

ADOPTED

SEP 09 2014

ORDINANCE NO. 167A-13

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT 5-86

BARNES SWAMP 2014 RENEWAL

WHEREAS, James City County has completed a review of the Barnes Swamp 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 Barnes Swamp Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on July 7, 2014, voted 8-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission, following its public hearing on August 6, 2014, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 to recommend renewal of the district with the conditions listed below.

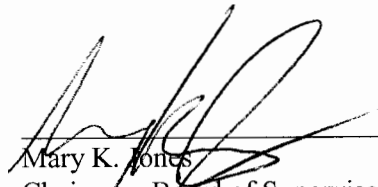
NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia, that:

1. The Barnes Swamp Agricultural and Forestal District is hereby continued to October 31, 2018, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. That the district shall include the following parcels, provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
SD & SKI, LLC	0310100001	108.47
Jane B. Farmer & Betty B. Rady	0310100002	64.00
Katherine Leon Hockaday	0310100003	65.26
Alvin L. Beahm	0330100003	70.00
Alvin L. Beahm	0330100004	70.00
Arline H. Bowmer Estate	0330100006	96.75
Arline H. Bowmer Estate	0240100012	62.19
Martha W. McMurrin & SWR-Misc, LLC	1010100001	61.61
Charles Douglas Harwood	0320100001	43.52
Estate of Mick Zuzma	0320100002	13.85
Estate of Mick Zuzma	0320100002A	17.20
Betty L. Johnson & Lynne J. Fischer	0320100003	19.07
Betty L. Johnson & Lynne J. Fischer	0320100003A	93.98
Robert Michael Dzula	0320100004	28.07

John Avery Richardson	0410100005	42.00
John Avery Richardson	0410100006	10.00
H.P. & Mary Hazelwood	0420100008	227.98
Cherri U. Spellmeyer	0420100014	134.00
Pamaka, LLC	0430100015	21.99
Pamaka, LLC	0430100016	52.00
Frances E. & Steven M. Bagwell	0920100001	114.58
Alex Lamar Penland	0240100029	55.90
Donald A. Hazelwood	0420100020	112.44
Donald A. Hazelwood	0420100018	3.46
Donald A. Hazelwood	0440100001	6.11
John P. and Shelly D. Latoski Trustee	0310100001B	10.23
Dennis Wayne Leonituk, Jr.	0310100001A	10.00
Pamaka, LLC	0430100014A	1.34
Steven M. & Michelle T. Johnson	0340800003	52.63
Steven M. & Michelle T. Johnson	0340800005	68.43
	Total:	<u>1,737.06</u>

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Barnes Swamp Agricultural and Forestal 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, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), 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.
 - b. No land outside the Primary Service Area 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 within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Properties from AFDs, adopted September 28, 2010, as amended.
 - c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with 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 special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hill
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<input checked="" type="checkbox"/>	___	___
JONES	<input checked="" type="checkbox"/>	___	___
MCGLENNON	<input checked="" type="checkbox"/>	___	___
ONIZUK	<input checked="" type="checkbox"/>	___	___
HIPPLE	<input checked="" type="checkbox"/>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.

AFD05-86-1-14BarnesSwmp-res