

ADOPTED

JUL 10 2018

Board of Supervisors
James City County, VA

ORDINANCE NO. 166A-5

PATES NECK AGRICULTURAL AND FORESTAL DISTRICT

2018 RENEWAL

(AFD-4-86)

- WHEREAS, James City County has completed a review of the Pates Neck Agricultural and Forestal District (AFD); and
- WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, property owners have been notified and public hearings have been held on the continuation of the Pates Neck AFD; and
- WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on April 26, 2018, recommended the continuation of the District; and
- WHEREAS, the Planning Commission, following its public hearing on June 6, 2018, unanimously recommend the continuation of the District subject to the conditions below.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:


1. The Pates Neck Agricultural and Forestal District (the "AFD") is hereby continued for a period of four years, two months, and 17 days to October 31, 2022, beginning this 10th day of July, 2018, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et seq.
2. The AFD shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Pates Neck Timber Company	2040100001	408.859
Ms. Miriam Daniels (Trustee)	2040100002	215.438
Ms. Laura Hineman (Trustee)	2130100005b	56.000
Ms. John Ballentine	2130100005c	<u>75.000</u>
Total:		755.300


3. Pursuant to Virginia Code, Sections 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the AFD 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. 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 AFD 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 AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the AFD. Land may be withdrawn from the AFD in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities, and uses consistent with Virginia Code Section 15.2-4301 et seq., which are not in conflict with the policies of the AFD. 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.


 James O. Icenhour, Jr.
 Vice Chairman, Board of Supervisors

ATTEST:


 Teresa J. Fellows
 Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of July, 2018.

AFD4-86-1-2017PatesNkRenew-res