

MEMORANDUM

DATE: July 25, 2006
TO: The Board of Supervisors
FROM: Kathryn Sipes, Planner
SUBJECT: Renewal of AFD-6-86. Cranston's Pond

As required by State Code, the County must review all established Agricultural and Forestal Districts (AFD's) prior to their expiration. During this review, Districts must be either continued, modified, or terminated. This report will review AFD-6-86, Cranston's Pond which is scheduled to expire in August.

The Cranston's Pond AFD consists of 1,087.809 acres and is located southeast of Chickahominy Road and Little Creek Dam Road. The bulk of the properties straddle the Virginia Power easement. Specifically, the AFD is currently comprised of the following:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Hidden Acres Farm, c/o Wayne Nunn	(23-3)(1-1)	416.500
Bert Geddy, Jr.	(22-3)(1-26)	167.500
Kenneth and Wendy Heath	(22-3)(1-33)	19.410
Edward K. English	(22-4)(1-1A)	101.670
Harcum Trust	(22-2)(1-87)	62.559
Marston, LLC	(22-2)(1-90)	40.000
Otto C. and Thelma Ripley	(31-2)(1-3)	23.060
Kenneth and Wendy Heath	(21-4)(1-39)	6.500
Douglas L. Hornsby Trust	(21-4)(1-46)	205.000
Marston, LLC	(22-2)(1-33)	12.000
Marston, LLC	(22-2)(1-35)	1.000
Marston, LLC	(22-2)(1-36)	2.110
Marston, LLC	(22-2)(1-37)	16.500
Marston, LLC	(22-2)(1-34)	14.000

History

The District was approved on December 1, 1986, for a term of four years and has been renewed for additional four-year terms by the Board of Supervisors in October 1990, November 1994, September 1998, and August 2002. This District has remained essentially the same since the AFD was created, with the following changes occurring over time: approximately 32 acres were added to the District in 1994, approximately 14 acres were added to the District in 2002, and approximately 130 acres were removed between 1998 and 2002.

The District includes all the land on the above properties with the exception of all land within 50 feet of arterial road rights-of-way. That property has been excluded from the District to allow for possible road and/or drainage improvements.

Analysis

The District consists mainly of forested land, about 75 percent. The remainder of the District is in marsh land. A majority of the land (over 920 acres) within the District is zoned A-1, General Agricultural. However,

Parcel No. (22-3)(1-33) and parts of Parcel Nos. (22-2)(1-87), (21-4)(1-39), and (22-4)(1-1A) are zoned R-8, Rural Residential. Additionally, all six Marston properties are zoned R-1, Limited Residential.

Most of the District, approximately 1,065 acres, is located outside of the Primary Service Area (PSA) and is designated Rural Lands by the Comprehensive Plan. The Ripley parcel and two of the Marston parcels, (22-2)(1-33) and (22-2)(1-37), are located inside the PSA and are designated Low Density Residential. The PSA is the area of the County that has been designated for growth. The continuation of AFD property within the PSA is consistent with the Comprehensive Plan as this would serve the public purpose of holding key tracts of land temporarily while development plans can be created, maximizing the beneficial use of the property. The Comprehensive Plan also designates Cranston's Pond and its tributaries as Conservation areas. All land within 50 feet of the road rights-of-way of Chickahominy Road (Route 631) and Centerville Road (Route 614) has been excluded from the District to allow for possible road and/or drainage improvements.

Withdrawals

The following properties are being withdrawn: all six Marston properties, totaling 85.61 acres and identified as Parcel Nos. (1-90), (1-33), (1-34), (1-35), (1-36), and (1-37) on James City County Real Estate Tax Map No. (22-2); and both Heath properties, totaling 25.91 acres and identified as Parcel Nos. (22-3)(1-33) and (21-4)(1-39). In addition, the Ripley parcel, identified as (31-2)(1-3), was approved for a family subdivision earlier this year, and the two-acre subdivision is being withdrawn from the District at this time.

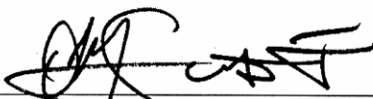
Recommendation:

Staff believes this AFD is consistent with the Comprehensive Plan and recommends renewing the District, with the above withdrawals, for a period of four years and three months, with no change in the conditions of approval. A four-year and three-month approval would be consistent with prior action and would allow for the re-evaluation of the District for consistency with possible policy changes and Comprehensive Plan revisions. On June 27, 2006, the AFD Advisory Committee recommended renewal by a vote of 8-0. On July 10, 2006, the Planning Commission recommended renewal by a vote of 6-0.

After the withdrawals the District will total approximately 974.239 acres.

Kathryn Sipes

CONCUR:



O. Marvin Sowers, Jr.

KS/nb

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Attachments:

1. Location Map
2. Withdrawal request letters
3. Ordinance