

AUG 13 2002

ORDINANCE NO. 170A-10

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

GORDON CREEK AGRICULTURAL AND FORESTAL DISTRICT (AFD-9-86)

WHEREAS, James City County has completed a review of the Gordon Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 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 Gordon Creek Agricultural and Forestal District; and

WHEREAS, William C. Kane has requested the withdrawal of 164.33 acres - Tax Map ID's (30-3)(1-7), (35-2)(1-7), (29-4)(1-3), (36-1)(1-1), and (36-1)(1-2); and

WHEREAS, Gordon Creek Corporation has requested the withdrawal of 242.427 acres - Tax Map ID's (36-2)(1-1), (36-2)(1-1B), (36-2)(1-2), and (36-2)(1-3); and

WHEREAS, J.G. Warburton Estate, c/o M. McMurrin has requested the transfer of 165.500 acres - Tax Map ID (37-3)(1-4) to the Gordon Creek Agricultural and Forestal District from the Casey Agricultural and Forestal District (AFD-8-86) due to the termination of the Casey Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, at its meeting on July 22, 2002, voted 8-0 to continue this district for a period of four years; and

WHEREAS, the Planning Commission, following its public hearing on August 5, 2002, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 to renew this district with the conditions listed below.

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

1. That the Gordon Creek Agricultural and Forestal District is hereby continued for a period of four years beginning the thirteenth day of August, 2002, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.

2. That the district shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Sarah Armistead	(35-2)(1-16)	369.000
Sarah Armistead	(36-3)(1-1)	163.880
Rosa Armistead Est.	(30-3)(1-4)	23.000
Warburton, J. G. Est., c/o M. McMurrin	(35-4)(1-1)	394.500
Edward D. Warburton	(35-2)(1-1)	86.643

Olson, Selby, Nicodemus	(34-2)(1-2)	186.600
Warburton, J. G. Est., c/o M. McMurrin	(36-3)(1-3)	264.000
Thomas L. Hitchens	(36-1)(1-6)	35.000
W.A. Thompson & Charles Flemming	(36-2)(1-40)	143.032
Claybank Landing, LLC	(43-2)(1-1)	124.100
Richardson Holding LP	(36-4)(1-7)	116.935
Richardson Holding LP	(36-4)(1-8)	38.000
Richardson Holding LP	(30-3)(1-3)	33.000
Jane T. Carsewell	(36-1)(1-3)	44.000
Warburton, J. G. Est., c/o M. McMurrin	(36-1)(1-4)	37.620
Powhatan Assoc.	(44-1)(1-1)	387.420
Powhatan Hunt Club, c/o J. Kenneth Timmons	(35-3)(1-1)	241.680
Mary Abbott	(36-2)(1-18)	95.530
John C. Jamison	(35-4)(1-9)	57.600
Linda Henderson Gordon	(34-2)(1-1)	35.300
Williamsburg Pottery Inc.	(44-1)(1-2)	26.000
Nayses Bay Land Co.	(35-1)(1-3)	32.000
Nayses Bay Land Co.	(35-1)(1-6)	11.000
J.G. Warburton Estate, c/o M. McMurrin	(37-3)(1-4)	<u>165.500</u>
	Total:	<u>3,111.340</u>

provided, however, that all land within 25 feet of the road rights-of-way of News Road, Centerville Road, John Tyler Highway, Bush Neck Road, Jolly Pond Road, and Brick Bat Road.

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the Gordon Creek Agricultural and Forestal 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. 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 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 (PSA) and within the Agricultural and Forestal 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 inside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996.

- c. No special use permit shall be issued except for agricultural, forestal or other activities and uses consistent with the State Code Section 15.2-4301 et. seq. which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

ATTEST:



Sanford B. Wanner
Clerk to the Board

James B. Kennedy
Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCGLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2002.

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