

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FIRST DAY OF DECEMBER, NINETEEN HUNDRED EIGHTY-SIX, AT 7:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

William F. Brown, Chairman, Roberts District
Stewart U. Taylor, Vice-Chairman, Stonehouse District
Jack D. Edwards, Berkeley District
Thomas D. Mahone, Jamestown District
Perry M. DePue, Powhatan District

Darlene L. Burcham, Acting County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - NOVEMBER 17, 1986

Mr. Mahone made a motion to approve the minutes as presented.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

C. PUBLIC HEARINGS

1. Case No. Z-25-86. David M. Murray/Greensprings Road

Mrs. Gussman presented this case to the Board indicating Mr. Paul Small has applied, on behalf of Mr. David M. Murray, to rezone approximately 34 acres from A-2, Limited Agricultural, to R-1, Limited Residential. The applicant has submitted proffers that provide for a scenic easement along Greensprings Road of 125 feet measured from the centerline of Greensprings Road. The proffers also provide that there shall be no more than one additional street entrance from the property onto Greensprings Road to serve the property, plus no more than three driveway entrances to Greensprings Road.

Mrs. Gussman stated the area is designated Low-Density Residential in the Land Use Element of the Comprehensive Plan. Development of this property under R-1 Zoning will not conflict with the nature of surrounding developments and zoning. The proposal has been reviewed by Mr. Marley R. Brown, III, of the Colonial Williamsburg Foundation. The site is within an established archaeological district known as the Governor's Land Archaeological District. Mr. Brown suggests the site be examined given "a great potential for archaeological sites of the early and later colonial periods."

The Planning Commission at its October 28, 1986 meeting, voted 9-0 to recommend approval of this application, with proffers.

Mr. Brown asked if Case Z-21-86. David Murray/St. George's Hundred, scheduled for consideration in January, was reviewed in conjunction with the case now before the Board. He asked if Marley Brown made specific recommendations concerning the historic significance of the site proposed for rezoning.

Mrs. Gussman responded in the negative.

Mr. Brown opened the public hearing.

Mr. Alvin Anderson, an attorney representing Mr. Murray, restated Mrs. Gussman's remarks concerning the proposed rezoning, indicating its compatibility with the Low-Density Residential designation on the Land Use Element of the Comprehensive Plan.

Mr. Anderson indicated he has spoken with Kevin Kelly, a member of the County's Historical Commission, concerning the archaeological questions. The site will be examined by an initial walk through for suspicious archaeological finds.

Mr. Edwards inquired if lots are planned for the small neck portion of the parcel proposed for rezoning.

Mr. Paul Small, AES engineer, responded that plans have not been prepared at this time.

Mr. Brown stated Mr. Murray owns substantial acreage. Further, this request and the rezoning request scheduled for public hearing January 5, 1987, on behalf of Mr. Murray, represent remnants of property that should have been planned earlier.

Mr. DePue indicated his concern for the scenic easement.

1. Claude Feigley, 135 The Maine, Williamsburg, addressed the Board on behalf of the Board of Directors of the First Colony Homeowners Association whose primary concerns include the destruction of greenbelts and uncoordinated development. He expressed concern that residents of surrounding areas are being penalized by the Board's consideration of this rezoning. He referenced Mr. Hall's letter concerning traffic impact. He further suggested the Board insist on specific site plans for the proposed development prior to approval of the rezoning.

2. Betty Peterson, Route 3, Williamsburg, addressed the Board indicating driveways allowing access to Greensprings Road will harm the concept of scenic easements.

As no one else wished to speak, Mr. Brown closed the public hearing.

Mr. DePue stated the proposed driveways will detract from the beauty of the highway. He is concerned about the historical implications of this property and had hoped the Historical Commission would provide guidance to the Board in these cases. Delaying consideration of the rezoning will provide time to answer concerns about driveways and the historical significance of the property.

Mr. Edwards asked if a motion to defer consideration of this case to the December 15, 1986 meeting would be appropriate.

Mr. Morton suggested the Board not defer the case, but rather table discussion until the end of the meeting in an Executive Session.

Mr. Brown suggested postponement until the Board receives a report, due in one month, from a subcommittee looking at greenbelt issues.

Mr. DePue indicated he does not wish to wait for that report and he is satisfied with the 125-foot easement.

Mr. Edwards made a motion to continue the public hearing and defer the case until the January 5, 1987 meeting.

On a roll call, the vote was AYE: Edwards, Mahone, DePue, Brown.
(4). NAY: Taylor (1).

2. Case No. SUP-30-86. Gus Gibson, Jr., Auto Sales.

Mrs. Gussman presented this case, indicating Mr. Gus Gibson, Jr., has applied for a special use permit to allow the sale of used cars at 8910 Pocahontas Trail in the B-1 Zoning District. Code Compliance cited the applicant with a summons, thereby causing the applicant to apply for the SUP. The Comprehensive Plan designates this area for commercial use. The Planning Commission voted 7-2 to recommend approval of this application subject to five conditions.

Mr. DePue asked if he was correct that auto sales were in operation when Mr. Gibson was cited for Code violations.

Mrs. Gussman responded in the affirmative.

Mr. Brown opened the public hearing.

1. Peter A. G. Brown, Vice President-Programs and Exhibitions, Colonial Williamsburg Foundation, read from a prepared statement Colonial Williamsburg's opposition in principle to the operation of a used automobile business at this location. He noted that the Foundation does support the Planning Commission's recommendation for a special use permit but only with all the conditions listed.

As no one else wished to speak, Mr. Brown closed the public hearing.

Mr. Brown made a motion to deny the SUP based on the incompatibility of the automobile sales with Carter's Grove and surrounding development.

Mr. DePue indicated many other uses can occur in B-1; at least the conditions attached to the SUP offer the opportunity to improve an unsightly operation.

Mr. Mahone expressed his discomfort with the nature of the activity proposed for the area.

Mr. Morton indicated Mr. Gibson may continue the mobile home sales activity on the site, as a non-conforming use.

Mr. DePue indicated he is comfortable with the five conditions required by the SUP. He further stated the County needs small businesses and Colonial Williamsburg supports the proposed activity.

Mr. Brown stated that non-conforming uses should be strictly enforced.

Mr. Brown indicated he did not understand why when the cars were placed on the lot illegally, the County provided this opportunity for the violator to obtain an SUP to operate legally.

Mr. Edwards restated his motion to deny the SUP.

