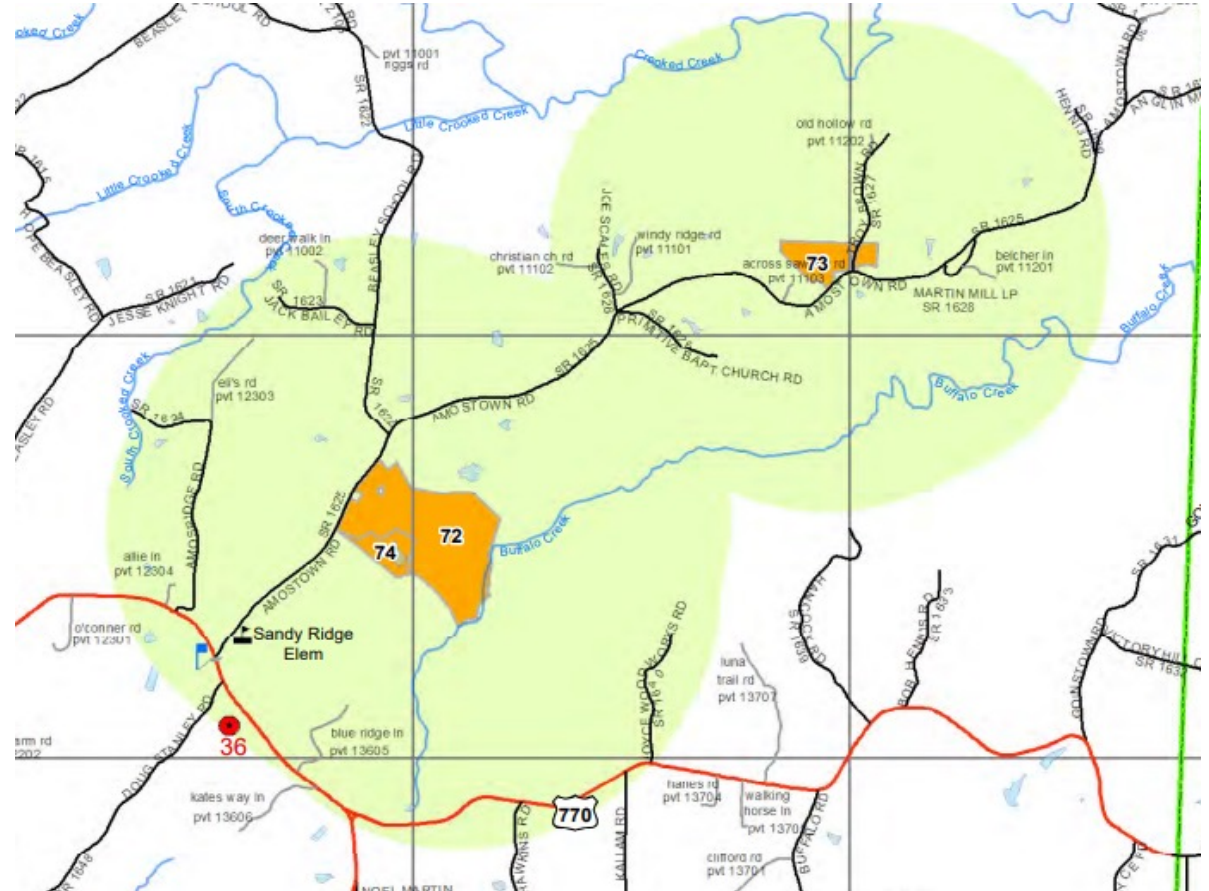


Record notice: telling the neighbors

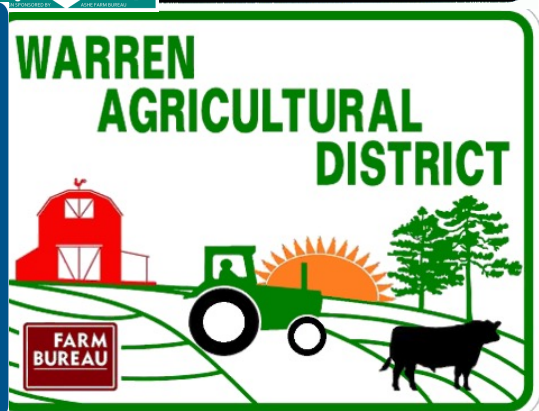
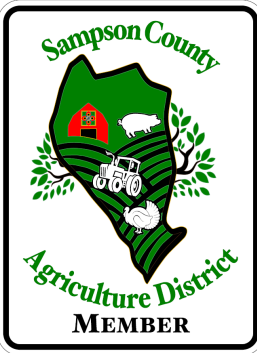
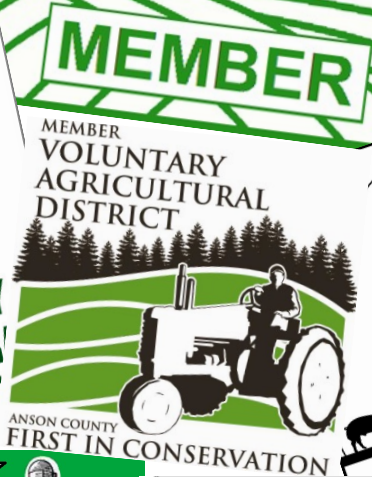
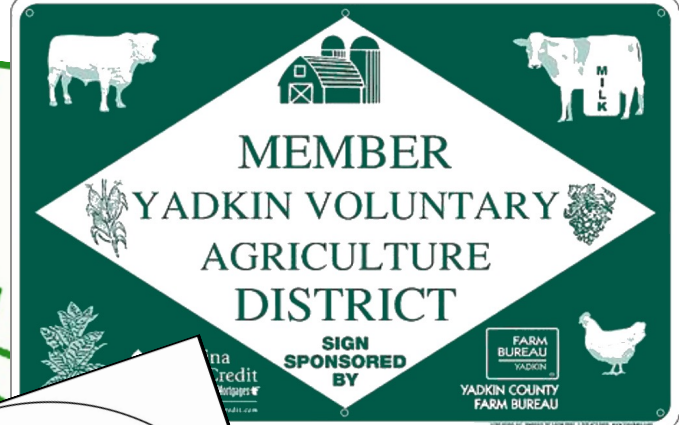
1/2 mile

Land records must alert anyone researching title within half a mile of an enrolled tract.

