

**ORDINANCE ENACTING**  
**CHAPTER 17, ARTICLE 5, OVERLAY DISTRICTS, SEC. 17-520, BATTLEFIELD CONSERVATION AREA**  
**AND**  
**ORDINANCE ENACTING**  
**CERTAIN CHANGES TO CHAPTER 17, ARTICLE 2**  
  
**OF THE CODE OF ORDINANCES**  
**OF**  
**ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That the following sections of Chapter 17, Zoning, are enacted:

Sec. 17-520. Battlefield Conservation Area.

Sec. 17-521. Creation.

- A. If approved by the Board of Supervisors, the County may co-hold a voluntarily offered conservation easement within the Battlefield Conservation Area.

Sec. 17-522. Description.

- A. The Battlefield Conservation Area includes properties that are, in whole or in part, within the boundaries of the Cross Keys Battlefield Study Area or Port Republic Battlefield Study Area, as delineated in the *Cross Keys and Port Republic Battlefield Preservation Plan*, as amended.
- B. Parcels that are within the county's Urban Growth Area are excluded from the Battlefield Conservation Area.

Sec. 17-523. Easement terms and conditions.

- A. Minimum standards. Each conservation easement accepted by the County shall conform to the requirements of the Open-Space Land Act, Code of Virginia (1950) Section 10.1-1700 *et seq.*, as amended (the Act), and any additional standards adopted by the Board of Supervisors.

B. Easement holder. The County may be a co-holder with one or more other public bodies, as defined in the Act or one or more charitable organizations authorized to hold conservation easements under the Virginia Conservation Easement Act, Code of Virginia (1950) Section 10.1-1009 *et seq.*, as amended.

Article 2, Definitions.

Sec. 17-201, Definitions generally.

Conservation easement. A nonpossessory interest of a public body in real property, whether easement appurtenant or in gross, acquired through gift, purchase, devise, or bequest imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural or open-space values of real property, assuring its availability for agricultural, forestal, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural or archaeological aspects of real property.

Owner. An owner or owners of fee simple title to real property.

Property. For the purposes of Sec. 17-520 *et seq.*, a property is a parcel or group of parcels that are contiguous and held by a single owner (individual, family, or business entity).

This ordinance shall be effective from the \_\_\_ day of \_\_\_\_\_, 2016.

Adopted the \_\_\_ day of \_\_\_\_\_, 2016.

Aye	Nay	Abstain	Absent
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Supervisor Cuevas

Supervisor Eberly

Supervisor Chandler

Supervisor Kyger

Supervisor Breeden

\_\_\_\_\_  
Chairman of the Board of Supervisors

ATTESTE:

\_\_\_\_\_  
Clerk

