

**ORD-3644**

1 AN ORDINANCE TO AMEND SECTION 7 OF  
2 APPENDIX J, AGRICULTURAL RESERVE  
3 PROGRAM, PERTAINING TO ELIGIBILITY  
4 CRITERIA

5  
6 Section Amended: § 7 of Appendix J,  
7 Agricultural Reserve Program  
8

9 WHEREAS, the public necessity, convenience, general welfare and good zoning  
10 practice so require;

11  
12 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA  
13 BEACH, VIRGINIA:

14  
15 That Section 7 of Appendix J, Agricultural Reserve Program is hereby amended  
16 and reordained to read as follows:

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18 **Sec. 7. – Eligibility criteria.**

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20 Preservation easements may be purchased only upon property meeting all of the  
21 following criteria:

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- 23 (a) The property shall be no less than ten (10) acres in area, or be included in a  
24 batch in which the combined area of contiguous property is no less than ten  
25 (10) acres in area;
  - 26
  - 27 (b) The property shall be wholly located within a residential zoning district, an AG-1  
28 or AG-1 Agricultural District or a P-1 Preservation District, or any combination of  
29 such zoning districts; and
  - 30
  - 31 (c) The property shall be capable of being subdivided or developed for  
32 nonagricultural uses without the approval of the city council. Except when the  
33 action needed from City Council is a subdivision variance, required for the lack  
34 of frontage because the frontage of the lot is impacted by the floodplain subject  
35 to special restrictions (Appendix K) or the lot was created as a flag lot. Such  
36 lots shall be considered developable for this section.

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38 . . . .

Adopted by the Council of the City of Virginia Beach, Virginia, on the 17th day of  
November, 2020.