

JAN 10 2006

ORDINANCE NO. 182A-7

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

RENEWAL OF ARMISTEAD AGRICULTURAL AND FORESTAL DISTRICT (AFD-1-89)

WHEREAS, James City County has completed its review of the Armistead Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code"), property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Armistead Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting of November 29, 2005, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its Public Hearing on December 5, 2005, unanimously recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Armistead Agricultural and Forestal District (the "Armistead District") is hereby continued for a period of four years and ten months beginning the 27th day of January, 2006, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et seq. (the "Act").

2. That the District shall include the following parcels:

Armistead, Robert T. Estate	(31-2)(1-14)	53.78 acres
Armistead, Robert T. Estate	3 - 2 1 - 1 7	84.50 acres
Armistead, Robert T. Estate	(31-3)(1-29)	132.08 acres
Armistead, Robert T. Estate	(31-4)(1-1)	<u>41.18</u> acres
	Total:	<u>311.54</u> acres

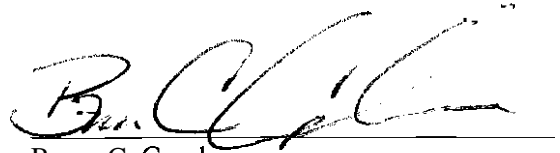
provided, however, that all land within 25 feet of the road right-of-way of Centerville Road (Route 614) shall be excluded from the District and that all land within 45 feet of the road right-of-way of Longhill Road (Route 612) shall be excluded from the District.

3. Pursuant to the Act, the Board of Supervisors requires that no parcel in the Armistead District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment, provided: a) The subdivision does not result in the total acreage of the Armistead District to drop below 200 acres; and b) The subdivision does not result in a remnant parcel of less than 25 acres.

- b. No land outside the **Primary Service Area (PSA)** and within the Armistead District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the Armistead District. Land inside the PSA and within the Armistead District may be withdrawn from the Armistead District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996.

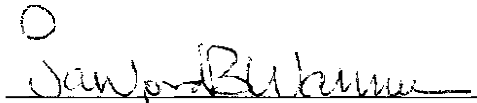
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the Virginia Code Section 15.2-4301 et seq., which are not in conflict with the policies of the Armistead District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on properties within the Armistead District, which are in accordance with the County's policies and ordinances regulating such facilities.



Bruce C. Goodson
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
BRADSHAW	AYE
HARRISON	AYE
ICENHOUR	AYE
GOODSON	AYE

ATTEST:


 Sanford B. Wanner
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of January, 2006.

AFD-1-89.ord (011006)