

ADOPTED

FEB 8 2011

ORDINANCE NO. 172A-8

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AFD-11-86-3-2010. YARMOUTH ISLAND AFD (SHIELDS POINT ADDITION)

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add 124.49 acres of land owned by Shields Point LLC located at 2150, 2260, 2312, and 2190 Bush Neck Road and identified as James City County Real Estate Tax Map/Parcel Nos. 3510100011, 3510100012, 2840100006, and 2840100007 to Agricultural and Forestal District (AFD) 11-86, which is generally known as the 2,031.40-acre "Yarmouth Island Agricultural and Forestal District" (the "Application"); and

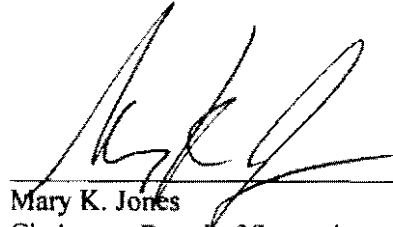
WHEREAS, at its December 15, 2010, meeting, the AFD Advisory Committee voted 8-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its January 5, 2011, 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 124.49 acres owned by Shields Point LLC, as referenced herein to the 2,031.40 acres of the Yarmouth Island 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 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 within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, 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 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 SUPs for wireless communications facilities on AFD properties that are in accordance with the County's policies and ordinances regulating such facilities.

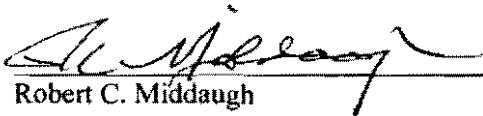


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Mary K. Jones  
Chairman, Board of Supervisors

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

ATTEST:



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Robert C. Middaugh  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of February, 2011.

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