



PLANNING DEPARTMENT

DATE: May 14, 2021
 TO: Agricultural & Forestal District Advisory Committee
 FROM: Sheri L. Adams, AFD Program Administrator, Planning Department *sla*
 RE: **AFD-02-21, Re-Creation of York River AFD**

REQUEST

The **York River** Agricultural and Forestal District (AFD) is set to expire on August 31, 2021 as a result of last years deferral. The district currently consists of 53 parcels totaling approximately 2,897.98 acres. All members of the district were contacted by the Planning Department and informed of the extended expiration date.

All members indicated their desire to continue their membership in the district and request the district be re-created. The supporting response letters are included in your meeting packet and all previously approved land uses continue to be reported annually to the Commissioner of Revenue.

PUBLIC HEARINGS

Planning Commission: tentatively Monday, June 21, 2021
 Board of Supervisors: tentatively Monday, July 12, 2021

LOCATION

The **York River** District is in far the Northeastern corner of the County. James City County borders it to the East and the York River to the North. State Routes 600 and 601 both run through much of the District.

PROPERTY INFORMATION

TM#: 37-57	GPIN: G30-0217-4336
TM#: 47-1	GPIN: F31-1719-1606
TM#: 39-13	GPIN: G34-1107-0548
TM#: 47-19	GPIN: E33-2726-3435
TM#: 47-4	GPIN: F31-2884-4192
TM#: 47-6C	GPIN: F32-2217-3462
TM#: 47-4G	GPIN: G31-2584-0155
TM#: 39-22	GPIN: G34-2517-2918
TM#: 47-2	GPIN: F31-0483-2976
TM#: 47-3	GPIN: F31-1779-4957
TM#: 47-2A	GPIN: F31-1594-3519
TM#: 48A-1-3	GPIN: F34-1001-1970
TM#: 48A-1-5	GPIN: F34-0642-1751

TM#: 38-77	GPIN: H32-3570-3145
TM#: 38-60	GPIN: H33-1074-4820
TM#: 47-25A	GPIN: F33-3099-1888
TM#: 47-9A	GPIN: F32-3678-3065
TM#: 38-47	GPIN: G32-1800-1650
TM#: 38-93	GPIN: G33-1646-0420
TM#: 39-12	GPIN: G34-0753-1979
TM#: 39-15	GPIN: G34-2058-2377
TM#: 47-10	GPIN: F32-3337-1152
TM#: 47-44	GPIN: F33-0911-4331
TM#: 47-45	GPIN: G33-0963-0034
TM#: 47-11	GPIN: F32-4008-1901
TM#: 47-12	GPIN: F32-4032-1557
TM#: 47-13	GPIN: F32-4054-1218
TM#: 38-17	GPIN: H31-3173-3534
TM#: 38-18	GPIN: H31-3518-3760
TM#: 38-19	GPIN: H31-3256-2797
TM#: 38-12B	GPIN: I32-0767-0526
TM#: 38-12C	GPIN: H32-0834-4734
TM#: 38-12	GPIN: I32-0358-0212
TM#: 38-13	GPIN: I32-0358-0212
TM#: 38-12E	GPIN: H32-0671-4640
TM#: 38-31	GPIN: I31-3228-1007
TM#: 38-30	GPIN: I31-2605-0594
TM#: 48-17	GPIN: F34-0749-2418
TM#: 39-17	GPIN: G35-0720-1048
TM#: 38-46	GPIN: F31-3865-5153
TM#: 38-46A	GPIN: G31-3597-1039
TM#: 47-9	GPIN: F32-3396-2613
TM#: 38-15	GPIN: H31-4020-4444
TM#: 38-16	GPIN: H31-3719-4036
TM#: 38-41	GPIN: H31-2142-2626
TM#: 38-42	GPIN: H31-1481-1871
TM#: 39-23	GPIN: G34-3327-3966
TM#: 47-24	GPIN: F33-3054-1309
TM#: 48-9	GPIN: E34-0402-3608
TM#: 38-89	GPIN: G33-2010-3654
TM#: 38-83	GPIN: H33-3018-0861
TM#: 38-92	GPIN: G33-1639-1787
TM#: 47-6	GPIN: F32-1750-2034

Total 2020 Assessed Value: **\$ 16,077,800.00**

Current Zoning: **A-1**

COMPREHENSIVE PLAN

The Comprehensive Plan designates portions of this area for **RURAL LANDS** along Route 60 for those parcel not directly on the water. The Comprehensive Plan provides the following definition for Rural Lands:

***Rural lands** – The designation of Rural Lands is the most extensive designation on the Land Use map, representing the majority of land contained within the County. Rural Lands incorporate traditional rural development patterns including agriculture and silviculture. Rural lands contain historic sites, including historic commercial sites such as general stores, mills, etc. and the preservation and perpetuation of these sites and activities is allowed and encouraged. Rural Lands are also intended to include very low-density housing in cluster or open space developments or on very large lots. The intensity of development in Rural Lands as a whole is to be kept at low levels; however, the spot intensity of a particular development in a specific location may be greater than in other areas because of density trades or the use of open space development techniques. Rural Lands are not intended to be served by public utilities and the existence of utilities along a corridor is not to be viewed as sufficient reason for increasing the intensity of use.*

By renewing these parcels into the AFD Program, the properties could not be developed into a more intense use and would promote consistency with the intent of the rural lands' future land use designation in that "the intensity of development in Rural Lands as a whole is to be kept at low levels".

COUNTY CODE REQUIREMENTS

The use of Agricultural and Forestal Districts by counties is authorized by the Code of Virginia as a way of preserving agricultural and forestal production for commercial and environmental purposes. They provide landowners with certain tax benefits and restrictions on public utility and government actions to protect the agricultural and forestal use of the land. Typically, landowners agree not to subdivide their land to a more intensive non-agricultural or non-forestal use during the term of the district. In return, the government agrees to provide various protections from non-agricultural and non-forestal interference and development pressure. The Code of Virginia Chapter 43 and the New Kent County Code of Ordinances Chapter 62 discuss these requirements at length.

In general, land being considered for inclusion in a district may be evaluated by the following factors:

- a) The Agricultural and Forestal significance of the land within the District and area adjacent thereto;
- b) The presence of any significant Agricultural lands or significant Forestal lands within the District and in areas adjacent thereto that are not now in active Agricultural Forestal production;
- c) The nature and extent of land uses other than active farming or forestry within the District and in areas adjacent thereto;
- d) Local development patterns and needs;
- e) The Comprehensive Plan and, if applicable, the Zoning Ordinance;
- f) The environmental benefits of retaining the lands in the District for agricultural and/or forestal uses, and;
- g) Any other matter which may be relevant.

RECOMMENDATION

The district appears to comply with the requirements of State and County codes regulating the Agricultural and Forestal District Program. The request also promotes land use patterns that are consistent with the current Comprehensive Plan. Therefore, staff recommends the re-creation of the York River AFD.

SUGGESTED MOTIONS

____I move to forward a favorable recommendation to the Planning Commission and Board of Supervisors to approve application **AFD-02-21**, a request to re-create of the York River AFD for a period of ten years

OR

____I move to send an **unfavorable** recommendation to the Planning Commission and Board of Supervisors of application **AFD-02-21** for the following reasons:

Charles Moss, Chairman,
AFD Advisory Committee

Date

Attachments: District Renewal Response Letters
York River District Map

Cc: York River AFD Applicants
File AFD-02-21