The three common methods:



NORTHAMPTON COUNTY VOLUNTARY AGRICULTURAL DISTRICT



Out of North Carolina's 100 counties, how many have a VAD program?

A

45

B

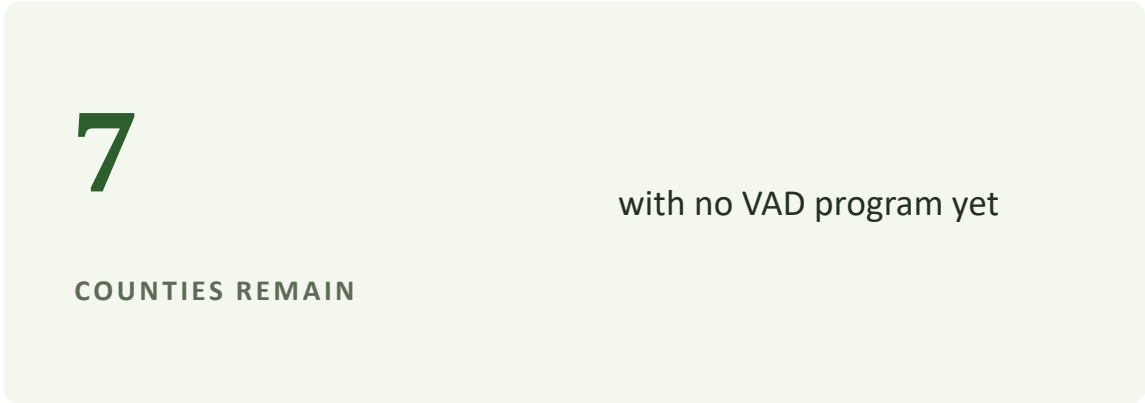
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C

