

Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts



Farmland Protection Efforts

Clearly agriculture is critical to the Valley region. So what's the status of farmland preservation? Potential strategies are described below, along with the degree to which they are used in the region. A detailed sheet for each county follows, describing the county's farmland preservation context and illustrating the development potential of a typical 100-acre farm. A note on terminology: VCC uses "farmland protection" or agricultural preservation" to mean maintaining rural land uses, such as agriculture and forestry, in contrast to converting extensive areas of rural land to home sites or other development.

Rockingham County created a Sustainable Agriculture Committee to learn, from people closest to agriculture, what the major issues are facing agriculture and to generate ideas on what can be done to promote farming.

Agricultural Land Preservation Goals – The comprehensive plan of each county was reviewed for whether agricultural preservation is a stated goal. This goal must be expressly stated and have specific objectives toward that end. (Rural character or natural resources preservation was not considered sufficient.) *Analysis:* Most counties in the VCC region have a farm preservation goal (see Figure 1-19). Two that do not (Alleghany and Bath) have little

growth pressure. The third, Botetourt County, has indirect statements that might imply such a goal.

Agricultural Land Preservation Programs - County documents were reviewed to see which localities have specific programs or initiatives targeted to agricultural issues and farmland preservation. *Analysis:* Only two counties, Rockbridge and Rockingham, have programs of any kind.

Figure 1-19.
Agriculture Preservation Policies

County	Cluster Allowed	Land Use Tax	PDRs	Goal	Program	1997 Agri Rank	2000 Forestry Rank	Growth Rate 70-00	'00-10 Pop. Proj.
Alleghany	No	Yes	No	No	No	90	39	3.7	-3.3
Augusta	No	Yes	No	Yes	No	2	61	48.4	12.5
Bath	No	No	No	No	No	92	84	-2.8	7
Botetourt	Yes	Yes	No	Indirect	No	56	44	67.6	12.5
Frederick	Yes*	Yes	No	Yes	No	27	83	104.9	14.8
Highland	No	No	No	Yes	No	53	47	0.3	6.6
Page	No	Yes	No	Yes	No	3	67	39.8	10
Rockbridge	Yes	Yes	Proposed	Yes	Yes	41	21	25.1	2.4
Rockingham	No	Yes	No	Yes	Yes	1	66	41.4	11.2
Shenandoah	Yes	Yes	No	Yes	No	5	59	53.5	21.5
Warren	Yes	Yes	No	Yes	No	75	71	106.4	20.3

* Residual tract not necessarily permanently protected from development.

Source: Valley Conservation Council, April 2003



Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts

Summary of Common Farmland Protection Strategies

Land Use Taxation

The state allows localities to tax land owners based on how land is used, rather than its market value. The state defines standards for four categories (agricultural, horticultural, forestal, and open space). Most localities participate in the program. *Analysis:* All but two of the counties in the region (Bath and Highland) apply land use taxation for agricultural and forestal uses.

Zoning and Subdivision Regulations

Counties, through their development regulations, control some aspects of growth, notably what uses are allowed and how parcels can be divided. However, zoning in itself does not protect agricultural land. It is a temporary measure (a parcel can be rezoned to a different category, or the regulations of a district can be changed) and tends to reflect rather than shape development pressure.

All counties in the region have agricultural zoning districts. Those with development pressure have tiers of development districts that can be applied in the rural areas. Below are some of the ways that zoning can be used to try to slow down residential development in agricultural areas:

Large-Lot Zoning— Setting a minimum lot size that results in large house

sites served by individual well and septic. *Analysis:* Few counties in the region rely on this technique, although some exempt large-lot divisions (in which all resulting parcels meet the minimum size) from subdivision regulations. (VCC does not advocate large-lot zoning unless it is part of comprehensive, well-thought-out growth policies and unless the lot size is large enough for a viable farm, which studies have found to be generally between 50 and 100 acres.)

Exclusive Agricultural Zoning—The only uses allowed are those involving or compatible with farming or forestry. *Analysis:* Rockingham and Augusta counties have restrictive agricultural zones, in addition to general agricultural zones. These exclusive zones allow limited business uses that relate to agricultural operations.

