

ADOPTED

SEP 09 2014

ORDINANCE NO. 170A-20

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT 09-86

GORDON CREEK 2014 RENEWAL

WHEREAS, James City County has completed a review of the Gordon Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") 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 Gordon Creek Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting on July 7, 2014, voted 8-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on August 6, 2014, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 to recommend renewal of the district with the conditions listed below.

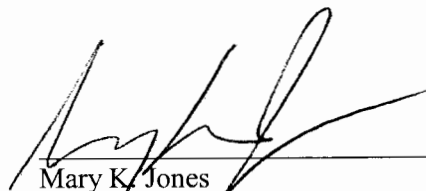
NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The Gordon Creek Agricultural and Forestal District is hereby continued to October 31, 2018, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. That the district shall include the following parcels, provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

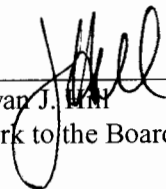
<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Martha W. McMurrin and SWR-Pinewood	3540100001	394.50
Edward Warburton, III and Regina L	3520100001B	29.00
Edward Warburton	2940100011	56.20
David H. Allen and Stephanie M.	3420100002	132.98
Thomas R. Tucker, Trustee	3420100002A	25.02
Martha W McMurrin and SWR-Pinewood	3630100003	264.00
Thomas L. Hitchens	3610100006	35.00
W.A. Thompson and Charles Flemming	3620100040	136.96
Claybank Landing, LLC	4320100012	33.83
Claybank Landing, LLC	4320100013	46.04
Claybank Landing, LLC	4320100014	44.92
Richardson Holdings Limited Partnership	3640100007	116.65
Richardson Holdings Limited Partnership	3030100003	33.00
Jane T. Carswell	3610100003	44.00

Martha W. McMurrin and SWR-MISC,LLC	3610100004.....	37.62
Powhatan Associates	4410100001.....	387.42
Powhatan Associates	3530100001.....	241.68
Mary Rebecca Richardson Abbott	3620100018.....	43.55
Trust Company of Virginia, c/o Greg Davis	3540100009.....	57.60
Linda Henderson Gordon	3420100001.....	35.30
Williamsburg Pottery, Inc.	4410100002.....	26.00
Nayses Bay Land Co.	3510100003.....	32.00
Nayses Bay Land Co.	3510100006.....	34.30
William Kane	2940100003.....	4.00
William Kane	3030100007.....	8.00
William Kane	3520100007.....	131.00
William Kane	3610100001.....	8.33
William Kane	3610100002.....	13.00
Baxter I. Bell Jr., Trustee	4320100003.....	207.95
Robert Anson and S. Carswell	3520100010.....	28.36
Beatrice Richardson Est.	3640100009.....	22.00
Richardson Holdings Limited Partnership	3640100008.....	38.00
Pickett Holdings, LLC	3510100001.....	349.00
Jerry W. Nixon and Martha M.	3730100003.....	30.74
Michael B. Isler and Michelle Ann	3630100004.....	1.10
	Total:.....	<u>3,129.05</u>

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Gordon Creek Agricultural and Forestal District 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, 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.
 - b. 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.
 - c. No special use permit 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 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.

AFD09-86-14GordonCk-res