On a roll call, the vote was AYE: Edwards, Mahone, Brown (3). NAY: Taylor, DePue (2).

3. Case No. Z-22-86. Doris S. Peet.

Mr. Brown opened the public hearing.

As no one wished to speak, Mr. Brown closed the public hearing.

Mr. Taylor made a motion to approve Case No. Z-22-86. Doris A. Peet.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

RESOLUTION

CASE NO. Z-22-86. DORIS S. PEET

WHEREAS, in accord with Section 15.1-431 of the Code of Virginia, and Section 20-14 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-22-86 for rezoning approximately 3 acres from B-1, General Business, to A-2, Limited Agricultural, on property identified as parcel (1-4) on James City County Real Estate Tax Map No. (46-3); and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 voted 10-0 to recommend approval of this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-22-86.

4. Case No. Z-24-86. George W. Granger.

Mrs. Gussman indicated Barbara Murphy has applied on behalf of George W. Granger to rezone approximately .895 acres on the back corner of a 2.14 acre parcel from R-3 General Residential, to M-1, Limited Industrial. The property is located at 5831 Mooretown Road. Access to the property is from Mooretown Road. The property is on the outer edge of a small area designated limited industry and the proposed rezoning is consistent with surrounding land use and zoning. The Planning Commission voted 10-0 to recommend approval of this application.

Mr. Brown asked if consideration has been given to the triangular parcel being used as a buffer to the residential area.

Mrs. Gussman responded the M-1 set back provides an additional buffer.

Mr. Brown opened the public hearing.

Barbara C. Murphy indicated Mr. Granger's intention to enhance the use of the front portion of the parcel, currently zoned M-1, which fronts on Mooretown Road. Mr. Granger intends to subdivide the existing parcel into two parcels to allow construction of a 2,000 square foot building on the front portion of the property and using the rear portion (proposed for rezoning) in conjunction with the building.

As no one else wished to speak, Mr. Brown closed the public hearing.

Mr. DePue made a motion to approve Case No. Z-24-86. George W. Granger.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

RESOLUTION

CASE NO. Z-24-86. GEORGE W. GRANGER

WHEREAS, in accord with Section 15.1-431 of the Code of Virginia, and Section 20-14 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-24-86 for rezoning approximately .895 acres from R-3, General Residential, to M-1, Limited Industrial, on property identified as parcel (1-26) on James City County Real Estate Tax Map No. (33-1); and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 voted 10-0 to recommend approval of Zoning Case No. Z-24-86.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-24-86.

5. Case No. SUP-31-86. John's Automotive.

Mr. Brown opened the public hearing.

Mrs. Gussman indicated William R. Bland, attorney for the applicant, requested deferral of this case until December 15, 1986.

Mr. Brown made a motion to continue the public hearing and defer the case until December 15, 1986, at 3:00 p.m.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

6. Case No. AFD-5-86. Barnes Swamp

Mrs. Gussman stated landowners in the Barnes Swamp area have applied to create an Agricultural and Forestal District on 1,904.954 acres.

On September 24, 1986, the Agricultural and Forestal Districts Advisory Committee recommended approval of the proposed district by a vote of 8-0. The Committee recommended that the strips adjoining roads not be excluded from the AFD. The Committee voted 7-1 to recommend a four-year term, and voted 8-0 to include all the proposed properties in the AFD.

The Planning Commission at its October 28, 1986 meeting voted 9-0 to recommend approval of AFD-5-86 for a term of four years, excluding the property zoned B-1, General Business, and also excluding 25-foot strips adjacent to existing roads traversing the district.

Staff recommends approval of the attached ordinance reflecting the Planning Commission's recommendation.

Mr. Taylor indicated the Advisory Committee thoroughly discussed the exclusion of 57.31 acres zoned B-1.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to amend the resolution to include the 57.31 acres in parcel (4-3)(1-17) zoned B-1.

Mr. Mahone indicated he had voted against previous AFDs created by the Board because he opposed in principle the exclusion of the 25 foot rights-of-way from the district.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE BARNES SWAMP
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-5-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Barnes Swamp area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Barnes Swamp area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Barnes Swamp Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(3-1)(1-1)	Pete Leonituk	134.25 ac.
(1-2)	E. C. Stewart	64.0
(1-3)	Pete Leonituk	50.0
(3-3)(1-3)	E. C. Stewart	70.0
(1-4)	Alvin Beahm	70.0
(1-5)	Richard Mountcastle	35.81
(1-6)	B. S. Bowmer, Jr.	96.75
(3-4)(1-1)	J. W. Carney	154.7
(2-4)(1-12)	B. S. Bowmer, Jr.	62.198
(1-57)	R. E. Mountcastle	5.0
(1-58)	R. E. Mountcastle	4.2
(1-59)	Richard Mountcastle	4.0
(1-60)	R. E. Mountcastle	6.0
(1-61)	R. E. Mountcastle	37.0
(10-1)(1-1)	John G. Warburton	78.0
(3-2)(1-1)	O. P. Harwood	43.53
(1-2)	William C. Baskett	32.03
(1-3)	Henry B. Johnson	19.08
(1-3A)	Henry B. Johnson	93.99
(1-4)	Robert Michael Dzula	28.08
(4-1)(1-5)	John Richardson	42.0
(1-6)	John Richardson	10.0
(1-8)	J. B. Cowles, Sr.	79.12
(4-2)(1-8)	C. T. Hazelwood,	
	Howell P. Hazelwood, Jr.	249.88
(1-9)	F. L. Fernandez	78.0
(1-14)	Edith Hazelwood	99.04
(4-3)(1-15)	Florence S. Carter	22.0
(1-16)	W. A. Slater	52.0
(1-17)	R. M. Hazelwood, Jr.	184.296

provided, however, that all land within 25 feet of the rights-of-way of Racefield Drive (Route 622), Stewarts Road (Route 621), Richmond Road (Route 60), Old Stage Road (Route 30), Richardson Road (Route 705), Holly Forks Road (Route 601), Fire Tower Road (Route 634), and Interstate 64 shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, 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 to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

7. Case No. AFD-6-86. Cranston's Pond.

Mrs. Gussman indicated property owners in the Cranston's Pond area of James City County have applied to create an Agricultural and Forestal District on 1,172.21 acres.

Mr. Brown opened the public hearing.

Keith Nunn, P.O. Box 5, Norge, VA 23127, addressed the Board and requested favorable action by the Board.

As no one else wished to speak, Mr. Brown closed the public hearing.

