



10-Minute Supervisor Trainings

Kentucky Soil and Water Conservation Commission

April 2014

Agricultural Districts

Kentucky's agricultural district program plays a valuable role in protecting our agricultural land base and family farms across the state. The goals of the program are to protect our best agricultural land for food and fiber production and to prevent its conversion to nonagricultural usage.

Why would a landowner want their land to be in an agricultural district?

Land enrolled in the agricultural district program:

- cannot be annexed,
- cannot be condemned without mitigation,
- is taxed at the agricultural rate,
- is eligible for deferred assessment costs when water lines are extended, and
- receives extra points when applying for State Cost Share or to the Purchase of Agricultural Conservation Easements (PACE) Program.

NOTE: It is the responsibility of the local conservation district to ensure that a landowner is currently certified in an agricultural district BEFORE that landowner's application for state cost share receives credit.

How can a landowner enroll their land in the agricultural district program?

A landowner or group of landowners with at least 250 contiguous acres in active agricultural production is eligible to form an agricultural district. Individual parcels must contain at least 10 acres (without a homestead) or 11 acres (with a homestead). Participation is strictly voluntary, and a landowner may withdraw land at anytime without penalty or without jeopardizing the status of the existing agricultural district. The total acreage of the district may drop below 250, but the district would still exist.

The landowners would fill out the Petition to Establish an Agricultural District (available online or through the conservation district) fully and legibly and submit it to their local conservation district. If the land comprising the proposed district is located in two or more counties, the petition should be filed in the county where the majority of the acreage is located with copies of all related materials being sent to the other conservation district involved.



The district then notifies the local planning and zoning authority and fiscal court. The Commission strongly recommends that the closest city or town also be notified. Those entities have 30 days to comment before the board can make a recommendation to the Commission. The district recommends either approval or denial to the Commission once the 30 day comment period has lapsed. The Commission will either deny or approve for 5 years.

Once the Commission has voted, written notification will be sent to the local conservation district, who will then notify the affected landowners.

Materials that must be included with the submission to the Commission:

- Petition to Establish an Agricultural District
- An acceptable map
- Completed Agricultural District Tracking Form
- Any comments received from planning and zoning or fiscal court

How does a landowner remove acreage from an agricultural district?

Acreage can be withdrawn at any time without the Commission's approval, but the landowner must inform the conservation district in writing and provide a map depicting the acreage to be withdrawn or provide information detailed enough to allow the conservation district to produce an accurate map. The conservation district must then forward a copy of the written request and map to the Division of Conservation. The remaining acreage enrolled in the agricultural district program will not be affected if a withdrawal results in the acreage being non-contiguous or falling below 250.

What happens after 5 years?

Prior to the 5 year period of certification expiring, the local conservation district will send written notification to each landowner in the agricultural district, along with a survey form for the landowner to complete. Failure to respond to this notification will result in the land being withdrawn from the agricultural district. Once the surveys have been returned, the local planning and zoning authority and fiscal court are notified for comment, the local conservation district considers the request and recommends action to the Commission, and the Commission considers the request and recommends action.

Once the Commission has voted, written notification will be sent to the local conservation district, who will then notify the affected landowners.

For more information:

- Agricultural District and Conservation Act: KRS 262.850
- Division of Conservation's Website:
<http://conservation.ky.gov/Pages/AgriculturalDistricts.aspx>
- Your Field Representative