

ADOPTED

SEP 11 2018

ORDINANCE NO. 169A-18

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-07-86-1-2018

MILL CREEK 2018 RENEWAL

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

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on June 21, 2018, voted 9-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 1, 2018, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 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 Mill Creek Agricultural and Forestal District (the "District") is hereby continued to October 31, 2022 in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").
2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road right-of-way is excluded from the District:

<u>Owner</u>	<u>Parcel No.</u>	<u>±Acres</u>
Cowles-Lobbs LLC	2020100006	352.96
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100003	102.66
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100001	8.75
Mayes D. & Cheryl M. Matthews	2110100005	46.01
Pamela C. & Steve L. Massie	1130100028	98.76
Pamela C. & Steve L. Massie	1130100028A	32.74
Richard W. & Margaret Krapf	1140100006	4.73
Nancy Cottrell Kruse & M. Anderson Bradshaw	1140100002	297.28
Cowles-Cowlesville LLC	1040100005	249.88
Cowles-Cowlesville LLC	1040100006	124.76
J. Michael Sim	1040100003	103.26

8700 Barnes Road LLC	1010100037	104.00
Sarah H. Armistead	1010100038	50.00
Daniel R. & Marion Virginia Winall	1030100019	97.59
Pamaka LLC	1020100017	242.70
Albert T. & Joan Lloyd Slater	1010100028	69.69
McRae O. Selph	1010100007	50.00
Walter N. Marshall, III Trustee	1140100005	79.94
Martha M. Ware Trust	2020100002	57.41
Christopher M. Ware	0920100036	39.13
Pamaka LLC	1030100003	45.80
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100005	178.44
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100007	16.50
Ralph Benjamin Dozier, Charles Norris Dozier III & Mary Elizabeth Sink	2020100008	12.00
Dennis P. & Christine A. Weygand	1030100013	34.02
John M. L. Barnes Estate	1020100004	215.76
John M. L. Barnes Estate	1110100001	29.00
Cowles-Cowlesville LLC	2010100002	2.00
Randolph G. & Michelle H. Gulden	1020100012	62.20
Randolph G. & Michelle H. Gulden	1020100032	25.00
John E. & Elaine M. Sharp	0940100008N	57.81
John G. & Marie Antoinette Findlay	0940100008H	118.29
Richard F. Abbitt Investment LC	0920100040	95.51
Ivy Hill LLC	1110100013	100.18
Ivy Hill LLC	1110100024	1.18
Total:		<u>3,205.94</u>

3. That pursuant to Sections 15.2-4312 and 15.2-4313 of the Act, the Board of Supervisors requires that no parcel in the 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 District may be rezoning and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.

- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.

Ruth M. Larson

Ruth M. Larson
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows

Teresa J. Fellows
Deputy Clerk to the Board

VOTES

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	✓	—	—
ICENHOUR	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—
LARSON	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2018.

AFD-MillCrkRnw-res