

SEP 22 1998

ORDINANCE NO. 172A-3

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

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

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

WHEREAS, in accordance with Section 15.2-4305 of the Code of Virginia, property owners have been notified, public notices have been filed, public hearings have been advertized, and public hearings have been held on the continuation of the Yarmouth Island Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 27, 1998, voted 8-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on September 2, 1998, concurred with the recommendation of staff and the AFD advisory committee and voted 6-0, with one absence, to renew the district with the conditions listed below.

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

1. The Yarmouth Island Agricultural and Forestal District is hereby continued for a period of four years beginning the twenty second day of September, 1998, 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:


<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
J. C. Richardson, et. al.	(29-3)(1-5)	172.840
J. C. Richardson, et. al.	(29-3)(1-2)	68.500
John C. and Lorraine Richardson	(28-4)(1-5)	940.000
John Coleman Richardson	(29-1)(1-1)	28.500
John C. and Lorraine Richardson	(29-2)(1-1)	123.000
J. G. Warburton, Est., c/o M. McMurrin	(29-4)(1-1)	37.750
David W. Ware Trust, c/o Wallace Sink	(30-1)(1-7)	26.000
David W. Ware Trust, c/o Wallace Sink	(30-3)(1-1)	26.000
Clyde and Mary H. Van Calhoun, Jr.	(29-4)(1-2)	<u>34.890</u>

Total: 1,457,480

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

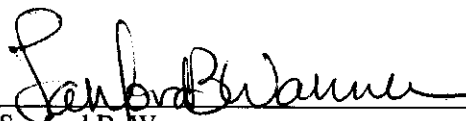
3. That pursuant to the Virginia Code, Sections 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the Yarmouth Island Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is 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 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.
- b. 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.
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State 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.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of September, 1998.