

ADOPTED

MAY 8 2007

ORDINANCE NO. 164A-11

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

CROAKER AFD (BALLARD ADDITION)

AGRICULTURAL AND FORESTAL DISTRICT (AFD-2-86-2)

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia (the "Board of Supervisors") to add 21.13 acres of land owned by Thomas Ballard, located at 5325 and 5375 Riverview Road, and identified on James City County Real Estate Tax Map Nos. 1530100032 and 1530100035a to AFD 2-86, which is generally known as the 1,048.5-acre "Croaker Agricultural and Forestal District" (the "Application"); and

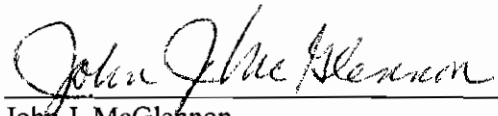
WHEREAS, at its March 19, 2007, meeting, the Agricultural and Forestal District (AFD) Advisory Committee voted 8-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its April 4, 2007, meeting, pursuant to Section 15.2-4314 of the Code of Virginia, 1950, as amended (the "Virginia Code"), after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, pursuant to Section 15.2-4214 of the Virginia Code, a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds 21.13 acres owned by Thomas Ballard, as referenced herein to the 1,048.5 acres of the Croaker AFD with the following conditions:

1. 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 District to drop below 200 acres; and b) The subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land inside the PSA and within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to "Withdrawal of Lands from Agricultural and Forestal Districts within the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.
3. No special use permit (SUP) 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 this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties that are in accordance with the County's policies and ordinances regulating such facilities.



John J. McGlennon
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

SUPERVISOR VOTE

HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of May, 2007.

AFD-2-86-2ord.res