

ADOPTED

JUL 12 2005'

ORDINANCE NO. 169A-10

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

MILL CREEK AGRICULTURAL AND FORESTAL DISTRICT -

ANDREWS ADDITION (AFD-7-86)

WHEREAS, an Agricultural and Forestal District (AFD) has been established in the Mill Creek area; and;

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 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 Mill Creek Agricultural and Forestal District; and

WHEREAS the Agricultural and Forestal District Advisory Committee at its meeting of May 26, 2005, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its Public Hearing on June 6, 2005, unanimously recommended approval of the application.

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

1. The Mill Creek Agricultural and Forestal District is hereby amended by the addition of the following parcel:

Mr. Eugene C. and Mary K. Andrews Living Trust	(9-4)(1-8N)	<u>102.85 acre</u>
	Total	<u>102.85 acre</u>

provided, however, that all land within 25 feet of the road right-of-way of North Riverside Drive (Route 715) shall be excluded from the District.

2. 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 Mill Creek AFD be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a). The subdivision does not result in the total acreage of the 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 Land inside the PSA and within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to "Withdrawal of Lands from Agricultural and Forestal Districts Within the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.

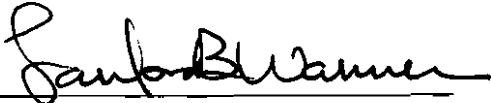
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits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



Michael J. Brown
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	ABSENT
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

ATTEST:



Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of July, 2001.

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