

RESOLUTION

WITHDRAWAL OF LANDS FROM AGRICULTURAL AND FORESTAL DISTRICTS

WITHIN THE PRIMARY SERVICE AREA

- WHEREAS, the Board of Supervisors has determined that Agricultural and Forestal Districts (AFD) are a valuable tool to help protect the agricultural and forestal lands and industry in James City County; and
- WHEREAS, premature withdrawal of land from the Districts is contrary to the intent of the Board in allowing the establishment of these Districts; and
- WHEREAS, the Board of Supervisors recognizes that lands outside the Primary Service Area are intended to remain rural and the preferred use for rural lands is agricultural and forestal use; and
- WHEREAS, the Board of Supervisors recognizes that lands inside the Primary Service Area are intended for urban development at some point in the future and, therefore, are not expected to remain in agricultural and forestal use in the long term; and
- WHEREAS, the Board of Supervisors has previously adopted a resolution for the Withdrawal From Agricultural and Forestal Districts on December 18, 1989, which still remains in force outside the Primary Service Area; and
- WHEREAS, at each renewal, the Board will review urban development trends in the County, and consider carefully whether the general public interest continues to be served by allowing land within the Primary Service Area to remain in an Agricultural and Forestal District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the following policy relating to the withdrawal of lands from AFD inside the Primary Service Area during the terms of those Districts. This policy in no way supersedes the provisions for withdrawal by right under Sections 15.1-1511F or 15.1-1513D of the Code of Virginia.

FOR AGRICULTURAL AND FORESTAL DISTRICTS WITHIN THE PRIMARY SERVICE AREA, the Board of Supervisors will use the minimum standards listed below. These standards are different standards from the standards applied to those districts located outside the Primary Service Area (PSA). They are in recognition that lands within the PSA are intended for urban development at some point in the future and, therefore, are not expected to remain in agricultural and forestal use in the long term. Lands outside the PSA are intended to remain rural and the preferred use for rural lands is agricultural and forestal use.

1. Withdrawals will be approved no more than once per year, per AFD, per landowner. This means that an owner of multiple parcels within an AFD will be allowed only one withdrawal per year from the AFD.

2. The minimum acreage for withdrawals shall be 75 acres, either as a single parcel or in combination with more than one parcel. Individual landowners who own less than 75 acres must withdraw all of their parcel from the District. Parcels withdrawn as part of any one request need not be contiguous.

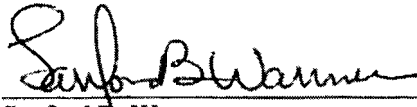
3. The new land use shall be in conformance with the Comprehensive Plan. A formal application to convert the use of the property shall accompany any request for withdrawal, such as an application for rezoning, special use permit or other development plans. The application shall include a conceptual plan acceptable to the Director of Planning. The application for withdrawal and the application to convert the use of the property shall be submitted together and processed concurrently as a single development request.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever criteria and it deems appropriate for the individual case.



David L. Sisk
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
TAYLOR	NAY
MAGOON	AYE
DEPUE	AYE
EDWARDS	AYE
SISK	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of September, 1996.

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