

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

O-01-13

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 8thth day of April, 2013:

<u>Present:</u>	<u>Vote:</u>
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Nay
W. R. Davis, Jr.	Aye

Motion was made by Mr. Evelyn, which carried 4:1, to adopt the following resolution:

**AN ORDINANCE AMENDING SECTION 98-902 -
PARKING AND LOADING DESIGN STANDARDS OF
THE NEW KENT COUNTY ZONING ORDINANCE**

WHEREAS, the New Kent County Board of Supervisors adopted Resolution R-51-12 to initiate the zoning text amendment by sending it to the Planning Commission for review and public comment; 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 on January 22, 2013; and

WHEREAS, the Planning Commission directed staff to revise the amendment to apply the proposed changes to the Agricultural (A-1) zoning district only; and

WHEREAS, the Planning Commission scheduled and conducted a formal and duly advertised public hearing on February 19, 2013 to receive public comment on the revised text amendment; and

WHEREAS, the Planning Commission voted 10:0:1 to send a favorable recommendation to the New Kent County Board of Supervisors; and

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

WHEREAS, the Board also finds that adoption of the zoning ordinance text amendment would promote economic development in the County by reducing development cost in a manner that is not detrimental to the use or development of adjacent properties or the general area;

NOW THEREFORE BE IT ORDAINED by the New Kent County Board of Supervisors this, the 11th day of March 2013, that Section 98-902 of the New Kent County Code be, and it is hereby, amended as set forth below:

Sec. 98-902. - Parking and loading design standards.

- (a) *Location of parking.* The off-street parking facilities required by this article shall be located on the same lot or parcel of land or within the same project and in reasonable proximity to the uses or structures that they are intended to serve. Location of all or the majority of off-street parking to the side or rear of the principal building is strongly encouraged. For nonresidential uses the zoning administrator may authorize an alternate location that provides parking for the use in question on a different lot or parcel, subject to the following:
- (1) All such parking spaces shall be on property zoned for the uses which require the parking spaces or for more intensive uses.
 - (2) The right to permanently use such property for parking shall be established by deed, easement, lease or similar covenant or agreement, shall be approved as to form and content by the county attorney, and shall be recorded in the clerk's office of the circuit court.
- (b) *Access to off-street parking.*
- (1) Parking for customers shall be located no farther from the main entrance(s) of the use it is to serve than indicated below:
 - a. Handicapped-accessible parking spaces shall be located within 100 feet or less from the entrance of the use, if practicable, and the entire route shall be barrier-free and plainly marked.
 - b. All parking spaces not designated as handicapped-accessible parking spaces shall be within a reasonable distance of the entrance of the use, and the route between parking spaces and the entrance(s) of the use shall be safely and conveniently accessible to pedestrians.

- (2) Every parking space shall afford satisfactory ingress and egress for a motor vehicle without requiring another motor vehicle to be moved, except for single family detached, duplex and townhouse dwellings where the parking spaces are located on the same lot as the dwelling unit. This exception shall not be extended to required parking spaces for accessory apartments in single family detached dwellings, visitor parking in townhouse developments, or parking required in conjunction with home occupations.
- (c) *General design standards.*
- (1) Required off-street parking spaces for single-family detached and ~~duplex multi-family~~ dwellings shall be a minimum of nine feet by 18 feet in dimension with a driveway that is constructed with an all weather surface, affording safe and convenient access, and passable by emergency vehicles at all times.
 - (2) All permanent off-street parking areas proposed in conjunction with any development other than single-family detached or ~~duplex multi-family~~ dwellings which is subject to the requirements of this article shall comply with the following design standards:
 - a. Parking areas in excess of 50 parking spaces in the Agricultural (A-1) and Conservation (C-1) zoning districts, and parking areas in excess of 20 parking spaces in all other zoning districts shall be constructed of concrete, asphalt or other equivalent permanent, dustless surface such as cobblestone, Belgian block, brick, grid pavers, interlocking pavers, or similar surface material.; ~~whereas parking areas with 20 or fewer spaces shall be constructed of the surfaces specified above or gravel or similar dustless surfaces, passable by emergency vehicles~~ The parking areas shall be designed to reduce or eliminate the opportunity for oil, gasoline, antifreeze, and other similar products from being transported from the lot and deposited into the surface water by storm water runoff or infiltrating into groundwater resources.
 - b. Parking Areas with fewer parking spaces than listed in the above section shall be constructed of the surfaces specified in the section above or gravel or similar dustless surfaces, passable by emergency vehicles.
 - ~~b~~ c. Parking lots shall be set apart from landscaped areas, walkways, etc. by a permanent curb or wheel stop.
 - ~~e~~ d. Fire lanes shall be provided as required by the fire marshal.
 - ~~d~~ e. Traffic aisles in parking lots shall conform to the following criteria:

Traffic Aisle Geometry

Angle of Parking	Traffic Direction	Aisle Width* (in feet)
Parallel	One-way	12
30-degree	One-way	12
45-degree	One-way	12
60-degree	One-way	18
90-degree	One-way	18
90-degree	Two-way	24

* Minimum width of traffic aisles in parking lots for two-way traffic shall be 24 feet. Additional width may be required if needed for access of emergency vehicles.

- e f.** Pedestrian accommodations shall be provided to facilitate safe and convenient pedestrian movements within and between such parking areas and the establishments which they serve. Pedestrian accommodations shall be designed in accordance with all applicable barrier-free access standards as specified by the Virginia Uniform Statewide Building Code and the Americans with Disabilities Act.
- f g.** Lighting shall be provided in accordance with the standards of section 98-63(9).
- g h.** All parking spaces intended for use by the general public shall have minimum dimensions of nine feet by 18 feet, or ten feet by 20 feet if parallel.
- h i.** All parking spaces for persons with disabilities shall be provided and labeled on the plan in accordance with the numerical and design standards established for the physically handicapped and aged, by the Virginia Uniform Statewide Building Code and as specified in the Americans with Disabilities Act.
- ~~**i.** Parking lots containing in excess of 20 spaces shall be designed to reduce or eliminate the opportunity for oil, gasoline, antifreeze, and other similar products from being transported from the lot and deposited into the surface water by storm water runoff or infiltrating into groundwater resources.~~

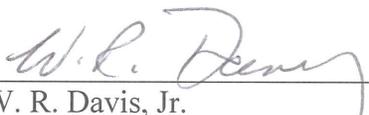
(d) *Off-street loading spaces.*

- (1) Off-street loading spaces shall be located so that there is sufficient room for the turning and maneuvering of vehicles using loading spaces.

- (2) All off-street loading spaces including aisles and driveways leading to them shall be constructed of concrete, asphalt or other equivalent permanent, dustless surface material.
- (3) Each off-street loading space shall be not less than 12 feet by 50 feet in dimension with a vertical clearance of not less than 15 feet. The zoning administrator may authorize a reduction in the length of the required loading spaces in consideration of the characteristics of the use and appropriate documentation of typical delivery vehicle traffic.



Rodney A. Hathaway
County Administrator



W. R. Davis, Jr.
Chairman