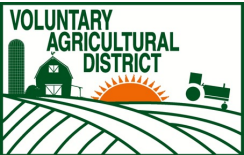
93

Answer on the next slide →

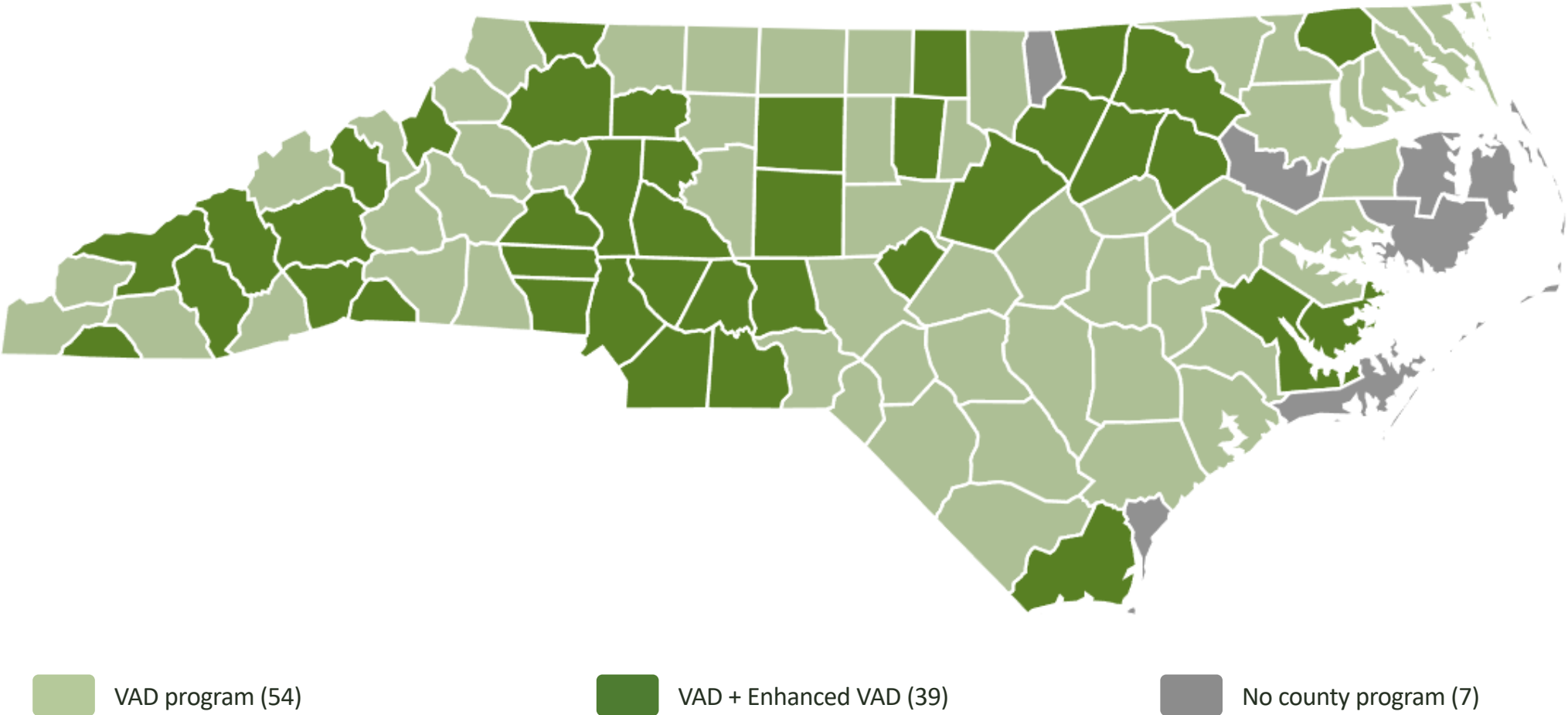
The state of VADs today



County-reported statistics · last updated October 2025



VAD & EVAD adoption across the state



The Agricultural Advisory Board



Who serves

- A majority actively engaged in agriculture
- Broad geographic representation
- All segments of local ag production, where possible