Mr. Edwards made a motion to approve the ordinance.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE CRANSTON'S POND
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-6-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Cranston's Pond area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Cranston's Pond area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Cranston's Pond Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.
2. That the district shall include the following parcels:

(23-3)(1-1)	Nunn	416.5 ac.
(22-3)(1-26)	Geddy	167.5
(1-33)	Constanzo	23.0
(22-4)(1-1A)	English	101.67
(22-2)(1-87)	Harcum	62.8
(1-89)	Carneal, Smith & Marston	40.0
(1-34)	Carneal, Smith & Marston	14.0
(23-4)(1-21)(part)	Ware	90.79
(31-2)(1-3)	Ripley	20.0
(21-4)(1-39)	Constanzo	6.5
(1-46)	Hornsby	205.0
(1-37)	Chieftans Inv. Co.	26.45

provided, however, that all land within 50 feet of the rights-of-way of Chickahominy Road (Route 631) and Centerville Road (Route 614) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Cranston's Pond 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 to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

8. Case No. AFD-7-86. Mill Creek

Mrs. Gussman presented this case indicating property owners in the Mill Creek/Forge Road area of James City County have applied to create an agricultural and forestal district (AFD) on 3,290.878 acres.

On October 28, 1986, the Planning Commission recommended by a 9-0 vote the approval of AFD-7-86, with restrictions, excluding a 25-foot strip of land adjacent to Forge Road.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the ordinance.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE MILL CREEK
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-7-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Mill Creek area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Mill Creek area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Mill Creek Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(19-2)(1-5)	William A. Thompson	24.75 ac.
(20-2)(1-6)	Linda B. Cowles	386.0
(20-2)(1-3)	E. W. Cowles	106.25
(20-2)(1-1)	E. W. Cowles	8.786
(21-1)(1-5)	James G. Crow	46.01
(20-1)(1-1)	J. B. Cowles, Sr.	400.0
(11-3)(1-28)	Steve L. Massie	94.32
(11-3)(1-28A)	Steve L. Massie	32.61
(11-4)(1-6)	Steve L. Massie	10.0
(11-4)(1-2)	Joseph M. Cottrell	301.5
(10-4)(1-5)	Linda B. Cowles	250.0
(10-4)(1-6)	Linda B. Cowles	124.768
(10-4)(1-4)	David W. Ware	110.238
(10-4)(1-3)	C. C. Cowles, Sr.	103.26
(9-4)(1-8)	Eagle Tree Land Trust	544.99
(10-1)(1-38)	R. T. Armistead	50.0
(10-3)(1-19)	Roxie Price Sheldon	97.593
(10-2)(1-17)	W. A. Slater	245.5
(10-1)(1-28)	Albert T. Slater	82.83
(10-1)(1-7)	McRae O. Selph	50.0
(11-4)(1-5)	Garland L. Wooddy	80.5
(20-2)(1-2)	David L. Ware	57.748
(9-2)(1-36)	Jackson H. Darst, Jr.	41.225
(10-3)(1-3)	W. A. Slater	42.0
(20-2)(1-4)	Charles W. Dozier	41.124
(20-2)(1-5)	Caroline Dozier	186.75
(20-2)(1-7)	Caroline Dozier	16.5
(20-2)(1-8)	Caroline Dozier	12.0

provided, however, that all land within 25 feet of the rights-of-way of Forge Road (Route 610), Little Creek Dam Road (Route 631), Menzel's Road (Route 659), North Riverside Drive (Route 715), Diascund Road (Route 603) and Richmond Road (Route 60) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Mill Creek 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 to be limited to parcels of 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.
 - (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
 - (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

- (d) Nothing herein shall restrict a property owner from constructing private, non-commercial recreation facilities for his own use within the district in accordance with applicable zoning regulations.

9. Case No. AFD-8-86. Casey Property.

Mrs. Gussman stated Wilson F. Skinner, attorney representing the applicant, requests the Board defer consideration of this case until the December 15, 1986 meeting.

Mr. Brown opened the public hearing and, as there were no speakers, closed the hearing.

Mr. DePue made a motion to defer consideration of this ordinance until the December 15, 1986 meeting.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

10. Case No. AFD-9-86. Gordon Creek.

Mrs. Gussman presented this case indicating property owners in the Gordon Creek/Naves Bay area of the County have applied to create an Agricultural and Forestal District on 3,279.568 acres. The Virginia Department of Highways and Transportation has proposed a 25-foot strip along News Road, Centerville Road, and John Tyler Highway be excluded from the district.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue moved approval of the ordinance.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE GORDON CREEK
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-9-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Gordon Creek area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Gordon Creek area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Gordon Creek Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(35-2)(1-16)	Robert T. Armistead Trustee	369	ac.
(36-3)(1-1)	Robert T. Armistead	163.88	
(30-3)(1-4)	Rosa Armistead, Est.	23	
(35-4)(1-1)	John G. Warburton, Est.	394.5	
(35-2)(1-1)	Carolyn B. Warburton, Est.	86.643	
(34-3)(1-1)	J.W. & Lula Minor, Est. and Nancy Selby	58	
(34-2)(1-2)	Linwood & Lula Minor, et also.	256	
(36-3)(1-3)	John G. Warburton, Est.	264	
(35-2)(1-15)	Madeline Hogge	27	
(36-1)(1-3)	Jane T. Carswell	44	
(36-1)(1-6)	Thomas L. & Victoria R. Hitchens	35	
(36-2)(1-40)	Alma Walls Thompson	143.25	
(36-2)(1-1)	Fred M. Jones	175.5	
(36-2)(1-2)	Charles G. & June J. Kagey	50.4	
(36-2)(1-3)	Charles G. & June J. Kagey	25.2	
(43-2)(1-1)	Eugene Hofmeyer	124.1	
(36-4)(1-7)	J.C. Richardson, et als.	116.935	
(36-4)(1-8)	J.C. Richardson, et als.	38	
(30-3)(1-3)	J.C. Richardson, et als.	33	
(36-1)(1-4)	John G. Warburton	40	
(44-1)(1-1A)	Powhatan Hunt Club	64.53	
(44-1)(1-1)	Powhatan Hunt Club	387.42	
(35-3)(1-1)	Powhatan Hunt Club	241.68	
(36-2)(1-18)	Richard Austin	95.53	
(36-2)(1-5A)	Richard Austin	23	
(35-4)(1-9)	John C. & Carol Jamison	57.6	

provided, however, that all land within 25 feet of the rights-of-way of News Road (Route 613), Centerville Road (Route 614), and John Tyler Highway (Route 5) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Gordon Creek 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 to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

11. Case No. AFD-10-86. Christenson's Corner.

Mrs. Gussman presented the case indicating property owners in the Christenson's Corner area of James City County have applied to create an agricultural and forestal district on 568.164 acres.

