

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

**R-20-12**

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 14th day of May, 2012:

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

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

**A RESOLUTION TO SPONSOR AN AMENDMENT  
TO THE FORESTRY LAND USE PROVISIONS  
CONTAINED IN THE NEW KENT COUNTY  
ZONING ORDINANCE**

WHEREAS, the New Kent Board of Supervisors ("the Board") has received several requests from residents in regard to timbering properties that have been zoned for commercial uses, which is currently not permitted per Section 98-62, Table of Land uses; and

WHEREAS, the Board desires to obtain the advice of the Planning Commission and the citizens of New Kent County in determining how or if to resolve this issue; and

WHEREAS, the Board finds that sponsoring an amendment to the Code section in question ensures that both the Planning Commission and the public will have an appropriate opportunity to advise the Board on this matter;

NOW THEREFORE BE IT RESOLVED by the New Kent County Board of Supervisors on this \_\_\_ day of May, 2012 that the Board does hereby sponsor the following amendment to section 98-62, Table of Land Uses and Article XXII, Site Plans: Performance Standards contained in the New Kent County Zoning Ordinance:

Sec. 98-62. Table of Land Uses

	Business	Economic Opportunity	Industrial	Conservation C-1	Agricultural A-1	Single Family Residential R-O, R-OA, R-1, R1A	General Residential R-2, R-2A	Multiple Family Residential R-3
<b>Agricultural, Forestal and Conservation</b>								
Forestry	<b>P</b>	<b>P</b>	<b>P</b>	P	P			

P = Permitted

C = Requires Conditional Use Permit

A = Permitted as an Accessory Use

- (1) The size limitations contained herein apply regardless of use; the
- (2) specific use itself must be permitted within the district in which it is located.
- (3) The specific uses within a shopping center must be permitted within the district in which it is located.

(Ord. No. O-01-07, § C, 1-16-2007; Ord. No. O-15-08(R2), 1-12-2009;  
**Ord. No. \_\_\_**)

**Sec. 98-877. Specific conditions applicable to forestry uses in the Business, Economic Opportunity, and Industrial zoning classification.**

- (1) A parcel of five (5) acres or greater shall be required for forestry operations.
- (2) All forestry operations shall be in accordance with a forest management plan approved by the Virginia Department of Forestry.

- (3) Where stump removal, grubbing, or other soil disturbing activities are proposed in conjunction with tree harvesting, except those preparations for reforestation that are in accordance with the approved forest management plan, an erosion and sedimentation control plan shall be submitted to and approved by the County prior to commencement of any soil disturbing activity.
- (4) No tree harvesting shall occur within Chesapeake Bay Resource Protection Areas including the one hundred foot (100') Resource Protection Area buffer. Upon written request, the zoning administrator may approve harvesting fifty percent (50%) of the crown cover within the landward fifty feet (50') of the Resource Protection Area buffer if accompanied by a recommendation of approval from the Virginia Department of Forestry. All understory within the Resource Protection Area buffer, shall be preserved to the greatest extent possible.



G. Cabell Lawton, IV  
County Administrator



James H. Burrell  
Chairman