

October 20, 2005

PRESENT: Dr. Charles W. Curry, Chairman  
William Bashaw  
Bruce M. Bowman  
Kitra A. Shiflett  
Larry C. Howdyshell  
Betty Jo Hamilton  
Clay Hewitt  
Mark Grove  
Larry Shiflett  
Dale L. Cobb  
Beatrice B. Cardellicchio-Weber

OTHERS PRESENT: Tom Stanley, Extension Office

ABSENT: Charles C. Schooley, Vice Chairman  
Garland Martin

VIRGINIA: Meeting of the Agricultural Task Force Committee held on Thursday, October 20, 2005, at 7:00 P.M., in the County Government Center, Verona, Virginia.

\* \* \* \* \*

Chairman Curry asked if there was any changes or a motion to approve the minutes from the October 6, 2005 meeting?

Ms. Hamilton stated that the Virginia Beef Industry Council has something similar to the Agricultural Advisory Board. She stated that she would like to amend the minutes.

Ms. Shiflett moved that the minutes be approved as amended.

Mr. Hewitt seconded the motion, which carried unanimously.

Chairman Curry stated that there were no items in the suggestion box.

Chairman Curry stated that before the committee looks at the report he would like to adopt the "Procedures for Considering Findings and Recommendations to Publish for Public Input" report.

Ms. Hamilton moved that they be adopted.

Mr. Bowman seconded the motion, which carried unanimously.

Chairman Curry stated that the committee would look at the findings and the recommendations in the report. He stated that the italic information is the supporting data for the finding.

October 20, 2005

### **Finding #1**

Productive agricultural land is being lost to agricultural production at an unacceptable rate.

- ☒ In the 2005 Comprehensive Plan Survey, 67% of respondents said "rapid development" is one of the three worst problems facing Augusta County.
- ☒ In the 2005 Comprehensive Plan Survey, 59% of respondents said "loss of agricultural land" is one of the three worst problems facing Augusta County.
- ☒ In the 2005 Comprehensive Plan Survey, 65% of the respondents agreed that they would be willing to pay additional taxes to "protect agriculture and forestry".
- ☒ In the 2005 Comprehensive Plan Survey, 65% of the respondents agreed that they would be willing to pay additional taxes to "create incentives for farmland preservation."
- ☒ Prime farmland soils are lost at twice the rate of less productive land.
- ☒ The USDA has a program called Farmland and Ranchland Protection Program with a 50% match for the purchase of development rights.
- ☒ The USDA also has the Grassland Reserve Program in which 100% is paid for the purchase of development rights. Land placed in this program can only be used for grass and hay. Trees, grapes, livestock, cannot be grown on this land.
- ☒ In the USDA programs most easements are worth 30% of the appraised value of the property.

Mr. Cobb stated that the Comprehensive Plan Final Survey Results memo supports the first four items. He stated that the rest should be supported by Bobby Whitescarver's presentation but staff is still waiting to hear from Bobby Whitescarver.

Ms. Hamilton stated that she does not think livestock was included in the Grassland Reserve Program. She asked staff to check on that data.

Mr. Shiflett stated that he believes that you could have livestock.

Ms. Shiflett moved that Finding #1 be included in the report, which carried unanimously.

### **Recommendation #1a**

The county government should establish a Purchase of Development Rights (PDR) Program for the Exclusive Agriculture zone.

### **Additional Suggestions:**

Consider applications in General Agriculture

Various sources of funds should be used for the Purchase of Development Rights.

### **Change Recommendation #1a to read:**

The County government should establish a Purchase of Development Rights (PDR) Program for the Agriculture Conservation Policy Area of the Comprehensive Plan.

October 20, 2005

**PDR Subcommittee Suggestion (replace above recommendation):**

Augusta County should establish a Purchase of Development Rights (PDR) program under the direction of the Director of Agriculture Development and with the leadership and discretion of the Agriculture Industry Council. PDRs should be made available to farming landowners in areas with Exclusive and General Ag Zoning.

The Task Force strongly recommends the inclusion of Installment Purchase Agreements (IPAs) as part of the PDR program.

Augusta County should establish a dedicated and permanent source of funding at an appropriate level to sustain a viable PDR program.

Ms. Hamilton stated that she and Mr. Bowman worked together to come up with ideas for a PDR recommendation. She stated that is what she and Mr. Bowman are leaning toward. She stated that Recommendation #1a and #1b should be reversed.