Sliding Scale Zoning—Smaller parcels can be subdivided at a greater density than larger parcels. The intent is to allow most owners to divide at least once, but to reduce the overall potential development density of larger parcels. *Analysis:* Not in use in the VCC region, although Warren has a hybrid where a limited number of smaller lots are allowed.

Open Space Development (Clustering)—Density (number of lots) based on the entire parcel, but with lots sited on just a portion of the parcel. The remainder is set aside for continued farming or for common open space.

Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts



Figure 1-20.
Open Space Development
(Cluster Zoning)

County	Cluster Allowed
Alleghany	no
Augusta	no
Bath	no
Botetourt	yes
Frederick	yes*
Highland	no
Page	no
Rockbridge	yes
Rockingham	no
Shenandoah	yes
Warren	yes

* Residual tract no necessarily permanently protected from development

Source: Valley Conservation Council, April 2003

For example, a density of 1 dwelling unit per 10 acres with a minimum lot size of 2 acres would result in a developed area of 10 units on 20 acres with a residual of 80 acres. The benefits of clustering include reduced land consumption and the opportunity to protect natural areas, scenic views, and other assets during development. It is not, however, effective for farmland preservation because it brings nonfarming residences directly into farming areas and thus may increase conflicts. *Analysis:* Five localities have provisions for clustering, but there are few built examples and provisions seem more inclined to common open space than to retaining farming. (VCC advocates clustering only in growth areas served by water and sewer.)

Maximum Lot Size – Limiting the size of lots to reduce consumption of

prime farmland. As with clustering, the overall density is based on total parcel size. *Analysis:* Not in use in the VCC region.

Time-Release Subdivisions - Limit on how often a landowner can divide a parcel. The intent is to remove the incentive for land speculation (since a developer would have to carry the costs of the land and development without a quick return) yet allow farmers a periodic flow of income from selling off pieces of their main asset. *Analysis:* The two largest agricultural counties in the region, Augusta and Rockingham, have instituted such policies in recent years.

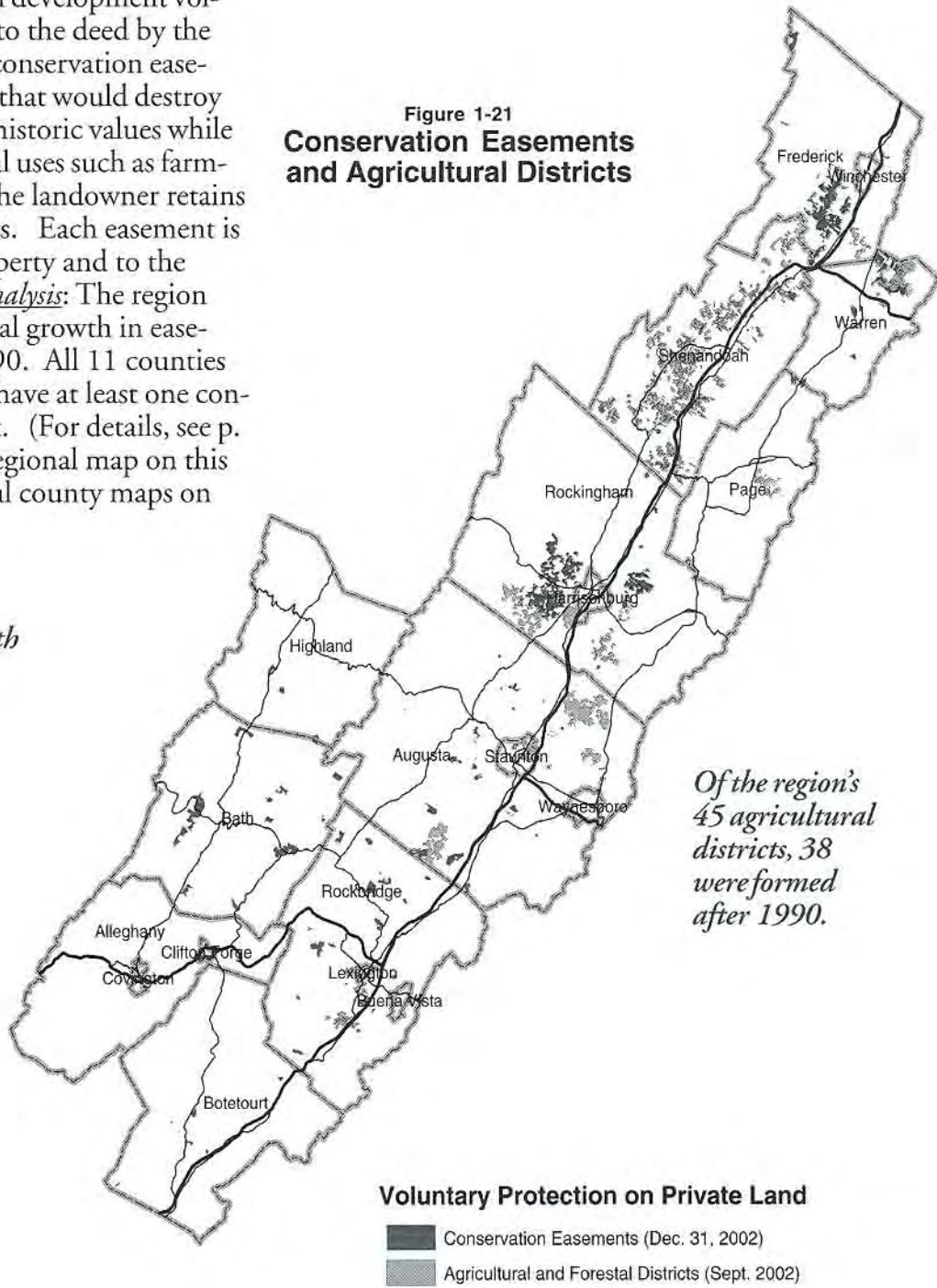
Agricultural/Forestal Districts – Voluntary agreement between farmers and the local government to maintain farmland for a set term. When a district is established, landowners agree not to convert their farms to development for a period of between 4 and 10 years. In return, the locality offers automatic land use taxation rates, protection from nuisance suits, and consideration of the district in local land-use planning. *Analysis:* Seven counties and one city have active agricultural and forestal districts. The 45 “ag districts” in the region cover 117,407 acres. The vast majority of the districts in the region (38 out of 45) were formed since 1990, although a few date to the late 1970s and early 1980s. (For details, see the box on p. 40 and the full listing on p.41, as well as the regional map on p. 39 and the individual county maps in the previous section.)



Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts

Conservation Easements – Permanent restrictions on development voluntarily written into the deed by the landowner. Most conservation easements restrict uses that would destroy natural, scenic, or historic values while allowing traditional uses such as farming and forestry. The landowner retains all ownership rights. Each easement is tailored to the property and to the owner’s wishes. *Analysis:* The region has seen exponential growth in easement use since 1990. All 11 counties in the region now have at least one conservation easement. (For details, see p. 42, as well as the regional map on this page and individual county maps on pp. 6-27.)

**Figure 1-21
Conservation Easements
and Agricultural Districts**



*Of the region's
45 agricultural
districts, 38
were formed
after 1990.*

*VCC Counties with
Easements
1990: 4
2002: 11*

Voluntary Protection on Private Land

- Conservation Easements (Dec. 31, 2002)
- Agricultural and Forestal Districts (Sept. 2002)

Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts



Agricultural and Forestal Districts in the VCC Region

Agricultural and forestal districts (“ag districts”) are one of the primary ways that landowners can protect farmland from development. Landowners gain strength in numbers with neighboring farmers, making it known to all that this land, at least for the near term, is reserved for farming and forestry.

Ag districts have grown extensively in the past 15 years. In 1990, there were just 7 ag districts in the region, one each in Augusta, Frederick, and Warren counties, and 4 in Shenandoah County. By mid 2002, that num-

ber had grown to 45 ag districts, spread among 7 counties and 1 city. Alleghany, Bath, Botetourt, and Highland counties have no districts, and Warren County has not had a new district since the first one was formed in 1978.

A total of 26 districts were formed in the 1990s, with 12 more so far in 2000 and beyond. Shenandoah County leads the way in the use of ag districts. Their 20 districts and more than 43,000 acres stand head and shoulders above any other county in the region. Rockingham County, the top agricultural county, has come on strong, forming all 9 of its districts since 2000 and now ranking second in the region in both number and acreage. Likewise, small Rockbridge County ranks third, with all of its districts formed since 1999. No new districts have formed in the far northern counties of Frederick and Warren since 1995.

