

AGRICULTURAL AND FORESTAL DISTRICT-02-86-1-2018. Croaker Renewal**Staff Report for the September 11, 2018, Board of Supervisors Public Hearing****SUMMARY FACTS**

<u>LAND OWNERS</u>	<u>PARCEL ID</u>	<u>ACRES (±)</u>
Hankins Land Trust	1530100044	119.00
William L. & Mary M. Apperson	1440100015	26.05
William L. & Mary M. Apperson	1440100015A	26.23
Ronald McManus, et al.	1530100043	119.85
Ronald McManus, et al.	1530100042	10.10
Ronald McManus, et al.	1530100036	40.40
Hazel M. & L. Richardson	1530100002	39.76
Hazel M. Richardson	1530100034	39.78
J. Rosalie Will, Trustee	1440100010	40.00
Stephanie L. Billon-Wolfe, Trustee	1440100009	49.08
Wenger Farms, LLC	1320100018	95.30
Wenger Farms, LLC	1410100001	150.00
Wenger Farms, LLC	1410100014	143.50
Thomas B. Ballard	1530100035	53.17
Sharpe Family Properties, LLC	1530100018	16.05
William R. Atkins, Jr.	1530100019	16.40
William R. Atkins, Jr.	1530100029	30.94
Milly Wallis	1540100004	40.00
Thomas B. Ballard	1530100035A	4.91
Thomas B. Ballard	1530100032	16.22
Wenger Farms, LLC	1410100007	7.00
Katherine G. & William Mann	1510400003	50.00
Mitchell Family Ltd. Partnership	0740100002	48.49
TOTAL ACRES		1,182.23

Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands
Low-Density Residential

Primary Service Area

(PSA): Inside and Outside

Staff Contact: Roberta Sulouff, Senior Planner

PUBLIC HEARING DATES

Planning Commission: August 1, 2018, 6:00 p.m.

Board of Supervisors: September 11, 2018, 5:00 p.m.

STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

**AGRICULTURAL AND FORESTAL DISTRICT (AFD)
ADVISORY COMMITTEE RECOMMENDATION**

At its June 21, 2018 meeting, the AFD Advisory Committee voted 9-0 to recommend the continuation of the District to the Planning Commission and Board of Supervisors.

PLANNING COMMISSION

At its August 1, 2018 meeting, the Planning Commission voted 5-0 to recommend the continuation of the District to the Board of Supervisors.

DISTRICT HISTORY

- The Croaker AFD was created in 1986 for a term of four years and originally consisted of 13 parcels totaling ±1,341 acres.
- The District was renewed for four-year intervals in 1990, 1994, 1998, 2002, 2006, 2010 and 2014 with various withdrawals and additions occurring during that period.

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- In 2017, the Board of Supervisors approved the addition of 48.49 acres of land located at 9730 Sycamore Landing Road to the AFD.

DISTRICT DESCRIPTION

While still conforming to applicable area and proximity requirements this District is somewhat geographically dispersed. According to the United States Geological Service Soils Survey, the bulk of the District appears to consist of soils which are prime for crop cultivation or forestry. The majority of the District is forested and remains rural in nature. All the land in this District is zoned A-1, General Agricultural. Pieces of the District are located both outside and inside of the PSA, and are designated both Rural Lands and Low-Density Residential by the adopted Comprehensive Plan.

Total acreage includes all the land in the above properties with the exception of all land within 25 feet of right-of-ways. This area has been excluded to allow for possible road and/or drainage improvements.

ADDITION/WITHDRAWAL REQUESTS/OTHER CHANGES IN ACREAGE

- *Addition Requests:*
 - The owner of the property located at 4450 Ware Creek Road (Tax Map ID No. 1410100046) has applied to add approximately 14.8 acres to the District. That application will be evaluated under a separate cover and is tentatively scheduled for the AFD Committee's consideration at the October 25, 2018, meeting.
 - The owner of the property located at 4960 Fenton Mill Road (Tax Map ID 2420100035) has applied to add approximately 52.28 acres to the District. That application will be evaluated

under a separate cover and is tentatively scheduled for the AFD Committee's consideration at the October 25, 2018 meeting.

CHANGES TO CONDITIONS

None.

SURROUNDING ZONING AND DEVELOPMENT

The majority of this District is located southeast of the Croaker Road/Interstate 64 interchange, though several small pieces are located north and east of the interchange as well. The surrounding area is mostly zoned A-1, General Agricultural; however, the northern and eastern portions of the District are surrounded by undeveloped portions of the Stonehouse Development, which is zoned PUD-R, Planned Unit Development-Residential. The Christenson's Corner AFD lies to the southeast of the District and the Hill Pleasant Farm AFD lies to the southwest of the District.

COMPREHENSIVE PLAN

The Comprehensive Plan designates these parcels as Rural Lands and Low-Density Residential. Land Use Action 6.1.1 of the adopted Comprehensive Plan states the County shall "support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*."

STAFF RECOMMENDATION

Staff finds the Croaker AFD compatible with surrounding development and consistent with the recommendations of the adopted Comprehensive Plan and Zoning Ordinance. Staff recommends that the Board of Supervisors approve the renewal of this AFD for a period of four years, subject to conditions listed in the District Ordinance (Attachment No. 1).

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RS/md

AFD-CroakerRnw

Attachments:

1. Ordinance
2. Location Map
3. Adopted conditions for the Croaker AFD
4. Board of Supervisors staff report for the 2014 renewal of the Croaker AFD

CORRECTED

ADOPTED

SEP 11 2018

ORDINANCE NO. 164A-17

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-02-86-1-2018

CROAKER 2018 RENEWAL

WHEREAS, James City County has completed a review of the Croaker Agricultural and Forestal District (the "District"); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code"), property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the District; and

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on June 21, 2018, voted 9-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 1, 2018, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 to recommend renewal of the District with the conditions listed below.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The Croaker Agricultural and Forestal District (the "District") is hereby continued to October 31, 2022 in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").
2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road right-of-ways is excluded from the District:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Hankins Land Trust	1530100044	119.00
William and Mary M. Apperson	1440100015	26.05
William and Mary M. Apperson	1440100015A	26.23
Ronald McManus, et al.	1530100043	119.85
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Hazel M. Richardson & LA Richardson	1530100002	39.76
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J. Rosalie Will, Trustee	1440100010	40.00
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Total:		<u>1,182.23</u>

3. That pursuant to Sections 15.2-4312 and 15.2-4313 of the Act, the Board of Supervisors requires that no parcel in the District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCFs), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
- b. No land outside the Primary Service Area and within the District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.

Ruth M. Larson

Ruth M. Larson
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MC GLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2018.