

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA**

**O-12-12**

At the regular meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of September, 2012:

Present:	Vote:
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
James H. Burrell	Aye

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Motion was made by Mr. Evelyn, which carried 5:0, to adopt the following ordinance:

**AN ORDINANCE APPROVING A SUBDIVISION  
ORDINANCE TEXT AMENDMENT TO SECTION  
90-2 – SPECIAL PROVISIONS FOR  
PARENT-TRACT MINOR SUBDIVISIONS**

**WHEREAS**, the New Kent County Board of Supervisors adopted resolution R-38-12 on the 25<sup>th</sup> day of July, 2012 to initiate an amendment to the New Kent County subdivision ordinance for the purpose of amending the Parent-Tract Minor subdivision regulations; and

**WHEREAS**, the purpose of the subdivision ordinance text amendment is to promote good land use practices, which allow subdivisions to occur in a planned and orderly fashion; and

**WHEREAS**, subsequent to receiving the initiating resolution from the New Kent County Board of Supervisors and within the timeframes established by Code, the Planning Commission scheduled and conducted a formal and duly advertised public hearing, carefully considering the public comment received; and

**WHEREAS**, the Commission voted 8:0:1 to forward a favorable recommendation to amend Chapter 90 of the new Kent County Code to allow parcels with Parent Tract status to consolidate parcel remnants into adjacent parcels, while retaining their parent tract status; and

**WHEREAS**, the Board finds that adoption of the subdivision ordinance text amendments supports the public necessity, convenience, general welfare and good land use practices in the County of New Kent;

**NOW THEREFORE BE IT ORDAINED** by the New Kent County Board of Supervisors this the 10<sup>th</sup> day of September 2012, that Section 90-2 of the New Kent County Code be, and it is hereby, amended as set forth below:

**Sec. 90-2. - Special provisions for parent-tract minor subdivision.**

Parent tract subdivisions shall be permitted for properties in the A-1 district under the following conditions:

(1) Such subdivision shall only occur on parcels that were parcels of record in their exact current form on 20 November 1985, provided that the subsequent acquisition of a portion of the property by either the Commonwealth of Virginia or the County of New Kent under eminent domain or for utility or road right-of-way shall not abrogate the right to utilize this technique. Parcels divided by a right-of-way of any type are single parcels for the purposes of this provision. The following actions shall not abrogate the right to utilize this technique.

a. Acquisition of a portion of the property by either the Commonwealth of Virginia or the County of New Kent under eminent domain or for utility or road right-of-way.

b. Consolidation of parcel remnants into contiguous parcels. For the purpose of this provision a parcel remnant is land that has been divided by a right-of-way or utility easement acquired by either the Commonwealth of Virginia, County of New Kent, or a private utility company regulated by the State Corporation Commission. Such remnant shall not meet the minimum area requirement contained in item 3 of this section.

(2)Parcels divided by a right-of-way of any type are single parcels for the purpose of this provision.

~~(2)~~(3) Up to four lots may be created under the provisions of this chapter, and all such lots shall have a minimum area of two acres each.

~~(3)~~(4) If, after the division of the new lots, there is any land remaining in the original parcel, it must contain a minimum of two acres.

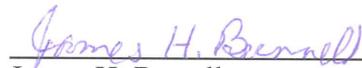
~~(4)~~(5) Parent tract subdivisions shall not front existing type I or state maintained paved roads and shall be served by internal roads constructed in accordance with the public or private road requirements of the subdivision ordinance, provided, however that if only one lot is created, it may front an existing type I or state maintained paved road and, if so, be served by a private driveway directly accessing said existing type I or state maintained paved road.

~~(5)~~(6) All lots shall have a minimum width of 150 feet at a point 75 feet from the front lot line; in addition, lot depth shall not exceed four times the lot width.

~~(6)~~(7) Parent tract subdivisions shall be reviewed as a minor subdivision under the terms of the subdivision ordinance.

(Ord. No. O-12-12, 00-00-2012)

  
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Rodney A. Hathaway  
Acting County Administrator

  
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James H. Burrell  
Chairman