Figure 1-22.
Agricultural and Forestal Districts
1990 & 2002

Number and Acreage by Locality

County	1990		2002	
	No.	Acres	No.	Acres
Alleghany	None	-	None	-
Augusta	1	1,454	3	15,574
Bath	None	-	None	-
Botetourt	None	-	None	-
Frederick	1	11,6011	3	13,585
Highland	None	-	None	-
Page	None	-	1	1,912
Rockbridge	None	-	5	5,236
Rockingham	None	-	9	26,218
Shenandoah	4	9,080	20	43,137
Warren	1	9,424	1	9,424
Cities				
Staunton	None	-	3	2,321
GRAND TOTAL	7	31,559	45	117,407

Source: Valley Conservation Council; data current to June 1, 2002

Shenandoah County Makes the Most of Agricultural Districts

Shenandoah County has by far the most ag districts in the region. It now has 21 districts, including one just recently formed. Success of this program is attributed to grassroots efforts by a former Extension Agent, local farmers who want to preserve the agricultural lifestyle and economy, and excellent staffwork.



Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts

Figure 1-23.
Agricultural and Forestal Districts by Name & Locality

Name	County/City	Date First Recorded	Acreage	Name	County/City	Date First Recorded	Acreage
Crimora-Madrid	Augusta	1990	1,454.0	Coal Mine Hollow	Shenandoah	1995	525.7
Middle River	Augusta	1991	8,500.0	Columbia Furnace	Shenandoah	1995	1,345.9
Middlebrook	Augusta	1998	5,620.0	Fishers Hill- Sandy Hook	Shenandoah	1984	2,379.3
South Frederick	Frederick	1980	11,601.0	Glaize	Shenandoah	1995	278.3
Double Church	Frederick	1995	1,512.0	Lebanon Church	Shenandoah	1995	1,156.9
Refuge Church	Frederick	1995	472.0	Liberty Furnace	Shenandoah	1995	1,752.3
Stonyman	Page	2001	1,912.0	Mill Creek	Shenandoah	1995	1,334.6
Sunnyside	Rockbridge	1999	705.0	Morning Star	Shenandoah	1995	902.7
Fancy Hill	Rockbridge	2000	2,064.0	Mt. Jackson	Shenandoah	1992	9,903.6
Hogback	Rockbridge	2002	447.0	New Market	Shenandoah	1985	4,839.2
Turkey Hill	Rockbridge	2002	1,228.0	Orkney Springs	Shenandoah	1994	1,180.6
Smith Farms	Rockbridge	2000	792.0	Ridgeley	Shenandoah	1995	334.6
Keezletown North	Rockingham	1998	4,056.0	St. Luke	Shenandoah	1995	1,383.1
Keezletown South	Rockingham	1998	351.0	Toms Brook	Shenandoah	1984	1,057.7
Spring Creek	Rockingham	2000	2,984.0	Tumbling Run	Shenandoah	1995	494.6
Oak Grove	Rockingham	2000	1,381.0	Wakeman's Grove	Shenandoah	1995	6,805.7
Dry River	Rockingham	2000	6,828.0	Woodstock East	Shenandoah	1995	523.0
Cross Keys North	Rockingham	2001	699.0	Woodstock West	Shenandoah	1995	5,720.7
Cross Keys South	Rockingham	2001	1,447.0	Rockland	Warren	1978	9,424.0
West Rockingham	Rockingham	2001	6,825.0				
Ottobine	Rockingham	2001	1,647.0				
Bauserman-Clem-Grove	Shenandoah	1979	804.0	Bell's Lane	Staunton	1997	1,662.0
Cedar Spring Run	Shenandoah	1999	415.0	Merrifield	Staunton	1997	367.0
				M.O. Carr	Staunton	1997	292.0
County Total							115,086.4
VCC Region Total							117,407.4

Source: Valley Conservation Council; data current to June 1, 2002

Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts



Conservation Easements in the Region

The tool of conservation easements, while relatively newly used in the VCC region (there were only 16 examples in 1990), has seen phenomenal growth. By the end of 2002, the number of easements in the region had increased nearly tenfold, to 153, while acreage shot up from just 3,800 acres in 1990 to 29,988 acres in 2002. This explosive increase exceeded the state's rate of easement growth.

