

June 16, 2005

PRESENT: Dr. Charles W. Curry, Chairman
Kitra A. Shiflett
William Bashaw
Clay Hewitt
Larry C. Howdyshell
Larry Shiflett
Bruce M. Bowman
Mark Grove
Beatrice B. Cardellicchio

OTHERS PRESENT: Becky Earhart
Faye Cooper, Virginia Outdoors Foundation
John Eckman, Valley Conservation Council
John Hutchinson, Shenandoah Valley Battlefield Foundation
Kay Frye

ABSENT: Charles C. Schooley, Vice Chairman
Betty Jo Hamilton
Garland Martin
Dale L. Cobb

VIRGINIA: Meeting of the Agricultural Task Force Committee held on Thursday, June 16, 2005, at 7:00 P.M., in the County Government Center, Verona, Virginia.

Chairman Curry asked if there was a motion or any changes to the minutes of the June 2, 2005 meeting?

Ms. Shiflett moved to approve the minutes of the June 2, 2005 meeting.

Mr. Hewitt seconded the motion, which carried unanimously.

Chairman Curry stated that the committee members have received a list of the ranked items that are top priority. He stated that the committee should get a presentation on concentrated development, land use, sliding scale, and agricultural enterprise zones as soon as possible. He stated that the meeting on PDRs will take place at the July 7th meeting. He stated that he has gotten a request from Nancy Sorrells to speak on PDRs at the next meeting. He stated that staff should put Ms. Sorrells on the agenda for the July 7th meeting.

Ms. Earhart asked Chairman Curry if they wanted information on sliding scale lot creation or sliding scale land use?

Chairman Curry stated land use.

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Mr. Howdysshell stated that the Board approved \$2,000 plus expenses for Dr. Kohl to come and speak.

Ms. Earhart stated that Dr. Kohl will waive the \$2,000 honorarium. She stated that he would just need his expenses paid, as well as considering a donation to Virginia Tech.

Chairman Curry stated that he does not know if this would qualify under the grant. He stated that he is inclined to use the County funds for Dr. Kohl. He stated that staff should publicize him coming to speak.

Ms. Earhart stated that staff will advertise him coming to speak. She stated that the meeting will take place in the board room.

Mr. Bashaw asked how much did Dr. Kohl want donated?

Ms. Earhart stated he did not specify.

Chairman Curry stated that staff should work out all of the details.

Chairman Curry stated that the next item on the agenda is the suggestion box. He stated that staff should compile a list of all suggestions made. He read the items that were in the box. They are:

- Start a County program to control coyotes and vultures
- Make Augusta County a fence out county

Mr. Bashaw asked if it was against the law to shoot the vultures?

Chairman Curry stated that establishing a program will be different than shooting them.

Mr. Bashaw stated that Rockbridge has a fence out policy. He stated that if this County is a fence out County then you are not liable.

Chairman Curry stated that he thinks there is new legislation on fencing. He stated that staff should look into that.

Ms. Earhart stated that staff will have copies of that for the committee at the next meeting.

Chairman Curry stated that Ms. Earhart will speak about the Comprehensive Plan.

Ms. Earhart stated that with the first Comprehensive Plan in the seventies there was only a public hearing for citizens. She stated that the citizens of the County did not take very well to this. She stated that the plan was not a bad one, but there was no public support behind it. She stated that during the annexations by Staunton and Waynesboro, the fact that the County

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didn't have a Comprehensive Plan, which was required by the state, was stressed. She stated that in 1987 the County adopted a basic plan which served the County until 1994. She stated that with the election of a new Board in 1992 staff began work on a new plan. She stated they received a great deal of public participation with the revised Comprehensive Plan. She stated that the Comprehensive Plan is a guide that the Planning Commission and Board of Supervisors use when making decisions. She stated that the plan is not a law or an ordinance. She stated that the primary concepts of the plan are to promote a compact, coordinated, balanced, and orderly pattern of development. She stated that the committee has received a copy of the Comprehensive Plan map. She stated that there are seven main goals which are:

1. Maintain a low to moderate tax rate while providing adequate, yet cost-effective public services
2. Maintain the County's rural character and agricultural land uses
3. Minimize land use conflicts
4. Protect water resources and other critical environmental features
5. Balance geographic interests
6. Ensure that development regulations are fair and cost-effective
7. Foster economic growth

Ms. Earhart stated that the County wants Urban Service Areas in Weyers Cave, Fishersville, and Stuarts Draft. She stated that in these areas 60-70% or more of its future residential development and 80% or more of its commercial/industrial development. She stated that in Community Development Areas the County wants 20% of its future residential and 20% of its non-farm commercial/industrial development. She stated that with Rural Conservation Areas the overall density is one dwelling per five acres. She stated that in this area there is no public water or public sewer.

