

ADOPTED

APR 11 2023

ORDINANCE NO. 169A-22

Board of Supervisors
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-22-0018.

278 IVY HILL ROAD MILL CREEK AFD ADDITION

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board") to add ± 256.85 acres of land owned by Greensprings Materials, LLC, located at 278 Ivy Hill Road, further identified as James City County Real Estate Tax Map Parcel No. 1130100013, to Agricultural and Forestal District (AFD) No. 07-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its January 19, 2023, 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 March 1, 2023, meeting, after which the Commission voted 6-0 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 ± 256.85 acres located at 278 Ivy Hill Road and identified as James City County Real Estate Tax Map Parcel No. 1130100013, (the "Property") to AFD-07-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "District") with the following conditions:

1. That pursuant to Sections 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 (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.
 - b. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted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.


 Michael J. Hipple
 Chairman, Board of Supervisors

ATTEST:


 Teresa J. Saedd
 Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of April, 2023.

AFD22-18_278IvyHIIAdd-ord