Ms. Shiflett and Mr. Hewitt agreed with the subcommittee's recommendation.

Mr. Shiflett stated that a funding source should be established.

Mr. Grove stated that he agrees with the subcommittee's suggestion.

Mr. Bashaw stated that they should consider applications in General Agriculture zoning.

Chairman Curry stated that he likes the subcommittee's recommendation. He stated that there should be a tool to keep an incentive for the land being zoned Exclusive Agriculture. He stated that on page five of Steve Rosenberg's memo answers the question whether there are term PDRs allowed in Virginia or are we limited to permanent PDRs.

Mr. Hewitt moved that recommendation #1a be tabled until they have read through the memorandum from the County Attorney. Six committee members were in favor of tabling the recommendation and two were opposed.

**Recommendation #1b**

The county government should initiate the PDR program after the Agricultural Program Coordinator and Sustainable Agricultural Program Advisory Committee are on board.

**Additional Suggestions:**

PDR program should be implemented ASAP

**Change Recommendation #1b to read:**

The County government should designate a person to the Agricultural Program Coordinator and appoint a Sustainable Agricultural Program Advisory Committee to facilitate the PDR program and other programs to sustain agriculture.

October 20, 2005

**PDR Subcommittee Suggestion (replace above recommendation):**

Augusta County needs to establish an organizational framework to address and manage this problem on a current and ongoing basis. To do so, the county should establish an Agriculture Industry Council (AIC) and Director of Agriculture Development (DAD). The AIC should be comprised of individuals who are farmers or work in an ag-related field. Augusta County Board of Supervisors should determine the number of members needed to effectively operate the council with its members appointed by the Board of Supervisors. The AIC should work at the discretion of and in concert with the Board of Supervisors to review any issues related to agriculture which arise in Augusta County.

Augusta County should establish the DAD as a full-time staff position. This individual will work with the AIC to consider issues related to agriculture in the county. The DAD will serve as the executive director of the AIC which will function with a chairman and a vice chairman.

Ms. Hamilton stated that in order to manage or handle a program the organizational framework would need to be setup. She stated that after that has been established there has to be a full time person to address the concerns of the programs towards sustaining agriculture.

Mr. Bowman stated that recommendation #1a and #1b needs to be switched around.

Mr. Shiflett stated that there is some value with this program.

Ms. Shiflett stated that there is a lot of value in it. She stated that tabling recommendation #1a is not throwing it out but just a matter of tabling the recommendation. She stated that this should be the first item that gets done. She stated that there has to be an advocate. She stated that Rockingham County did not have an advocate and they did not go anywhere with their report.

Mr. Bowman stated that the Board of Supervisors put this money aside and the Board should consider an advocate.

Mr. Howdysell stated that internal administration may be able to take on this task.

Mr. Grove stated that they need someone on the ground. He stated that the farmers need someone to contact. He stated that the County is willing to spend the money to help farmers and they should implement some of the suggestions that this committee does have.

Mr. Bashaw stated that PDRs are a good thing if it puts money in the hands of the farmer. He stated that they do need people to handle the job. He stated that someone will have to administer the programs and stick to the rules.

Chairman Curry stated that many counties have a staff person that deals with agriculture. He stated that Virginia Beach has four of them.

October 20, 2005

Ms. Hamilton moved that the recommendation #1b be approved and moved so that it is before recommendation #1a. The motion carried unanimously.

### **Recommendation #1c**

The county should aggressively pursue legislation that permits the use of Transferable Development Rights as a private sector revenue source for the Purchase of Development Rights program.

Mr. Bowman stated that this might be worth pursuing.

Mr. Grove stated yes.

Mr. Bashaw stated yes.

Ms. Shiflett moved that the recommendation be approved. Five committee members were in favor of the recommendation, two opposed, and one abstained from the vote.

### **Recommendation #1d**

Augusta County should design a model program for utilizing transfer of development rights. The Agricultural Conservation and Rural Conservation policy areas should be designated as sending areas and the Community Development and Urban Service policy areas should be designated as receiving areas. A sliding scale should be used to grant bonus development credits in Urban Service policy areas. The county would establish a transfer credit bank and utilize this private sector fund to purchase development rights from the sending area according to the PDR program. Augusta County should lobby the State Legislature to grant Augusta County special legislation to implement a model transfer of development rights program for the preservation of farmland.

### **Additional Suggestions**

We need to study PDR programs more closely with the County funding and the availability of other funding before we develop a plan.

Chairman Curry stated that this would need special legislation.

