

SEP 11 2018

Board of Supervisors
James City County, VA

ORDINANCE NO. 170A-22

AGRICULTURAL AND FORESTAL DISTRICT-09-86-1-2018

GORDON CREEK 2018 RENEWAL

WHEREAS, James City County has completed a review of the Gordon 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 Gordon 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-ways is excluded from the District:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Martha W McMurrin & SWR-Pinewood	3540100001	394.50
Edward Warburton, III & Regina L	3520100001B	29.00
Edward Warburton	2940100011	56.20
David H. Allen & Stephanie M.	3420100002	132.98
Thomas R. Tucker, Trustee	3420100002A	25.02
Martha W McMurrin & SWR-Pinewood	3630100003	264.00
Thomas L. Hitchens	3610100006	35.00
W.A. Thompson & Charles Flemming	3620100040	136.96
Claybank Landing, LLC	4320100012	33.83
Claybank Landing, LLC	4320100013	46.04
Claybank Landing, LLC	4320100014	44.92
Richardson Holdings Limited Partnership	3640100007	116.65
Richardson Holdings Limited Partnership	3030100003	33.00

Jane T. Carswell	3610100003	44.00
Martha W. McMurrin & SWR-Pinewood	3610100004	37.62
Powhatan Associates	4410100001	384.42
Powhatan Associates	3530100001	241.68
Mary Rebecca Richardson Abbott	3620100018	43.55
Trust Company of Virginia	3540100009	56.15
Linda Henderson Gordon	3420100001	35.30
Nayses Bay Land Co.	3510100003	32.00
Nayses Bay Land Co.	3510100006	34.30
William Kane	2940100003	4.00
William Kane	3520100007	110.00
William Kane	3610100002	13.00
Baxter I. Bell Jr., Trustee	4320100003	207.95
Robert Anson and S. Carswell	3520100010	28.36
Beatrice Richardson Est.	3640100009	22.00
Richardson Holdings Limited Partnership	3640100008	38.00
Pickett Holdings, LLC	3510100001	349.00
Jerry W. Nixon & Martha M.	3730100003	30.74
Michael B. & Michelle Ann Isler	3630100004	<u>1.10</u>
Total:		<u>3,061.27</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 (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 SPU's 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

AFD-GordonCkRnw-res