BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA

R-38-12

At the regular meeting of the Board of Supervisors of the County of New Kent at Fire Station 1 in Providence Forge, Virginia, on the 25th day of July, 2012:

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

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

A RESOLUTION INITIATING A SUBDIVISION ORDINANCE TEXT AMENDMENT TO SECTION 90-2 – SPECIAL PROVISIONS FOR PARENT-TRACT MINOR SUBDIVISIONS

WHEREAS, the New Kent County Board of Supervisors (the "Board") has examined the proposed amendment to the County's subdivision ordinance; and

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

WHEREAS, it is the Board's desire to initiate the proposed amendment to its subdivision ordinance to receive further public comment and input from the Planning Commission;

NOW THEREFORE BE IT RESOLVED that on this, the 25th day of July, 2012, by the New Kent County Board of Supervisors, that amendments to section 90-2 of the County Code are hereby initiated and referred to the Planning Commission for public hearing and its recommendation; and

BE IT FURTHER RESOLVED that the following text represents the proposed changes for consideration:

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 in contiguous parcels. For the purpose of this provision a parcel remnant is land that has been divided by right-of-way acquired by either the Commonwealth of Virginia or the County of New Kent. Such remnant shall not meet the minimum lot size requirements contained in Chapter 98 of the New Kent County Code.

(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, 00-00-2012)

Rodney A. Hathaway
Acting County Administrator

James H. Burrell
Chairman