Chairman Curry stated that in Dale's presentation the average lot was eight acres in rural areas.

Ms. Earhart stated yes.

Chairman Curry stated that sometimes the size is reduced to five acres. He asked if the lot size was increasing in rural areas?

Ms. Earhart stated that in Rural Residential zoning, the minimum lot size is two acres. She stated that she does not have the data in front of her from Mr. Cobb's chart.

Ms. Earhart stated that in Agricultural Conservation Areas the overall density is one dwelling per ten acres. She stated that there are not many requests to have property rezoned in this area.

Ms. Earhart stated that they have forty specific goals when working on the Comprehensive Plan. The goals are in the following areas: Agriculture, Economy, Education, General Government, Historic Resources, Housing, Human Services, Land Use and Development, Natural Environment, Public Safety, Transportation, and Utilities.

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Ms. Earhart stated that with the economy goal, the plan was not a non-growth plan. She stated that the County looks to attract businesses with 300-500 employees. She stated that the County looks at businesses that are not too large because they do not want to be dependent on that one single industry.

Chairman Curry asked what the County's plans were on development (Toyota)? He stated that this item was on the committee's brainstorming list.

Ms. Earhart stated that she is not the best person to answer that question. She stated that Mr. Cobb is the best person to talk about economic development. She stated that the Board targets what is a good fit for the County.

Mr. Bashaw stated that the County needs a slaughterhouse.

Chairman Curry stated that if Ms. Earhart could find out more information on the County's economic development goals that would be useful.

Ms. Earhart stated yes.

Mr. Grove stated that Dupont should be replaced with something that is viable. He stated that they would need a fairly large employer to replace some of the jobs that were lost.

Mr. Howdysshell stated that the County is always looking for prospects. He stated that sometimes they get a number of hits and sometimes they can go a few months and there is nothing. He stated that with their own industrial park there are prospects but they demand a lot. He stated that the County looks at that and may not want to give in to all of the prospect's demands. He stated that some prospects they might never hear from again even though they contacted the County. He stated that industry has taken quite a hit.

Ms. Earhart stated that when Target came to the County they recognized the need for Target because the County needed to replace jobs from Genesco and Stanley Furniture.

Mr. Hewitt stated that when new industry comes to the County there would be a need for more housing. He asked which does the County want?

Mr. Bashaw stated that many historic sites have disappeared from Augusta County.

Ms. Earhart stated that the County has historical districts, but does not have a historical district ordinance.

Mr. Bashaw stated that there is nothing to protect our sites. He stated that in Greece they created historic sites in order to create more tourism. He stated that the County does need to protect their historic sites.

Ms. Earhart stated that several months ago the County received several proposals for updating the Comprehensive Plan. She stated that Ms. Shiflett was part of the Selection Committee.

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She stated that the Selection Committee interviewed three firms. She stated that they chose Kimley-Horn out of Charleston, WV. She stated that the committee thought the firm would bring creative ideas to the County. She stated that some major areas of concern are:

1. Agricultural, natural, and historic resource preservation
2. Capital facilities/infrastructure
3. Location of new growth
4. Residential development density
5. Transportation

Ms. Earhart stated that the Steering Committee is a fifteen member group. She stated that they meet monthly. She stated that the members represent diversity in backgrounds, geographic areas, ages, etc. She stated that the members are committed to a year long process and are genuinely interested in the process.

Mr. Bashaw asked if they would be contacting a variety of landowners for suggestions?

Ms. Earhart stated that everyone will have a chance to participate. She stated that the committee will collect data and identify goals. She stated that a public meeting will take place on October 17th for a large group gathering. She stated that the committee and the consultant would study land available for development by right countywide based on current standards. She stated that the model will be created by their GIS. She stated that information will be presented at the meeting both graphically and quantifiably to display the total amounts of land available for development and their locations.

Ms. Earhart stated that the future plans of the committee would be to develop future growth meeting scenarios based on trends and vision. She stated that there would be public meetings held at the high schools in January and February. She stated that they would look at land use maps and make any changes to them. She stated that they would look at codes and ordinance changes like the fencing codes. She stated that all recommended changes would be provided in a draft plan in April.

Mr. Bashaw asked if this consultant is an outside source?

Ms. Earhart stated yes.

Mr. Bashaw stated that the County is probably paying them a lot of money for them to look over the County's shoulder.

Ms. Earhart stated that they would provide the County some outside eyes which in her opinion is money well spent.

Mr. Bashaw stated that in the last Comprehensive Plan amendment there were forms to fill out as to what zoning you wanted your property to be.

