

ADOPTED

NOV 9 2010

ORDINANCE NO. 167A-12

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AFD-5-86-2-2010. BARNES SWAMP AFD RACEFIELD ADDITION

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia (the "Board of Supervisors") to add 121.06 acres of land owned by Mr. and Mrs. Steven and Michelle Johnson located at 230 and 260 Racefield Drive and identified as James City County Real Estate Tax Map Nos. 0340800003 and 0340800005 to AFD 5-86, which is generally known as the "Barnes Swamp Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its September 23, 2010, meeting the Agricultural and Forestal District (AFD) Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its October 6, 2010, meeting, pursuant to Section 15.2-4314 of the Code of Virginia, 1950, as amended (the "Virginia Code"), after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, pursuant to Section 15.2-4214 of the Virginia Code a public hearing was advertised and held by the Board of Supervisors.

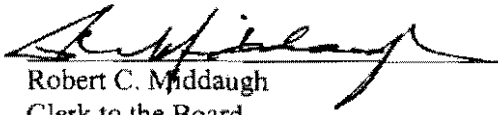
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds 121.06 acres owned by Mr. and Mrs. Steven and Michelle Johnson, as referenced herein to the Barnes Swamp Agricultural and Forestal District (the "District") with the following conditions:

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, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land 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 may be withdrawn from the District in accordance with the Board of Supervisors Policy Governing Withdrawals of Property from Agricultural and Forestal Districts, adopted September 28, 2010, as amended.
3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCLENNON	AYE
GOONSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 2010.

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