Mr. Brown opened the public hearing, and as no wished to speak, he closed the public hearing.

Mr. Taylor moved approval of the ordinance.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE CHRISTENSON'S CORNER
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-10-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Christenson's Corner area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Christenson's Corner area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Christenson's Corner Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(16-4)(1-3)	B.F., S.W. & D.R. Steffen	402.9 ac.
(16-3)(1-10)	C. M. Chandler	6.0
(16-3)(1-1)	C. M. Chandler	8.014
(15-4)(1-11)	C. M. Chandler	151.25

provided, however, that all land within 25 feet of the rights-of-way of Newman Road (Route 646) and Riverview Road (Route 606) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Christenson's Corner 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 to be limited to parcels of 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.

12. Case No. AFD-11-86. Yarmouth Island.

Mrs. Gussman presented the case indicating property owners in the Yarmouth Creek/Forge Road area of James City County have applied to create an agricultural and forestal district (AFD) on 1,524.798 acres.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE YARMOUTH ISLAND
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-11-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Yarmouth Island area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Yarmouth Island area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Yarmouth Island Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(29-3)(1-5)	J. C. Richardson	172.84 ac.
(29-3)(1-2)	J. C. Richardson	68.50
(28-4)(1-5)	J. C. Richardson	968.5
(29-2)(1-1)	J. C. Richardson	123.0
(29-4)(1-1)	John G. Warburton	37.75
(29-2)(1-2)	David W. Ware	63.828
(30-1)(1-7)	David W. Ware	26.0
(30-3)(1-1)	David W. Ware	26.0
(29-4)(1-2)	Clyde Van Calhoun, Jr.	38.38

provided, however, that all land within 25 feet of the right-of-way of Jolly Pond Road (Route 611) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512(D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Yarmouth Island 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 to be limited to parcels of 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.

13. Case No. AFD-12-86. Gospel Spreading Church.

Mrs. Gussman presented the case indicating owners of the Gospel Spreading Church and nearby properties have applied to create an Agricultural and Forestal district on 1,173.109 acres. On October 28, 1986, the Planning Commission voted 9-0 to recommend approval of the AFD with restrictions

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue moved approval of the ordinance.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

ORDINANCE NO. _____

ESTABLISHING THE GOSPEL SPREADING CHURCH
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-12-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Gospel Spreading Church Farm area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Gospel Spreading Church Farm area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Gospel Spreading Church Farm Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(48-3)(1-35)	National Memorial for Progress of Colored People	504.47 ac.
(56-2)(1-1)	Gospel Spreading Church	458.8
(47-4)(1-33)	Dr. Stanley H. & Marvis Powell	27.92
(47-4)(1-8)	R. D. Mahone	71.999
(47-4)(1-37)	Floyd P. Carmines	27.950
(47-4)(1-11)	Lyman R. & Dorothy Hall	18
(47-4)(1-13)	Dorothy Hall	41
(48-3)(1-39)	Thomas M. Mikula	14.42
(48-3)(1-40)	Thomas M. Mikula	8.55

provided, however, that all land within 25 feet of the rights-of-way of Treasure Island Road (Route 617), Lake Powell Road (Route 617 and 618), Neck-O-Land Road (Route 682), and Jamestown Road (Route 31) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Gospel Spreading Church Farm 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 to be limited to parcels of 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; provided, however, that up to two dwelling units may be constructed on parcels number (48-3)(1-35) and (56-2)(1-1), in accordance with all applicable building code and zoning regulations.

Mr. Brown commended Mrs. Gussman and members of the Planning Department, Carlyle Ford, Commissioner of the Revenue, and Real Estate Assessments for their involvement in developing the AFDs.

Mr. Taylor publicly recognized Carlyle Ford for an outstanding job, the Extension Staff, and Paxton Marshall, VPI&SU, for their substantial efforts in conjunction with the AFDs.

14. Ordinance Amendment, Chapter 3, Change Vaccination Requirements for the Purchase of a Dog License.

Mr. Morton presented this item to the Board. Last year the Health Department and the Attorney General's Office requested that local dog ordinances be amended to require a certificate of rabies vaccination which did not expire during the license year as a prerequisite for purchasing a dog license. This request was part of a program designed to slow the spread of a reported rabies epidemic that is migrating toward Southeast Virginia. James City County and most other localities adopted the requirement.

Local veterinarians have informed the County that initial rabies vaccinations can only be certified for 12 months. Subsequent vaccinations are then certified for 36 months. Because the law requires puppies to be vaccinated at six months of age, most puppies cannot have a valid certificate of vaccination for the entire license year unless they are re-vaccinated on or after January 1. Veterinarians advise that such a re-vaccination is not recommended and sometimes is ineffective.

To correct this problem, the proposed ordinance amendment will allow for the purchase of a dog license for a puppy with a 12 month certificate of vaccination even if that certificate expires during the license year.

Mr. Brown opened the public hearing.

1. L. Rodgers Huff, 103 West Kingswood Drive, Williamsburg, addressed the Board as a registered kennel owner in James City County. According to Mr. Huff, the adoption of this amendment will create considerable workload for County staff and inconvenience for dog owners, will cause possible health threats to dogs who are re-vaccinated within a current vaccination period, and imposition of this requirement on dog owners will do nothing to eliminate the problem of rabies in stray cats and wildlife, such as raccoons, squirrels, etc. Further, additional health studies are required to assure multiple shots are not harmful to dogs.

Mr. Brown closed the public hearing as no one else wished to speak.

Mr. Brown suggested deferring until additional information from local veterinarians is available.

Mr. Taylor suggested the ordinance amendment could be simplified.

Mr. DePue made a motion to approve the ordinance amendment, since the proposed change reduced the requirements as it relates to puppies.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

D. **CONSENT CALENDAR**

Mr. Brown asked if any Board member wished to withdraw items from the Consent Calendar.

