

ADOPTED

SEP 13 2022

ORDINANCE NO. 169A-21

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-22-0011

MILL CREEK 2022 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 July 21, 2022, voted 6-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 3, 2022, concurred with the recommendation of staff and the AFD Advisory Committee and voted 7-0 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, 2026, 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 rights-of-way is excluded from the District:

<u>LAND OWNERS</u>	<u>PARCEL ID</u>	<u>ACRES</u>
8700 Barnes Road LLC	1010100037	104.00
Abbitt, M.W. Family Partnership	920100040	95.51
Albert T. & Joan Lloyd Slater	1010100028	69.69
Christopher M. Ware	920100036	39.13
Cowles-Cowlesville LLC	1040100005	249.89
Cowles-Cowlesville LLC	1040100006	124.77
Cowles-Cowlesville LLC	2010100002	2.00
Cowles-Lobbs LLC	2020100006	352.96
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100001	8.76
Dale Cowles Henderson & John Cowles Dozier, et al.	2020100003	102.67
Daniel R. Winall & Marion Virginia	1030100019	97.59
Dennis P. and Christine A. Weygand	1030100013	34.03
Edwards' Mill Pond, LLC	1030100003	45.80
Ivy Hill LLC & Barbara L. Silverman c/o Ellen Lightman	1110100013	100.18


Ivy Hill LLC c/o Ellen Lightman	1110100024	1.18
J. Michael Sim	1040100003	103.26
J. Michael Sim	1040100001A	10.00
John E. & Elaine M. Sharp	0940100008N	57.81
John G. & Marie Antionette Findlay	0940100008H	118.29
John M. L. Barnes Estate	1110100001	29.00
John M.L. Barnes Estate & James F. Cowles	1020100004	215.77
Mark M. & Michelle B. Massie	1130100028B	29.43
Martha Ware Trust	2020100002	57.41
Mary M. Selph	1010100007	50.00
Mayes D. & Cheryl M. Matthews	2110100005	46.01
Nancy Cottrell Kruse & M. Anderson Bradshaw	1140100002	153.00
Pamaka LLC	1020100017	242.70
Pamela C. & Steve L. Massie	1130100028	102.06
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
Randolph G. & Michelle H. Gulden	1020100012	62.20
Randolph G. & Michelle H. Gulden	1020100032	25.00
Richard W. & Margaret Krapf	1140100006	4.73
Sarah Armistead	1010100038	50.00
Walter Nelson Marshall, III Trustee	1140100005	79.95
WGJ Land Holdings LLC	1040100004	43.07
WGJ Land Holdings LLC	1130100011	14.85
WGJ Land Holdings LLC	1130100011A	2.81
TOTAL ACRES		<u>3,132.45</u>

3. That pursuant to Section 15.2-4309 of the Act, The Board of Supervisors requires that any parcel in the District shall not, without the prior approval of the Board of Supervisors, be developed to any more intensive use, other than uses resulting in more intensive agricultural or forestal production. 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. 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 (SUP) 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 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>
ICENHOUR	<input checked="" type="checkbox"/>	___	___	___
HIPPLE	<input checked="" type="checkbox"/>	___	___	___
LARSON	<input checked="" type="checkbox"/>	___	___	___
SADLER	<input checked="" type="checkbox"/>	___	___	___
MCGLENNON	<input checked="" type="checkbox"/>	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of September, 2022.

AFD22-11MillCrkRen-res