

ADOPTED

FEB 14 2017

Board of Supervisors
James City County, VA

ORDINANCE NO. 169A-17

AFD-07-86-1-2016. MILL CREEK AGRICULTURAL AND

FORESTAL DISTRICT ADDITION - 101 AND 121 IVY HILL ROAD

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add ±101.36 acres of land owned by Ellen Lightman and Barbara Silverman located at 101 and 121 Ivy Hill Road and identified as James City County Real Estate Tax Map/Parcel Nos. 1110100013 and 1110100024, respectively, to Agricultural and Forestal District (AFD)-07-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "Application"); and

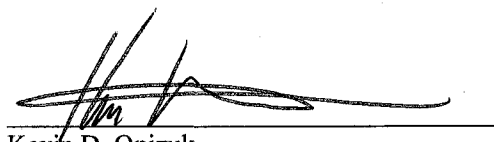
WHEREAS, at its January 13, 2017 meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its February 1, 2017, meeting, after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Board of Supervisors.

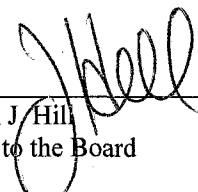
NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, hereby adds ±101.36 acres located at 101 and 121 Ivy Hill Road and identified as James City County Real Estate Tax Map Parcel Nos. 1110100013 and 1110100024, respectively, to Agricultural and Forestal District -07-86, which is generally known as the "Mill Creek 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, 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 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 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.



Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ONIZUK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

AFD01-2016MillCreek-res