




DATE: May 16, 2019
TO: Agricultural & Forestal District Advisory Committee
FROM: Sheri L. Wood, Planning Department 
RE: **AFD-05-19**, Addition to the **Pelham Swamp** AFD

REQUEST

The applicant, Margie P. Harrison, has applied to add approximately 334.82 acres to the **Pelham Swamp** Agricultural and Forestal District (AFD). The **Pelham Swamp** AFD currently consists of approximately 30 parcels totaling 2,466 acres and expires August 31, 2025.

PUBLIC HEARINGS

Planning Commission: June 17, 2019
Board of Supervisors: July 8, 2019

PROPERTY INFORMATION

Tax Map Parcels: 22-30, 22-31 and 22-47
GPINS: K13-4076-5155, L14-1299-1755 and L14-2400-2912 respectively
Total Acreage: $123.40+206.42+5.00=334.82$
Dwellings on Parcel: One Primary Dwelling, horse stable, sheds
Zoning: A1, (see also O-25-17 (R2))
Future Land Use Designation: RURAL LANDS
Current total assessed value: \$ 1,997,700.00
Public Utilities: None

LAND USE

Acres Devoted to Pasture: $27.58+6.42=34.42$ (hay production)
Acres Devoted to Marsh/Wetlands: 0
Acres Devoted to Tilled Cropland: 0
Acres Devoted to Timber: $95+200+5=300$ (timber production)

LOCATION

The Pelham Swamp District is centrally located in the County. Its center is roughly 3 miles North of Interstate 64 and slightly west of New Kent Courthouse. State Route 249 passes through the majority of the District.

COMPREHENSIVE PLAN

The Comprehensive Plan designates this area for RURAL LANDS. 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 placing these properties into the AFD program, the property 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 agriculture and forest 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 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 or non-forestal interference and development pressure.

According to law, a district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district if the nearest boundary of the parcel is within one mile of the boundary of the core (or if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core).

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 Forestal uses, and;
- g) Any other matter which may be relevant.

RECOMMENDATION

The request appears to comply with the requirements of State and County codes regulating AFDs. The request also promotes land use patterns that are consistent with the Comprehensive Plan. Staff finds that adding the subject properties into the AFD program would conserve and protect commercially-viable agricultural and forestal lands, staff therefore offers a favorable recommendation for application **AFD-05-19**.

SUGGESTED MOTIONS

_____I move to forward a favorable recommendation to the Planning Commission and Board of Supervisors to approve application **AFD-05-19**, a request by the applicant to add following parcel to the **PELHAM SWAMP** AFD:

TM# 22-30, GPIN K13-4076-5155
TM# 22-31, GPIN L14-1299-1755
TM# 22-47, GPIN L14-2400-2912

OR

_____I move to send an unfavorable recommendation to the Planning Commission and Board of Supervisors for the approval of **AFD-05-19** for the following reasons:

Charles Moss, Chairman	Date
AFD Advisory Committee	

Attachments: Applications combined as AFD-05-19
 Vision Reports, Deeds & Ordinances
 Soil Reports
 Agricultural Field Inspection Photos
 Forestry Reports
 List of Adjacent Property Owners
 Parcel Maps
 Pelham Swamp District Map

Cc: Applicant
 File AFD-05-19