As no one wished to withdraw items, Mr. Brown made a motion to approve the Consent Calendar.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

1. **Appropriation of Section 8 Rental Assistance Funds.**

R E S O L U T I O N

APPROPRIATION OF SECTION 8 RENTAL ASSISTANCE FUNDS

WHEREAS, the Section 8 Rental Assistance Program is used to the maximum extent possible in the County; and

WHEREAS, additional administrative funds have been awarded to the County as a result.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors appropriates \$2,039 from VHDA to the Office of Community Services as follows:

Office of Community Services

Section 8 Program Expenses	+ \$2,039
Section 8 Program Funding	- \$2,039

2. **Capital Project Budget Balances.**

RESOLUTION

CAPITAL BUDGET PROJECT BALANCES

WHEREAS, Capital Project budget balances do not expire at year end and can be adjusted only by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby eliminates the following Capital Project budget balances and transfers these funds to Capital Contingency.

EMS Ambulance	\$ 118.01
Landfill Site Work	2,133.44
Highway Match	1,270.00
Library Computer	1,865.78
Pamunkey River Study	37,000.00
Neck-O-Land Road Water	<u>21,000.00</u>
Total	\$63,387.23

E. BOARD CONSIDERATIONS

1. Proposed 1987 Legislative Program

Mrs. Burcham presented the Proposed 1987 General Assembly Legislative Program which includes eight items the County wishes our delegates to support and five items we are requesting they oppose. Priority issues for support include transportation, accepting roads into the State highway system, conservation easements, equal taxing authority, meals tax, full funding of State-mandated programs, full funding of the Standards of Quality, and reduction of minimum size of Agricultural and Forestal Districts. Priority issues for opposition include Sovereign Immunity/Tort Claims Act, local work force, manufactured housing, unappropriated reserves, and polygraphs.

Mr. Brown stated most of these items are carryovers from previous years.

Mr. Brown moved adoption of the program.

Mr. Taylor made a motion to delete 20 years as the maximum time period for the existence of an Agricultural and Forestal District.

Mrs. Burcham indicated the increased time period allows the existence period to be established on a case by case basis, up to the maximum of 20 years.

Mr. Taylor withdrew his motion.

Mr. Mahone suggested staff research the potential for advisory referendum.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

RESOLUTION

SUPPORT OF 1987 COUNTY LEGISLATIVE PROGRAM

WHEREAS, the goal of James City County is to provide for the health, safety, and welfare of its citizens; and

WHEREAS, legislation enacted by both the State and Local government can facilitate the obtainment of this goal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board respectfully requests the Honorable Members representing James City County in the General Assembly to use their good efforts to support the legislative items contained in the County's 1987 Legislative Program and to oppose those items so noted.

BE IT FURTHER RESOLVED that a copy of this resolution and Legislative Program shall be forwarded to each member of the General Assembly representing James City County.

2. County Housing Commission

Mr. Conyers, Director of Community Services, presented this item referencing a study entitled an "Assessment of Housing Conditions in James City County 1980-86." The study was prepared by Dr. Christopher Silver, Associate Professor of Urban Studies and Planning at Virginia Commonwealth University. This work represents the most complete review to date of housing conditions and the housing market in the County.

The purpose of the County Housing Commission would be to evaluate and monitor existing housing efforts funded by the County, advise County staff on issues related to housing, recommend new policies and/or programs that will improve existing housing stock in the County, and make recommendations to the Board of Supervisors on ways to increase the availability of housing units for low-income County residents.

Mr. Taylor stated he was opposed to enacting a minimum housing maintenance code.

Mr. Conyers assured the Board the function of the County Housing Commission is strictly advisory. The Housing Commission will look at alternatives for upgrading the current low-income housing stock and make some formal recommendation to the Board of Supervisors for their consideration and action.

Mr. Mahone stated he supports Mr. Taylor's concerns. The implementation of recommendations from a Housing Commission will require additional County staff to perform the work.

Mr. Edwards indicated the County has been successful in obtaining water for its citizens, raising the quality of the schools, building a Recreation Center, but not so successful in the area of housing. There is a need to learn more about what can be done to improve the quality of life for this facet of the County. The Housing Commission will not threaten the Board, but rather will be an advisory group obtaining information, identifying the problem, then advising, evaluating, and recommending.

Mr. Brown stated the Housing Commission will not evict people from their homes, but will make recommendations to improve living conditions. The Grove Housing program has relocated numerous residents, rehabilitated twelve homes, and removed blighted areas. A Housing Commission can pull all aspects together, deal with individuals and make recommendations for improvements to the Board.

Mr. DePue indicated he has "housing authority" reservations, and is reluctant to see the County government in the housing business; however, the creation of the Commission will give higher priority to an area often overlooked.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was AYE: Edwards, DePue, Brown (3).
NAY: Taylor, Mahone (2).

RESOLUTION

JAMES CITY COUNTY HOUSING COMMISSION

WHEREAS, James City County has several hundred substandard housing units; and

WHEREAS, there is a need for policies and programs to improve housing conditions in the County; and

WHEREAS, the County Planning Commission endorses the establishment of a County Housing Commission to recommend housing policy and programs for the County.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors does hereby create the County Housing Commission for the following purposes:

1. To evaluate and monitor existing housing efforts funded by the County.
2. To advise County staff on issues related to housing.

3. To recommend new policies and/or programs that will improve existing housing stock in the County.
4. To make recommendations to the Board of Supervisors on ways to increase the availability of housing units for low-income County residents.

F. PUBLIC AUDIENCE - None

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mrs. Burcham indicated the Board would shortly be receiving a report from the Historical Commission suggesting it review each application for rezoning for possible historic findings on the site. The Commission proposes to consult with developers and offer help with phase one surveys of properties with potential historic significance.

Mr. Taylor stated reluctance to giving such power to the Commission.

Mrs. Burcham, at the Board's request, scheduled a meeting December 11, 1986, 2:00 p.m. in the Board Room with Senator Fears, Delegate Grayson, and John Hodge of VDH&T to discuss the County's legislative package, including clarification of issues concerning Route 199.

Mrs. Burcham requested the Board, at the appropriate time, enter into an Executive Session to discuss personnel, legal and real estate matters.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Brown reminded the Board of the December 8, 1986, 4:00 p.m. tour of Bruton Heights School with Williamsburg City Council.

Mr. Brown reported he had received a call from a constitutional officer requesting the Board consider giving County employees December 26, 1986 as an additional holiday, given that the State has declared December 26th and January 2nd as holidays for all State employees. Otherwise, staff in the offices of constitutional officers would be required to work even though the State officially designated that date as a holiday.