What they do

- ✓ Review applications and establish or modify districts
- ✓ Vote to approve or deny applications in public meetings
- ✓ Execute conservation agreements with landowners
- ✓ Recommend VAD/EVAD ordinance changes
- ✓ Hold public hearings on proposed condemnations and rezoning actions that impact enrolled farms
- ✓ Advise the governing board, like the County Board of Commissioners, on the local ag economy



Before farmland can be condemned or rezoned

No public agency may formally begin condemnation or rezoning of enrolled farmland until:



Hearing requested

The agency must ask the Ag Advisory Board to hold a public hearing

45 days

Board reports

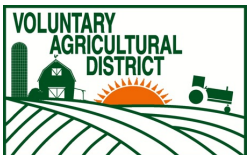
Board holds the hearing and submits written findings and recommendations

120 days

Waiting period

Agency must wait before formally initiating any action

The 45-day window (was 30) and 120-day hold are recent changes to the statute.



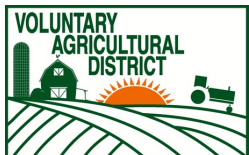
Waiver of water and sewer assessments

OPTIONAL PROVISION



Enrolled farms cannot be required to connect or pay when new water and sewer lines are installed.

How it works: assessments are held in abeyance, with or without interest, until the property actually connects to the system.



Enhanced VAD: a stronger commitment

Same land eligibility as VAD, but four things change:



Irrevocable

10-year conservation agreement.
No early exit



Recorded

Agreement must be recorded
with the Register of Deeds



Transfers

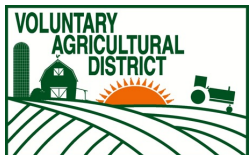
Binds new owners if the land is
sold



Auto-renews

Rolls over in three-year terms
unless the landowner gives
notice

A stronger commitment for landowners.



What Enhanced VAD earns you

90%

COST SHARE

Potential rate through the Agriculture
Cost Share Program

+8 points

GRANT SCORING

Additional points in ADFP Trust
Fund easement grants

25%

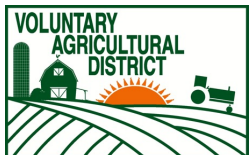
NONFARM SALES

Of gross sales can be nonfarm products
and still a bona fide farm exempt from
zoning



UTILITY WAIVERS

Assessment waivers beyond water and
sewer, like electric, gas, broadband



True or false: VAD enrollment protects your farm from eminent domain.

True



False



Answer on the next slide →

What VAD enrollment does not do



Stop eminent domain



Restrict a landowner's own use decisions



Exempt farms from non-ag laws and regulations



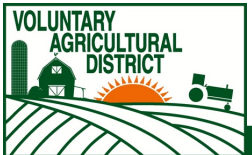
Limit neighbors' property rights



Block development on nearby land



Change zoning or tax rates



Your role as VAD administrator



Board meetings

Organize Agricultural Advisory Board meetings



Applications

Review for completeness and verify the information



Recordkeeping

Minutes and votes
Submit new VADs to GIS and Register of Deeds



Reporting

Annual report to NCDA&CS
Updates to your commissioners



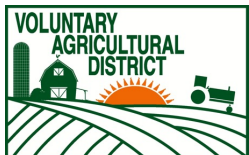
Agreements

Track eligibility and expiration dates



Outreach

Website, newsletters, workshops
Ordering VAD signs





Questions?

www.ncvad.org

Evan Davis · Farmland Preservation Division · NCDA&CS



40 Years

of Voluntary
Agricultural
Districts