

# Agricultural District Fact Sheet

Madison County Planning Department

Article 25AA—Agricultural Districts of the Agriculture and Markets Law was created to: “conserve, protect, and encourage the development and improvement of its agricultural land for production of food and other agricultural products...and to conserve and protect agricultural lands as valued natural and ecological resources which provided needed open spaces for clear air sheds, as well as for aesthetic purposes.”

Several provisions of the law are outlined below:

**1. State Policy of Encouraging Maintenance of Viable Farming**

State agencies must modify administrative regulations and procedures to encourage the maintenance of viable commercial agriculture to the extent compatible with health, safety, and any applicable Federal regulations.

**2. Limitations on Eminent Domain and Public Funds for Non-Farm Development**

The right of public agencies, local governments, and public benefit corporations to acquire farmland by eminent domain or to advance a grant, loan, interest subsidy, or other public funds for non-farm development is modified and restricted, though not completely removed.

**3. Limitation on Power to Impose Benefit Assessments or Special Ad Valorem Levies**

Benefit assessments or ad valorem levies based on parcel frontage, acreage, or value (except a parcel up to ½ acre surrounding any non-farm structure) for such services as sewer, water, lighting, non-farm drainage, and solid waste disposal operations (except those in existence prior to agricultural district formation) may not be imposed on land used primarily for agricultural production.

**4. Limitations on Local Regulations Affecting Agriculture and Agricultural Data Statements for Certain Planning and Zoning Actions**

Local governments may not enact ordinances or local laws that would restrict or regulate farm structures or farm practices beyond the requirements of health and safety. Certain planning and zoning actions impacting a farm operation or lands within 500 feet of a farm operation must have an agricultural data statement that allows the reviewing agency to evaluate possible impacts on a functioning farm operation.

**5. Eligibility for Agricultural Assessments**

Farmers may have the value of their land in excess of its value for farming exempt from taxation if they meet certain requirements and if they file an application with their local assessor.