

ADOPTED

SEP 09 2014

Board of Supervisors
James City County, VA

ORDINANCE NO. 169A-16

AGRICULTURAL AND FORESTAL DISTRICT-07-86-2-2014.

8557 DIASCUND ROAD, MILL CREEK ADDITION

WHEREAS, a request has been filed (the "Application") with the Board of Supervisors of James City County, Virginia (the "Board of Supervisors") to add ±95.51 acres of land owned by Richard F. Abbitt Investments, LC located at 8557 Diascund Road and identified as James City County Real Estate Tax Map No. 0920100040 to AFD 7-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "AFD"); and

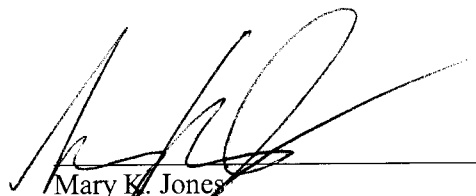
WHEREAS, at its July 14, 2014, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its August 6, 2014, meeting, pursuant to Section 15.2-4314 of the Code of Virginia, 1950, as amended (the "Virginia Code"), after which the Commission voted 6-0 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.

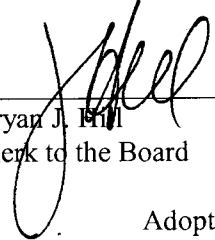
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds ±95.51 acres owned by Richard F. Abbitt Investments, LC, as referenced herein to the 3,017.44 acres of the Mill Creek AFD with the following conditions:

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 Communications 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 outside the Primary Service Area 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 Withdrawal of Properties from AFDs, adopted September 28, 2010, as amended.
3. No special use permit shall be issued except for agricultural, forestal, or other activities an 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 special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hill
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	___	___
JONES	<u>X</u>	___	___
MCGLENNON	<u>X</u>	___	___
ONIZUK	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.

AFD07-86-2-14MC-Add-res