Mr. DePue made a motion to grant the additional day, December 26, 1986, as a holiday for County employees in recognition of employees efforts toward excellence. Further, he stated the citizens of James City County have benefited by County employees' individual commitment to attaining excellence in delivery of all services.

On a roll call, the vote was AYE: Edwards, Taylor, DePue, Brown (4). NAY: Mahone (1).

Mr. Brown requested staff continue scheduling work sessions with the various Boards and Commissions.

Mr. Edwards asked if the Board will meet December 20, 1986, at 9:00 a.m. for a Budget Work Session.

Mrs. Burcham responded affirmatively, indicating lunch will be served.

Mr. DePue distributed information from York County concerning their contribution method for funding their share, based on county usage, of operating expenses of the Williamsburg Regional Library and their expectation for a seat on the Library's Board. He requested staff contact York County regarding the need for both James City County and Williamsburg to approve any change in the Library Board's composition.

Mr. DePue requested information concerning a Reading File item addressing the County's possible involvement in the Resource Recovery Project with Chesapeake Corporation. He stated that after further review, he feels that \$4,000 seems like a small investment for the possible benefits the County may realize from a joint jurisdictional cooperative.

Mr. Brown stated he is reluctant to spend \$4,000 when he does not know the question.

Mr. Edwards indicated he is skeptical that several governments can work together, but believes it is prudent to stay involved.

Ted Bickmore, Financial Analyst, stated the interest for a study comes from a corporate customer who wants energy at a low cost. Plant location is not critical because the pellets may be stock piled. The pelletized pieces are mixed with fuel for higher pressure. Chesapeake is still interested in our participation.

Mr. Taylor indicated the more he hears the less he is in favor of the project.

Mr. Brown suggested the County could conduct its own study for \$4,000.

Mr. DePue made a motion to participate in the resource recovery project.

Mr. Mahone indicated he would not support transporting trash.

On a roll call, the vote was AYE: Edwards, DePue, Brown (3). NAY: Taylor, Mahone (2).

Mr. Brown made a motion to go into Executive Session to discuss personnel, real estate, and legal matters pursuant to Section 2.1-344(a)(1)(2) and (6) of the Code of Virginia, 1950, as amended.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

The Board convened into Executive Session at 10:50 p.m. and reconvened into public session at 11:32 p.m.

Mr. Brown made a motion to approve the resolution authorizing acquiring property for construction and expansion of the Williamsburg-James City County School System.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

RESOLUTION

Authorization to Acquire Property for Construction and Expansion of the Williamsburg-James City County School System

WHEREAS, in the opinion of the Board of Supervisors of James City County, Virginia, a public necessity exists for the acquisition of certain real property hereinafter more particularly described in James City County, Virginia, as shown on a plat attached hereto, ("the Property") for the construction and expansion of the Williamsburg-James City County School System, for public purposes, and the preservation of the health, safety, peace, good order, comfort, convenience, morals and welfare of James City County, Virginia; and

WHEREAS, a site has been identified as described on a certain plat as follows,
" 'SURVEY OF LOT 2, CATHERINE BOWMAN SUBDIVISION
STANDING IN THE NAME OF DENNIS AND JACQUELINE
BOGGER, JAMES CITY COUNTY, VIRGINIA' made by Paul C.
Small of AES, a professional corporation, dated 11/10/86, a copy of
which is attached hereto and made a part hereof,"; and

WHEREAS, the County is now in receipt of a Contract of Purchase executed by
the owners and Gregory R. Davis or his Assigns; and

WHEREAS, Gregory R. Davis has assigned his rights under said contract to the
County of James City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James
City County that the Board of Supervisors hereby appropriates the
sum of \$11,900 for the purchase of the above described property and
further authorizes and directs the Acting County Administrator to
execute the appropriate documents to purchase said property.

Mr. DePue made a motion to adjourn until December 8, 1986, at
4:00 p.m. at Bruton Heights School.

On a roll call, the vote was AYE: Edwards, Taylor, Mahone,
DePue, Brown (5). MAY: (0).

The Board adjourned at 11:33 p.m.


Darlene L. Burcham
Clerk to the Board

vas
0041w

ORDINANCE NO. 167

DEC 1 1986

ESTABLISHING THE BARNES SWAMP
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-5-86)

BOARD OF SUPERVISORS
 JAMES C. GORDON, JR.,
 Chairman

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Barnes Swamp area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Barnes Swamp area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Barnes Swamp Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(3-1)(1-1)	Pete Leonituk	134.25 ac.
(1-2)	E. C. Stewart	64.0
(1-3)	Pete Leonituk	50.0
(3-3)(1-3)	E. C. Stewart	70.0
(1-4)	Alvin Beahm	70.0
(1-5)	Richard Mountcastle	35.81
(1-6)	B. S. Bowmer, Jr.	96.75
(3-4)(1-1)	J. W. Carney	154.7
(2-4)(1-12)	B. S. Bowmer, Jr.	62.198
(1-57)	R. E. Mountcastle	5.0
(1-58)	R. E. Mountcastle	4.2
(1-59)	Richard Mountcastle	4.0
(1-60)	R. E. Mountcastle	6.0
(1-61)	R. E. Mountcastle	37.0
(10-1)(1-1)	John G. Warburton	78.0
(3-2)(1-1)	O. P. Harwood	43.53
(1-2)	William C. Baskett	32.03
(1-3)	Henry B. Johnson	19.08
(1-3A)	Henry B. Johnson	93.99
(1-4)	Robert Michael Dzula	28.08
(4-1)(1-5)	John Richardson	42.0
(1-6)	John Richardson	10.0
(1-8)	J. B. Cowles, Sr.	79.12
(4-2)(1-8)	C. T. Hazelwood,	
	Howell P. Hazelwood, Jr.	249.88
(1-9)	F. L. Fernandez	78.0
(1-14)	Edith Hazelwood	99.04
(4-3)(1-15)	Florence S. Carter	22.0
(1-16)	W. A. Slater	52.0
(1-17)	R. M. Hazelwood, Jr.	184.296

provided, however, that all land within 25 feet of the rights-of-way of Racefield Drive (Route 622), Stewarts Road (Route 621), Richmond Road (Route 60), Old Stage Road (Route 30), Richardson Road (Route 705), Holly Forks Road (Route 601), Fire Tower Road (Route 634), and Interstate 64 shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, 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 to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.


 William F. Brown, Chairman
 Board of Supervisors

ATTEST:


 Darlene L. Burcham
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of December, 1986.