Augusta County (36 easements, 5,506 acres) and Rockbridge County (34 easements, 5,757 acres) lead the way, while tiny Bath County actually has the most acreage under easement (8,717 acres in 17 easements). Alleghany County has had the least easement activity (1 easement, 14 acres).

Statewide between 1990 and 2002, the number and acreage of easements more than doubled, from 340 easements and 71,037 acres to 1,205 easements and 224,578 acres. In 1990, just 5.3 percent of acres under easement in the state were in the VCC region. *Jump Mountain, a Rockbridge County landmark, and four neighboring farms are protected by conservation easements.*

Figure 1-24.
Conservation Easements - 1990 and 2002
(Number and Acreage by Locality)

County	1990		2002	
	No.	Acres	No.	Acres
Alleghany	0	0	1	14
Augusta	0	0	36	5,505.98
Bath	5	2,183.93	17	8,716.83
Botetourt	0	0	7	801.07
Frederick	0	0	7	1,727.38
Highland	0	0	5	842.97
Page	0	0	6	489.76
Rockbridge	4	613.11	34	5,757.32
Rockingham	0	0	6	742.88
Shenandoah	4	272.52	13	1,519.34
Warren	3	730.92	20	3,755.26
TOTAL	16	3,800.48	152	29,872.79
Cities				
Winchester	0	0	1	115
VCC Region	16	3,800.48	153	29,987.79
STATE TOTAL	340	71,038.25	1,205	224,578.17

Source: Virginia Outdoors Foundation; data current to December 31, 2002





Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts

Purchase of Development Rights (PDRs) – Local programs to purchase development rights. The protection effect is the same as a conservation easement except that the easement is purchased rather than donated. The advantage to the landowner is compensation for development rights tied to his land. The locality benefits from the chance to influence growth patterns, enhance its tax base, and meet open space preservation goals. *Analysis:* One locality in the region has a purchase of development rights (PDR) ordinance. Rockbridge County adopted its REAP ordinance in May 2003 (see below). It joins the handful of local PDR programs in Virginia, including those in Albemarle, Loudoun, and James City counties and the City of Virginia Beach.

Statewide Farmland Protection Programs

Virginia was late to adopt a concerted program to address the issue of farmland conversion. A February 2000 American Farmland Trust map “States with Publicly Funded Farmland Protection Programs,” showed Virginia as the only state in the Mid-Atlantic (with the exception of West Virginia) that did not have a state farmland protection program. Virginia has since established the Agricultural Vitality Program, but the program has a staff of one and is minimally funded.

Furthermore, all of Virginia’s neighbors in the mid-Atlantic growth corridor (Maryland, North Carolina, Kentucky, West Virginia, Pennsylvania,

Rockbridge County Adopts Easement Purchase Ordinance

The Rockbridge Easement Agreement Program (REAP), adopted in May 2003, will enable the County to purchase development rights on significant lands that it would like to see protected, such as farmland or critical lands identified in the Comprehensive Plan. The program will be voluntary and will encourage owners to donate as well as sell development rights.

The goal is to help preserve the county’s farms, forests, and open space. Landowners can realize some economic return from their land without having to convert it to development. The county expects to save public money over time as service costs are avoided and stormwater runoff is minimized. To help fund the program, it might be able to tap into farmland protection funds allocated in the latest Farm Bill.

Principle 1: Conserve Natural and Scenic Assets: Farmland Protection Efforts



and New Jersey), have statewide PDR programs. In September 2002, Virginia was allocated \$1.5 million in federal Farmland Protection money from the 2002 Farm Bill. Local programs and non-profits have taken the initiative to secure the federal funding by providing the required matching money. The goal is for the state's Ag Vitality Program to eventually be able to match local PDR programs.

What's Ahead?

The next section addresses what each individual county in the VCC region is doing to protect agricultural and forestal land. These Rural Development Potential sheets, along with the previous County Information Sheets, give a comprehensive perspective of the rural economy and the growth pressures in each county and present a snapshot of their various protection strategies. Each locality has its own challenges and its own planning tradition. The results demonstrate the differing effects of these policies.



The Middle River Agricultural and Forestal District was the first one formed in Augusta County.