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Ms. Earhart stated that the County sent cards out to property owners and asked if they wanted to become General Agriculture or Exclusive Agriculture. She stated that there would be surveys in the Staunton, Waynesboro, and the *Northern Augusta Journal* newspaper for all of the citizens to fill out. She stated that the survey would also be available on line so that people could email their comments to the County. She stated that County staff will be tallying the results and providing the information to the consultant.

Chairman Curry asked if the survey would be in the *Daily News Record*?

Ms. Earhart stated that there is no way for the Harrisonburg paper to just distribute the survey to their Augusta County clients. She stated that the *Daily News Record* suggested the *Northern Augusta Journal*.

Mr. Bashaw asked if the survey would address specific property?

Ms. Earhart stated no. She stated that this is not a request to change the zoning of the property. She stated at this point they are not planning on doing that. She stated that if you are in an agricultural conservation area and would like to be in a rural conservation area to let them know on the survey. She stated that the committee would be looking at proffer guidelines as well as cash proffers and levels of services.

Chairman Curry asked about cash proffers.

Ms. Earhart stated Augusta County is not one of the County's listed as eligible for cash proffers. She stated that the specific localities are spelled out in the state code. She stated that the consultants are also looking at Capital Improvement Plans, the Subdivision Ordinance, and the Zoning Ordinance. She stated that the final plan should be available by May. She stated that this process will take thirteen months. She stated that all of the minutes from the meetings will be on the website.

Mr. Bowman asked if the Comprehensive Plan map is on the website?

Ms. Earhart stated the current map is on the website. She stated that they will be keeping the two separate as they go through the updating process. She stated that the citizen survey will be online by June 28th. She stated that they will be having public meetings for input from the citizens prior to the adoption of the plan. She stated that when the Board adopts the new Comprehensive Plan it will be available online as well as in hard copy.

Chairman Curry stated that is why this committee has a time limit so that the Task Force will be able to make some recommendations on the Comprehensive Plan as well.

Mr. Bashaw asked if the committee would be able to see the old map and compare it with the new Comprehensive Plan map?

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Ms. Earhart stated that the Agricultural Task Force will be done before the Steering Committee makes their map recommendations. She stated that they would look at the goals and objectives in agriculture, land use, and economic development.

Mr. Shiflett stated that the trick developers use is not through the rezoning process but through the subdivision of Exclusive Agriculture land. He stated that when people have sixteen houses on twenty acres that becomes a problem. He stated that is a residential subdivision.

Ms. Earhart stated that they are trying to figure that information out. She stated that with the GIS being on the computer it makes it easier to compile data.

Mr. Shiflett stated that there are loopholes with subdividing.

Ms. Earhart stated that this group could give their recommendations to change the minor subdivision process.

Chairman Curry stated that Mr. Cobb gave the committee a presentation and a list of recommended changes at the last meeting.

Ms. Earhart stated that there are probably more loopholes out there then they know about.

Chairman Curry stated that some loopholes are family member exception and boundary line adjustment. He asked if anyone thought of anything else?

Mr. Bashaw stated regulation simplification.

Ms. Shiflett stated being able to divide as often as you can.

Mr. Bowman asked if staff could copy Ms. Earhart's presentation for the committee.

Chairman Curry stated that the next speakers are John Eckman from the Valley Conservation Council and Faye Cooper from the Virginia Outdoors Foundation.

Mr. Eckman stated that they would be combining their presentation on conservation easements. He stated that both organizations are separate but they work together cooperatively. He stated that Valley Conservation Council works with eleven counties in the Valley. He stated that some of the counties they handle are Rockbridge, Page, Shenandoah as well as along the I-81 corridor. He stated that in 1982 they put 117,300 acres in conservation easements. He stated that in 1997 they put 181,900 acres in conservation easements. He stated that for every dollar in taxes paid, government spends \$1.15 for residential development, \$0.27 for commercial development, and \$0.36 for farm and forest properties.

Mr. Bashaw stated that he would think that commercial would be much higher than that.

Mr. Eckman stated that commercial brings in more revenue.

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Mr. Eckman showed the committee the United States map and what it looks like at night. He stated that around the highly populated areas like New York City, Washington DC, and Philadelphia you see many dots. He stated that one dot equals fifty people.