VG/bkh
 0019w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

DEC 1 1986

ORDINANCE NO. 168

ESTABLISHING THE CRANSTON'S POND
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-6-86)

BOARD OF SUPERVISORS
 JAMES CITY COUNTY
 VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Cranston's Pond area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Cranston's Pond area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Cranston's Pond Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(23-3)(1-1)	Nunn	416.5 ac.
(22-3)(1-26)	Geddy	167.5
(1-33)	Constanzo	23.0
(22-4)(1-1A)	English	101.67
(22-2)(1-87)	Harcum	62.8
(1-89)	Carneal, Smith & Marston	40.0
(1-34)	Carneal, Smith & Marston	14.0
(23-4)(1-21)(part)	Ware	90.79
(31-2)(1-3)	Ripley	20.0
(21-4)(1-39)	Constanzo	6.5
(1-46)	Hornsby	205.0
(1-37)	Chieftans Inv. Co.	26.45

provided, however, that all land within 50 feet of the rights-of-way of Chickahominy Road (Route 631) and Centerville Road (Route 614) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Cranston's Pond 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 to be limited to parcels of 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.

- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 1st day of December, 1986.

VG/bkh
0018w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

DEC 1 1986

ESTABLISHING THE MILL CREEK
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-7-86)

BOARD OF SUPERVISORS
 JAMES CITY COUNTY
 VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Mill Creek area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Mill Creek area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Mill Creek Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

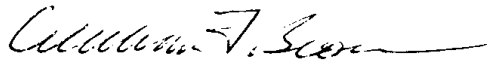
2. That the district shall include the following parcels:

(19-2)(1-5)	William A. Thompson	24.75 ac.
(20-2)(1-6)	Linda B. Cowles	386.0
(20-2)(1-3)	E. W. Cowles	106.25
(20-2)(1-1)	E. W. Cowles	8.786
(21-1)(1-5)	James G. Crow	46.01
(20-1)(1-1)	J. B. Cowles, Sr.	400.0
(11-3)(1-28)	Steve L. Massie	94.32
(11-3)(1-28A)	Steve L. Massie	32.61
(11-4)(1-6)	Steve L. Massie	10.0
(11-4)(1-2)	Joseph M. Cottrell	301.5
(10-4)(1-5)	Linda B. Cowles	250.0
(10-4)(1-6)	Linda B. Cowles	124.768
(10-4)(1-4)	David W. Ware	110.238
(10-4)(1-3)	C. C. Cowles, Sr.	103.26
(9-4)(1-8)	Eagle Tree Land Trust	544.99
(10-1)(1-38)	R. T. Armistead	50.0
(10-3)(1-19)	Roxie Price Sheldon	97.593
(10-2)(1-17)	W. A. Slater	245.5
(10-1)(1-28)	Albert T. Slater	82.83
(10-1)(1-7)	McRae O. Selph	50.0
(11-4)(1-5)	Garland L. Woody	80.5
(20-2)(1-2)	David L. Ware	57.748
(9-2)(1-36)	Jackson H. Darst, Jr.	41.225
(10-3)(1-3)	W. A. Slater	42.0
(20-2)(1-4)	Charles W. Dozier	41.124
(20-2)(1-5)	Caroline Dozier	186.75
(20-2)(1-7)	Caroline Dozier	16.5
(20-2)(1-8)	Caroline Dozier	12.0

provided, however, that all land within 25 feet of the rights-of-way of Forge Road (Route 610), Little Creek Dam Road (Route 631), Menzel's Road (Route 659), North Riverside Drive (Route 715), Diascund Road (Route 603) and Richmond Road (Route 60) shall be excluded from the district.

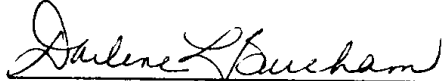
3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Mill Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- (a) The subdivision of land is to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.
- (d) Nothing herein shall restrict a property owner from constructing private, non-commercial recreation facilities for his own use within the district in accordance with applicable zoning regulations.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of December, 1986.

VG/bkh
0017w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

DEC 1 1986

ESTABLISHING THE GORDON CREEK
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-9-86)

BOARD OF SUPERVISORS
 JAMES CITY COUNTY
 VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Gordon Creek area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Gordon Creek area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Gordon Creek Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

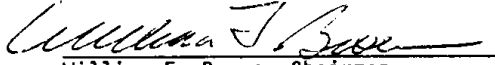
2. That the district shall include the following parcels:

(35-2)(1-16)	Robert T. Armistead Trustee	369	ac.
(36-3)(1-1)	Robert T. Armistead	163.88	
(30-3)(1-4)	Rosa Armistead, Est.	23	
(35-4)(1-1)	John G. Warburton, Est.	394.5	
(35-2)(1-1)	Carolyn B. Warburton, Est.	86.643	
(34-3)(1-1)	J.W. & Lula Minor, Est.		
	and Nancy Selby	58	
(34-2)(1-2)	Linwood & Lula Minor, et also.	256	
(36-3)(1-3)	John G. Warburton, Est.	264	
(35-2)(1-15)	Madeline Hogge	27	
(36-1)(1-3)	Jane T. Carswell	44	
(36-1)(1-6)	Thomas L. & Victoria R. Hitchens	35	
(36-2)(1-40)	Alma Walls Thompson	143.25	
(36-2)(1-1)	Fred M. Jones	175.5	
(36-2)(1-2)	Charles G. & June J. Kagey	50.4	
(36-2)(1-3)	Charles G. & June J. Kagey	25.2	
(43-2)(1-1)	Eugene Hofmeyer	124.1	
(36-4)(1-7)	J.C. Richardson, et als.	116.935	
(36-4)(1-8)	J.C. Richardson, et als.	38	
(30-3)(1-3)	J.C. Richardson, et als.	33	
(36-1)(1-4)	John G. Warburton	40	
(44-1)(1-1A)	Powhatan Hunt Club	64.53	
(44-1)(1-1)	Powhatan Hunt Club	387.42	
(35-3)(1-1)	Powhatan Hunt Club	241.68	
(36-2)(1-18)	Richard Austin	95.53	
(36-2)(1-5A)	Richard Austin	23	
(35-4)(1-9)	John C. & Carol Jamison	57.6	

provided, however, that all land within 25 feet of the rights-of-way of News Road (Route 613), Centerville Road (Route 614), and John Tyler Highway (Route 5) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Gordon Creek 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 to be limited to parcels of 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.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 1st day of December, 1986.

