

MINUTES
JAMES CITY COUNTY AFD ADVISORY COMMITTEE
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
July 18, 2024
4:00 PM

A. CALL TO ORDER

Mr. Bruce Abbott called the Agricultural and Forestal District (AFD) Advisory Committee meeting to order at 4 p.m.

B. ROLL CALL

Present:

Bruce Abbott, Vice Chair
Richard Bradshaw
Loretta Garrett
David Hogue
Sandy Wanner
Barbara Null
Payton Harcum
William Harcum
Will McElfresh

Absent:

Chris Taylor

Staff:

Josh Crump, Principal Planner
Paxton Condon, Deputy Zoning Administrator/Senior Planner

C. MINUTES

1. Minutes of the April 18, 2024, Regular Meeting

Ms. Garrett made a motion to approve the Minutes.

On a voice vote, the Committee approved the Minutes of the April 18, 2024, Regular Meeting.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. AFD-24-0003. 9812 Old Stage Road Barnes Swamp AFD Withdrawal

Ms. Paxton Condon, Deputy Zoning Administrator/Senior Planner made a presentation to the Committee on the proposed withdrawal. Ms. Condon stated that Mr. David Nice has requested to withdraw approximately 15 acres of an approximately 188.68-acre parcel from the Barnes Swamp AFD. The requested withdrawal is to allow for the operation of an event venue, which will also require a Special Use Permit (SUP) which the applicant intends to submit in the near future. Ms. Condon stated that staff cannot support this request for withdrawal due to it not fully meeting all four of the criteria set forth in the Board's policy. Ms. Condon stated that staff recommends that the AFD Advisory Committee recommend denial of this request.

Mr. Nice addressed the Committee in support of the request.

Ms. Garrett inquired about the location of the portion to be withdrawn.

Discussion ensued to clarify the meets and bounds of the area to be withdrawn and what existing structures would be incorporated.

Mr. Abbott inquired about staff's recommendation to recommend denial based on the Board of Supervisors' withdrawal policy.

Ms. Condon stated that the withdrawal met only two of the requirements which were that the request would not cause damage or disruption to the existing District and if the request for withdrawal is in conjunction with a proposal to convert the land use of a property to a different use than is currently in place, the new land use would be in conformance with the Comprehensive Plan. Ms. Condon noted that the District would still meet minimum acreage requirements. Ms. Condon noted that the proposed use could be compatible provided that appropriate conditions are in place.

Mr. McElfresh inquired how long the parcel had been enrolled in the AFD.

Mr. Nice stated that he had enrolled the parcel in the AFD when he acquired it.

Mr. Abbott inquired how many years were left before the AFD renewal.

Mr. Crump stated that 2026 is the renewal year.

Ms. Garrett inquired about rollback taxes.

Mr. Bradshaw stated that he was not certain what the tax implications would be. Mr. Bradshaw noted that part of the parcel was changing from one agricultural use to another, and part of the parcel was already not receiving land use valuation.

Mr. Abbott noted that the event facility would bring more revenue.

Mr. Nice noted that his proposed project is in line with the goal of allowing property owners to make good economic use of their property while also preserving rural lands.

Mr. Nice further noted that the ground cover would not be changing drastically.

Mr. Bradshaw stated that cultivated agricultural land still qualifies for land use valuation even if it is not in an AFD.

Mr. Peyton Harcum made a motion to recommend approval of the withdrawal.

Ms. Garrett seconded the motion.

On a voice vote, the AFD Committee voted to recommend approval of the withdrawal. (8-1)

Mr. Bradshaw noted that his vote against the withdrawal was because he believes that properties enrolled in an AFD should not be removed prior to the term expiration.

Mr. Crump noted that this parcel was part of the original AFD when it was part of the Hazelwood Farm.

F. DISCUSSION ITEMS

Mr. Crump inquired about the Committee's interest in having signs similar to the ones in Louisa County to draw attention to the AFD program. Mr. Crump noted that he had not yet looked into cost or potential implantation.

The Committee was generally supportive of the idea; however, it was also noted that signs might have to be moved frequently to account for withdrawals. The Committee further discussed how the signs could be implemented on individual parcels.

Mr. Crump stated that he would reach out to Louisa County and find out more about its sign program.

Mr. Abbott shared information with the Committee on the potential for parcels in an AFD to be enrolled in Purchase of Development Rights programs or other conservation programs.

Mr. Bradshaw cautioned that AFDs are voluntary participation which can be terminated where conservation easements are permanent.

The Committee discussed pros and cons related to conservation easements.

Mr. Abbott noted that because the conservation easements were permanent protections it was recommended not to enroll until the AFD term was about to expire.

Mr. McElfresh inquired if there was a minimum size for the conservation easement.

Mr. Abbott stated that there was no minimum acreage requirement.

Ms. Null noted that the parcels could also have different ownership.

G. ADJOURNMENT

Mr. Hogue made a motion to adjourn.

Ms. Garrett seconded the motion.

On a voice vote, the meeting was adjourned at approximately 4:24 p.m.

Susan Istenes, Secretary

Bruce Abbott, Vice Chair