

APR 8 2008

ORDINANCE NO. 167A-10BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIAAGRICULTURAL & FORESTAL DISTRICT - 5-86-4-2007.BARNES SWAMP AFD (9238 BARNES ROAD ADDITION)

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia (the "Board of Supervisors") to add 1.34 acres of land owned by Pamela Moore located at 9238 Barnes Road and identified as James City County Real Estate Tax Map No. 0430100014a to AFD-5-86, which is generally known as the 1,602.96-acre "Barnes Swamp Agricultural and Forestal District" (the "Application"); and

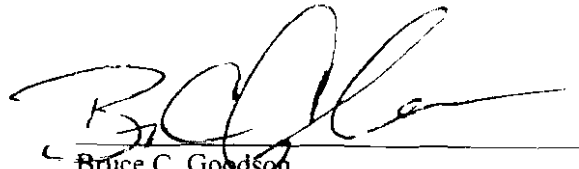
WHEREAS, at its January 23, 2008, meeting the Agricultural and Forestal District Advisory Committee voted 6-0 to recommend approval of the Application; and

WHEREAS, following public notice provided pursuant to Section 15.2-2204 and 15.2-4307 of the Virginia Code prior to its March 5, 2008, meeting, the Planning Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, pursuant to Section 15.2- 2204 of the Virginia Code a public hearing was advertised and held by the Board of Supervisors.

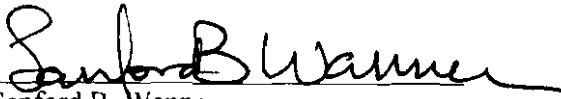
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds 1.34 acres owned by Pamela Moore, as referenced herein, to the 1,602.96 acres of the Barnes Swamp Agricultural and Forestal District with the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment, provided, a) The subdivision does not result in the total acreage of the district to drop below 200 acres; and b) The subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the PSA and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land inside the PSA and within the AFD may be withdrawn from the district in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996.
3. No special use permit shall be issued except for agricultural, forestal or other activities and uses consistent with the Virginia Code Section 15.2-4301 et. seq. which are not in conflict with the policies of this district. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	AYE
MCLENNON	AYE
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of April,  
2008.

BarnesSwampAFD\_res