



Certificate of Use for Agricultural Purposes may be issued for buildings or structures where:

- The building or structure is used “for the production of plants and animals useful to man” (i.e., forages and sod crops, trees and forest products, grains and feed crops, bees and apiary products, dairy animals and dairy products, poultry and poultry products, livestock to be raised for product or breeding purposes) for sale to the public.
- The building or structure is not the primary residence. The primary residence of a farmhouse is residential rather than agricultural as a residence is not necessary to the operation of the farmland.
- The building or structure is not a guest house or accessory dwelling unit on the parcel. This use is considered accessory to the residential use.

Please Note: This requirement sheet is an interpretation of Title 9 Delaware Code and NCC Unified Development Code

Required Paperwork:

- Use Permit Application**
- Two (2) Copies of Current Plot Plan or Record Plan Identifying Existing and Proposed Improvements to Lot** (Proposed improvements include all work covered under this permit)
- Three (3) Sets of Building Plans** (Plans should be to scale and include a side view and floor plan)
- New Castle County Conservation District Approval** (302-365-8970 or visit www.newcastlecd.org/sediment-and-stormwater)
- Confirmation of Existing or Anticipated Agriculture Use Delaware Code Title 9 § 8333 Criteria for Land Use:**

Land shall be deemed to be actively devoted to agricultural, horticultural, or forestry use when one of the below criteria are met:

- Not less than 10 acres are in such use, and the gross sales of agricultural, horticultural, or forestry products produced thereon together with any agricultural program payments and sales of commodities received under government entitlement programs have averaged at least \$1,000 per year within a 2-year period of time immediately preceding the tax year in issue, or there is clear evidence of anticipated yearly gross sales and such payments amounting to at least \$1,000 per year, within a 2-year period of time.
- Less than 10 acres are in such use and the gross sales of agricultural, horticultural, or forestry products produced thereon together with any agricultural program payments and sales of commodities received under government entitlement programs shall have averaged at least \$10,000 per year within a 2-year period of time immediately preceding the tax year in issue, or there is clear evidence of anticipated yearly gross sales and such payments amounting to at least \$10,000 per year within a 2-year period of time. In computing such anticipated yearly gross sales for land under 10 acres in such use, the maximum amount computed from future sales of forestry products shall be not more than \$2,000 annually.

In applying these criteria, and in determining whether the minimum acreage requirements are met, all contiguous parcels of land held by identical owners in identical proportions of ownership and in identical legal form of title, shall be considered as a single unit.

Fees: \$50 per Certificate of Use