Mr. Cobb stated that recommendation #1d needs some more explanation. He stated that he is not sure if the committee needs recommendation #1c and #1d. He stated that the recommendations should be limited to a handful.

Ms. Hamilton stated that she agrees with Mr. Cobb. She stated that she and Mr. Bowman have discussed this. She stated that recommendation #1c may be all the committee needs.

Mr. Shiflett stated that he agrees with Mr. Cobb.

Ms. Shiflett stated that the report should be kept concise and easy to read. She stated that they need room to negotiate.

October 20, 2005

Mr. Bowman, Mr. Hewitt, Mr. Howdyshell, and Mr. Grove stated that they agree.

Mr. Bashaw stated that recommendation #1d is specific and #1c is general.

Chairman Curry stated that he does agree that it is too much and it should be deleted from the report.

### **Finding #2**

The total number of farms in Augusta County is declining and within the total number of farms the number of traditional family farms are decreasing at an alarming rate while the number of small farms and large corporate farms are increasing.

- ▣ The 2002 census reported a reduction of 125 farms or 7% since 1997.

The Census of Agriculture for 2002, 1997, 1992, and 1987 implies that the number of farmers that report farming as their principle occupation has actually been relatively stable with a dip downward in 1997 and recovery in 2002. This is due, I believe, to two factors: 1) the growth of the poultry industry in the Valley through the 1980's into the early nineties and 2) farm operators that retired with pensions from life-long off-farm careers in the 1990's but reported farming as their principle occupation for the Ag Census in 1997 and 2002. The 2002 Ag Census provides a breakdown of farms in the gross receipt categories of \$100,000 - \$249,999; \$250,000 – 499,999; and \$500,000 or more. Unfortunately, the 1987, 1992, and 1997 Censuses each only have a single category for farms with gross sales of \$100,000 or more. Two of the three types of farms cited in finding #2 (traditional family farms and large corporate farms) are found almost exclusively in the group of farms with total sales of \$100,000 or greater. With only one data point (2002), we cannot know what the trend has been for Augusta County farms in these larger farm categories over the past decade. However, there is ample evidence for the trend cited in Finding #2, both nationally in USDA reports and longer-term data for Virginia.

Mr. Cobb stated that the wording on the “family farms are decreasing at an alarming rate” should be chosen carefully.

Mr. Stanley stated that the support data below that statement is his and it is in the census.

Ms. Hamilton stated that the total number of farm acres is decreasing. She stated that she is not sure how they would define the traditional family farm.

Mr. Shiflett stated that small farms and large corporate farms are not relevant. He stated that you would be putting one side against the other.

Ms. Shiflett stated that the traditional family farm is hard to quantify. She stated that there are few full time farmers. She stated that the finding should read the total number of farm acres in Augusta County is declining in the last decade.

Mr. Bowman stated that he agrees.

October 20, 2005

Mr. Cobb stated that he does have support data showing that the acres have declined in the last ten years.

Mr. Hewitt stated that the committee should not designate small or large farms.

Chairman Curry asked if the number of corporate farms are increasing?

Mr. Stanley stated that in 1997 there were seven and in 1995 five.

Mr. Grove stated that he agrees with changing the wording.

Chairman Curry stated that with this finding there were no recommendations.

Ms. Shiflett stated that this statement could be supported with staffs report.

Ms. Shiflett moved that finding #2 be amended to read: The total number of farm acres in Augusta County is declining in the last decade with the support data from staff. The motion carried unanimously.

Mr. Cobb stated that staff could come up with a recommendation on this finding.

### **Finding #3**

The number of houses built in Augusta County each year has remained fairly stable over the past decade.

- ☒ There are between 400 and 500 new single-family dwellings constructed in Augusta County each year.
- ☒ Developers will construct this number of dwellings in agriculture or residential districts. It is wherever they can get the lots.

- Augusta County Building Inspection Department, 2004 Annual Report

Chairman Curry stated that the demand is stable.

Mr. Bowman stated that there are no arguments with the facts.

Mr. Bashaw moved that finding #3 be approved, which carried unanimously.

### **Finding #4**

Even with a Comprehensive Plan target of less than 20% (less than 10% in each category) of the residential development occurring in the Agricultural Conservation and the Rural Conservation policy areas combined, 23.4% of residential building permits for 2003-2004 were located in those areas. 49.3% of the building lots were created in agricultural zoning during 2004.