VG/bkh
0015w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

ORDINANCE NO. 171

DEC 1 1986

ESTABLISHING THE CHRISTENSON'S CORNER
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-10-86)

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Christenson's Corner area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Christenson's Corner area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Christenson's Corner Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(16-4)(1-3)	B.F., S.W. & D.R. Steffen	402.9 ac.
(16-3)(1-10)	C. M. Chandler	6.0
(16-3)(1-1)	C. M. Chandler	8.014
(15-4)(1-11)	C. M. Chandler	151.25

provided, however, that all land within 25 feet of the rights-of-way of Newman Road (Route 646) and Riverview Road (Route 606) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Christenson's Corner 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 to be limited to parcels of 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.

- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 1st day of December, 1986.

V6/bkh
0014w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

ESTABLISHING THE YARMOUTH ISLAND
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-11-86)

BOARD OF SUPERVISORS
 JAMES CITY COUNTY
 VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Yarmouth Island area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Yarmouth Island area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Yarmouth Island Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(29-3)(1-5)	J. C. Richardson	172.84 ac.
(29-3)(1-2)	J. C. Richardson	68.50
(28-4)(1-5)	J. C. Richardson	968.5
(29-2)(1-1)	J. C. Richardson	123.0
(29-4)(1-1)	John G. Warburton	37.75
(29-2)(1-2)	David W. Ware	63.828
(30-1)(1-7)	David W. Ware	26.0
(30-3)(1-1)	David W. Ware	26.0
(29-4)(1-2)	Clyde Van Calhoun, Jr.	38.38

provided, however, that all land within 25 feet of the right-of-way of Jolly Pond Road (Route 611) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512(D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Yarmouth Island 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:

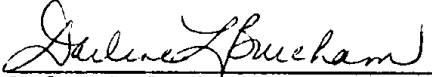
- (a) The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.

- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 1st day of December, 1986.

VG/bkh
0013w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

ORDINANCE NO. 173

DEC 1 1986

ESTABLISHING THE GOSPEL SPREADING CHURCH BOARD OF SUPERVISORS
AGRICULTURAL AND FORESTAL DISTRICT JAMES CITY COUNTY
 (AFD-12-86) VIRGINIA

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Gospel Spreading Church Farm area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Gospel Spreading Church Farm area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Gospel Spreading Church Farm Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

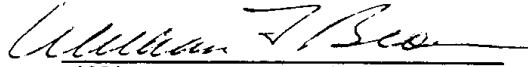
(48-3)(1-35)	National Memorial for Progress of Colored People	504.47 ac.
(56-2)(1-1)	Gospel Spreading Church	458.8
(47-4)(1-33)	Dr. Stanley H. & Marvis Powell	27.92
(47-4)(1-8)	R. D. Mahone	71.999
(47-4)(1-37)	Floyd P. Carmines	27.950
(47-4)(1-11)	Lyman R. & Dorothy Hall	18
(47-4)(1-13)	Dorothy Hall	41
(48-3)(1-39)	Thomas M. Mikula	14.42
(48-3)(1-40)	Thomas M. Mikula	8.55

provided, however, that all land within 25 feet of the rights-of-way of Treasure Island Road (Route 617), Lake Powell Road (Route 617 and 618), Neck-O-Land Road (Route 682), and Jamestown Road (Route 31) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Gospel Spreading Church Farm 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 to be limited to parcels of 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; provided, however, that up to two dwelling units may be constructed on parcels number (48-3)(1-35) and (56-2)(1-1), in accordance with all applicable building code and zoning regulations.

- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 1st day of December, 1986.

VG/bkh
0012w

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye

ORDINANCE NO. 7A-11

DEC 1 1986

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, DOGS, SECTION 3-3, VACCINATION OF DOGS; LICENSE OF DOGS; AND ARTICLE III, RABIES REGULATIONS; SECTION 3-24, UNLAWFUL ACTS; PENALTIES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 3, Animals and Fowl, is hereby amended and reordained by amending Section 3-3, Vaccination of dogs; license of dogs; and Section 3-24, Unlawful acts; penalties.

Chapter 3. Animals and Fowl

Article II. Dogs*

Section 3-3. Vaccination of dogs; license of dogs.

(a) It shall be unlawful for any person to own, keep, hold or harbor any dog over the age of six (6) months within the county, unless such dog shall have been vaccinated by a licensed veterinarian with a modified live virus rabies vaccine approved by the state department of health within a period of thirty-six (36) months or with a killed rabies vaccine approved by the state department of health within a period of twelve (12) months. If, however, such vaccination would threaten the physical well-being of such dog, the owner of such dog shall obtain a certificate, signed by a licensed veterinarian, certifying such fact, and the owner shall keep such dog in quarantine until the same is vaccinated.

(b) Any person transporting a dog into the county from some other jurisdiction shall comply with the requirements of subsection (a) of this section within thirty (30) days subsequent to bringing such dog into the county.

*State law references--State dog laws, Code of Va., Section 29-183 et seq.; control of rabies, Code of Va., Section 29-213.1 et seq.

(c) A veterinarian vaccinating a dog as required by this section shall issue to the owner of the dog a certificate of vaccination showing:

- (1) Date of vaccination;
- (2) Sex and breed of the dog;
- (3) The dog's weight, color and marks;
- (4) Rabies tag number;
- (5) Name of the owner;
- (6) Amount and kind of vaccine injection; and
- (7) Method of injection.

(d) Every owner or custodian of a dog over the age of six (6) months owned, possessed or kept in the County of James City shall obtain a dog license by making oral or written application with the county treasurer, or his designee.

(e) Each application shall be accompanied by the amount of license tax and a certificate of vaccination which will not expire during the license period; provided, however, a 12 month certificate of vaccination shall be accepted even if the expiration of the certificate of vaccination occurs within the license period. (8-10-64, Section 1; Ord. No. 7A-6, 8-10-81; Ord. No. 7A-8, 11-19-84; Ord. No. 7A-10, 7-7-86)

Article III. Rabies Regulations

Section 3-24. Unlawful acts; penalties.

Any failure by a person to obey Sections 3-19 through 3-23 shall be unlawful and punishable by a fine of up to one hundred dollars (\$100.00). (Ord. No. 7A-8, 11-19-84)

Cross reference-similar provisions, see Section 3-18.


William F. Brown, Chairman
Board of Supervisors

ATTEST:


Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia,
this 1st day of December, 1986.

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