Ms. Cooper stated that she commends the effort of the Agricultural Task Force because this is a very important topic. She stated that agriculture plays a tremendous role in the quality of life in the County. She stated that she is pleased that the County has the foresight to try and save farms or find out the economic concerns of farmers. She stated that one of the tools in the toolbox that can help a farmer is a PDR or a conservation easement. She stated that a conservation easement is established through a legal document when a landowner conveys certain development rights to the Valley Conservation Council or the Virginia Outdoors Foundation. She stated that easements are flexible. She stated that putting an easement on property is voluntary. She stated that easements meet the goals of the Comprehensive Plan and will help protect farmland and agriculture. She stated that some of the sources of funding for easements are the Virginia Land Conservation Foundation, Virginia Outdoor Foundation, Farm and Ranchland Protection Program, and the Battlefield Foundation. She stated that all of this information is explained in the packets that she provided to the committee. She stated that the landowner donates the rights to private land trusts, local governments such as Albemarle, Clarke, and Fauquier Counties, and state agencies like the Department of Conservation and Recreation. She stated that the Virginia Outdoors Foundation is the largest land trust in Virginia. She stated that they try and keep a close relationship with the property owners when there are easements on the property. She stated that their role is to maintain contact with the landowners and future landowners. She stated that they monitor the easements. She stated that depending on the size of the property the owner may be giving up some or all of their development rights. She stated that the easement will limit the amount of divisions. She stated that the size of farm buildings may be restricted, but the number of farm buildings on the property is not. She stated that some farm buildings do get reviewed before approval to build them is given.

Chairman Curry asked if there was a limitation on existing structures?

Ms. Cooper stated no.

Mr. Howdysshell asked if the land was sold would the easement value decrease or increase the value of the land?

Ms. Cooper stated that she has seen it happen both ways. She stated that it really depends on the location.

Mr. Howdysshell asked how farming would justify the price of the property?

Ms. Cooper stated that it depends on the market and the development potential. She stated that with an easement the value of the land could be lower. She stated that is a hard question because it does depend on the location and it is market driven. She stated that several people have put their land into easements and it lowered the value but protected the farmland.

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Chairman Curry stated that it would be interesting to know if property that had easements on them were sold for fair market value.

Ms. Cooper stated that appraisers have that information, but she said that it would be difficult to access because they would need to determine the value of the area donated.

Mr. Hewitt stated people are having problems when they buy property with easements on them and transferring the tax credits to the new owners.

Ms. Cooper stated that she would need to talk to Mr. Hewitt further to get the matter clarified.

There was a lengthy discussion between Mr. Shiflett, Mr. Eckman, and Ms. Cooper on the value of conservation easements, who is eligible to receive easements, and the mission of the Valley Conservation Council and the Virginia Outdoors Foundation.

Mr. Bashaw asked if the Virginia Department of Transportation needed the property what would happen?

Ms. Cooper stated that the Virginia Outdoors Foundation is in an unusual position. She stated that they are both state agencies. She stated that one state agency cannot condemn the interest of another state agency. She stated that she calls Becky from time to time to check on the Comprehensive Plan for the land use policies on upcoming easements. She stated that with their new policy in place she will be in touch with Becky on all of the easements that are created.

Ms. Cooper stated that another myth is that you need to put the entire property in a conservation easement. She stated that is not true. She stated that other myths are that the conservation easements prohibit all development and that you can't sell the property. She stated that in Augusta County they have 48 conservation easements totaling 6,709 acres. She stated that in Clarke County they have 93 conservation easements totaling 13,651 acres. She stated that the committee might want to look at Clarke County's PDR program.

Mr. Eckman stated that there are a lot of benefits. He stated that there are federal income tax deductions, state tax credits and property tax reductions. He also stated that you can sell tax credits but they are sold at a discounted rate.

Mr. Bowman asked if they could provide a copy of their presentation to the committee.

Ms. Cooper stated that they would. She further stated that the Virginia Outdoors Foundation has assisted a number of counties in creating PDR programs.

Mr. Eckman stated he has Rockbridge County's PDR ordinance for the committee to review.

Mr. Howdyshell stated that conservation easements protect open space. He stated that sometimes property owners have no production of agriculture but still qualify for land use.

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Ms. Shiflett stated that an easement does not qualify the property for land use.

Mr. Eckman stated that if people put land in a conservation easement ten years ago, they did not get this tax credit.

Chairman Curry asked if it was renegotiable?

Mr. Eckman stated no.

Mr. Bowman stated that the presentation on conservation easements is another tool in the tool box for this committee to consider.

Ms. Cooper stated that conservation easements are voluntary. She stated that they were created to protect land. She stated that the tax benefits are just the icing on the cake.

Chairman Curry thanked them for coming to speak to the committee.

Mr. Howdysshell stated that he has an ordinance that he would like copies made for the committee.

Chairman Curry stated that the next meeting will be July 7, 2005.

There being no further business, the meeting was adjourned.

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Chairman