October 20, 2005

- ☒ 14.9% of residential building permits for 2003-2004 were located in the Agricultural Conservation Areas.
- ☒ 40.3% of new lots created in 2004 were created in General Agriculture zoning districts.
- ☒ 9% of new lots created in 2004 were created in Exclusive Agriculture zoning districts.
- ☒ In the 2005 Comprehensive Plan Survey, 74% of the respondents agreed that "when new housing is built, it should be located in and around existing communities."
- ☒ In the 2005 Comprehensive Plan Survey, 69% of the respondents disagreed that "all landowners...should be free to build whatever they want, whenever they want."
- ☒ In the 2005 Comprehensive Plan Survey, 71% of the respondents agreed that they "...would support higher densities, smaller lots, and flexible neighborhood design in designated areas to help protect agricultural and open space areas."
- ☒ The revision of the comprehensive plan was ranked by the task force as the number three opportunity for preserving and promoting agriculture in Augusta County.
  - Augusta County Comprehensive Plan 2005-2025 Existing Conditions Analysis, October 3, 2005
  - Final Survey Results Memo, Jeremy Sharp, August 17, 2005

Mr. Bashaw stated that this is a fact and there is no argument.

Chairman Curry stated that he would like to add all of the good things that previously occurred in Augusta County to that finding.

1. The 1994 Comprehensive Plan setup growth areas (Urban Service Areas) and agricultural preservation areas (Agricultural Conservation Areas).
2. Agricultural Forestal Districts were setup that temporarily preserved four Agricultural Forestal Districts that contain 20,769 acres.
3. Over the last couple of decades the subdivision ordinance was changed to reduce the number of lots to be created per calendar year.

Ms. Hamilton moved the finding be approved as amended, which carried unanimously.

#### **Recommendation #4a**

The county government should design and implement sliding scale zoning that limits the number of lots that can be created per boundary of contiguous parcels under common ownership in agriculture zones.

Chairman Curry stated that the County Attorney's comments contained a good amount of information. He stated that he answered if the sliding scale zoning could be implemented using contiguous tracts rather than each parcel to establish a scale. He stated that on page four of the County Attorneys memo included the question if the county government has the authority to restrict sliding scale zoning to agricultural zones. He answered yes. The county can limit the application of sliding scale zoning to real properties located in agriculture districts.

October 20, 2005

Ms. Shiflett stated that she is part of the subcommittee to come up with some ideas on sliding scale zoning and tightening the zoning ordinance. She stated that she has compared different ordinances and came up with some suggestions. She stated that she looked at the current zoning ordinance, Rockingham County, and Clarke County. She stated that Clarke County does not have family member exception and they do not want development there. She stated that there may be problems administering the program. She stated that when this program was established there was not a problem because the land had not been divided yet.

Mr. Cobb stated that perk tests cut down the number of lots. He stated that the County Attorney could be asked if alternative systems could be regulated or not.

Chairman Curry stated that it should be added to the list for the County Attorney.

Ms. Hamilton moved that recommendation #4a be tabled, which carried unanimously.

**Recommendation #4b**

Augusta should consider time restrictions in their sliding scale zoning code to prevent development from happening all at once.

Mr. Bowman moved that recommendation #4b be tabled, which carried unanimously.

**Recommendation #4c**

The Exclusive Agriculture zoning should be amended to allow one lot to be created every five years if the parcel is over 40 acres. A parcel that is 40 acres or less should not be divided except to family members and the property owner must hold on to it for at least five years (Rockingham County).

Ms. Shiflett stated that Rockingham County's ordinance that includes the 40 acres is a year old. She stated that there is not much information on it.

Mr. Howdyshell stated that this is too specific and it should be deleted.

Chairman Curry stated that recommending sliding scale and lot restriction conflict with one another.

Mr. Bowman stated that he agrees.

Chairman Curry stated that recommendation #4d is the same idea but with General Agriculture.

**Recommendation #4d**

The General Agriculture zoning should be amended to allow one lot to be created every three years as long as the parcel is over six acres. Spousal division rights should be eliminated (Rockingham County).

October 20, 2005

Mr. Cobb stated that this should be under one recommendation.

Ms. Shiflett stated that both recommendation #4c and #4d should be tabled, which carried unanimously.

Mr. Bowman stated that Mr. Cobb should put those recommendations together under one.

Chairman Curry stated that the committee has gotten through the tough ones. He stated that the committee should look at the Principles and Assumptions page.

There being no further business, the meeting was adjourned.

\* \* \* \* \*

---

Chairman