

# **BOARD OF SUPERVISORS WORK SESSION**

## **GOVERNMENT CENTER BOARD ROOM**

**JULY 27, 2010 - 4 P.M.**

### **A. Call to Order**

### **B. Roll Call**

### **C. Board Discussions**

1. Chesapeake Clean Water Act
2. Agricultural and Forestal Districts ([Attachment](#))

### **D. Closed Session**

1. Consideration of a personnel matter, involving the annual performance evaluation of the County Attorney pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
2. Consideration of a personnel matter, involving the annual performance evaluation of the County Administrator pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

### **E. Break**



# **Land Use Assessments and Agricultural and Forestal Districts (AFDs)**

July 27, 2010




## ***Introduction***


### **Worksession Presentation**


Overview – land use assessments  
and Agricultural and Forestal Districts (AFDs)


Topics for Discussion


Requested Policy Guidance from Board


	<b>Overview</b>
<p>What are land use assessments? Four categories of property can be assessed and taxed based on use rather than market value</p> <p>Agricultural      Horticultural Forestal          Open Space</p>	
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	<b>Overview</b>
<p>Land use assessments allowed in JCC Agricultural and Horticultural have been approved as either part of an AFD or as separate parcels Forestal land use assessments permitted only for properties in an AFD Open space has not been adopted</p>	
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	<h2><b><i>Overview</i></b></h2>
<p><b>What are the purposes of land use assessments?</b></p> <ul style="list-style-type: none"> <li>Encourage preservation and proper use of qualifying properties</li> <li>Ameliorate pressures which force the conversion of qualifying properties to more intensive uses</li> <li>Promote and encourage a rural economy</li> <li>Encourage green and open space within JCC</li> </ul>	


	<h2><b><i>Overview</i></b></h2>
<p><b>Land use assessments illustrated:</b></p> <ul style="list-style-type: none"> <li>Market value \$10,000/acre; land use value \$400/acre, taxes on \$400 assessment</li> <li>Market value \$30,000/acre; land use value still \$400/acre, taxes on \$400 assessment</li> </ul> <p><b>Annual revenue deferred - \$1,044,000</b></p>	


	 <p style="text-align: right;"><b><i>AFD s</i></b></p>
	<p><b>Agricultural and Forestal Districts</b></p> <p>State enabled – minimum core of 200 acres; terms of between 4 and 10 years; voluntary participation by property owners</p> <p>If properties in an AFD are used for agricultural/forestal uses - properties qualify for land use assessment even in absence of local land use ordinance</p> <p style="text-align: right;">7</p>


	 <p style="text-align: right;"><b><i>AFDs</i></b></p>
	<p><b>What are the benefits to landowners?</b></p> <ul style="list-style-type: none"> <li>■ Assurance that most AFD land qualifies for land use assessments</li> <li>■ Protection of land against development pressures</li> <li>■ Protection against certain local ordinances</li> </ul>


	 <p style="text-align: right;"><b><i>AFDs</i></b></p>
	<p><b>What are the benefits to James City County?</b></p> <ul style="list-style-type: none"><li>■ Promotes preservation of agricultural and forestal lands for designated terms</li><li>■ Provides incentives for these uses to continue in spite of development pressure</li><li>■ Provides for large, often contiguous, open space throughout the County</li></ul>

	 <p style="text-align: right;"><b><i>AFD s</i></b></p>
	<p><b>Statistical information from July 2010:</b></p> <ul style="list-style-type: none"><li>■ 14 total Districts spread across the County</li><li>■ Approximately 17,000 acres or 26.56 sq. miles</li><li>■ 15.11% of total County Area</li><li>■ 11 of the 14 existing districts established in 1986</li></ul>

	<b><i>AFD s</i></b>
<b>Statistical information since 2002:</b>	
<ul style="list-style-type: none"><li>■ 5 Districts have seen no change at all</li><li>■ 20 parcels have been withdrawn for a total of 1,053 acres withdrawn since 2002</li><li>■ 10 parcels have been added for a total of 526 acres added since 2002</li></ul>	

	<b><i>AFD s</i></b>
<b>Term lengths for the Districts:</b>	
<ul style="list-style-type: none"><li>■ 12 Districts have a four-year term</li><li>■ 1 District has a six-year term</li><li>■ 1 District has an eight-year term</li><li>■ Term lengths were established during District creation</li><li>■ A survey conducted prior to the 2006 renewal concluded that property owners were not supportive of longer terms</li></ul>	

	<b><i>AFD s</i></b>
<b>AFD acreage inside the PSA:</b>	
<ul style="list-style-type: none"> <li>■ 7 of the 14 Districts have acreage located inside the PSA</li> <li>■ Approximately 1,500 acres of AFD land is located inside the PSA</li> <li>■ Approximately 9% of total AFD area</li> <li>■ 3 districts are completely inside the PSA (Williamsburg Farms, Armistead, Carter's Grove)</li> </ul>	

	<b><i>Topics for Discussion</i></b>
<b>Withdrawal policies for AFDs:</b>	
<p>Different BOS policies for land inside and outside of the PSA, adopted in Sept 1996</p>	
<p>“ . . . lands within the PSA are intended for urban development at some point in the future . . . lands outside the PSA are expected to remain in agricultural and forestal use in the long term.”</p>	





## ***Topics for Discussion***

### **Composition of the AFD Advisory Committee:**

10 members with indefinite terms


All members currently from either Stonehouse or Powhatan District





## ***Topics for Discussion***


Explore Changes in State Legislation

Seek legislative approval to create special purpose AFDs with a 20 acre minimum

	<b><i>Topics for Discussion</i></b>
<p>Conditions for including parcels in AFDs</p> <p>Limit use value assessments for agricultural uses to properties within an AFD</p>	
<p>17</p>	

	<b><i>Topics for Discussion</i></b>
<p>Conditions for including parcels in AFDs</p> <p>Minimum parcel size of 5 acres, rather than 20 acres currently in AFD agreements</p>	

	<h2><b><i>Topics for Discussion</i></b></h2>
<p>Conditions for including parcels in AFDs Demonstrated public benefit</p>	<p>Discussion of current application 3889 News Road, 179 acres, previously in an AFD, withdrawn as part of the Fords Colony CCRC project, now wishes to re-enroll in AFD and receive use-value assessments</p>
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	<h2><b><i>Topics of discussion</i></b></h2>
<p>Alternative opportunities for property owners:</p>	<ul style="list-style-type: none"> <li>■ Purchase of Development Rights</li> <li>■ Conservation Easements</li> </ul>



## ***Board Guidance***

Questions and/or comments

Policy Guidance – changes in policies for additions or withdrawals from AFDs; composition and terms of advisory committee;