

ADOPTED

JAN 11 2022

ORDINANCE NO. 167A-17

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-21-0002

9958 MILL POND RUN, BARNES SWAMP ADDITION

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add ±60.77 acres of land located at 9958 Mill Pond Run, further identified as James City County Real Estate Tax Map Parcel No. 0540100001, to Agricultural and Forestal District (AFD) No. 05-86, which is generally known as the "Barnes Swamp Agricultural and Forestal District" (the "Application"); and


WHEREAS, at its October 21, 2021, 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 December 1, 2021, 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 ±60.77 acres located at 9958 Mill Pond Run and identified as James City County Real Estate Tax Map Parcel No. 0540100001, (the "Property") to AFD-05-86, which is generally known as the "Barnes Swamp Agricultural and Forestal District" (the "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 Wireless Communications Facilities (WCFs), 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 District 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 Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted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.
3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Agricultural and Forestal Districts Act (Va. Code § 15.2-4300 et seq.), which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

| | VOTES | | | |
|-----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
| SADLER | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ICENHOUR | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LARSON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| HIPPLE | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MCGLENNON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of January, 2022.

AFD21-2_9958MillPdRun-res