

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

O-14-16

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 12th day of December, 2016:

<u>Present:</u>	<u>Vote:</u>
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W.R. Davis, Jr.	Aye
Ron Stiers	Aye

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

**AN ORDINANCE TO APPROVE O-14-16
TO AMEND SECTION 98-62 OF THE NEW KENT COUNTY CODE**

WHEREAS, pursuant to Virginia Code Section 15.2-400 et. seq., the New Kent County Board of Supervisors has the authority to amend the County Code; and

WHEREAS, the Planning Commission scheduled and conducted a formal and duly advertised public hearing on the 21st day of November, 2016 and voted 10:0:1 to forward a favorable recommendation to the Board of Supervisors to amend Section 98-62 of the County Code; and

WHEREAS, the Board of Supervisors scheduled and conducted a formal and duly advertised public hearing on the 12th day of December, 2016; and

WHEREAS, the Board of Supervisors finds the amendment of Section 98-62 to the County Code will address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the citizens in the County;

NOW THEREFORE, BE IT ORDAINED by the New Kent County Board of Supervisors this 12th day of December, 2016, that Chapter 98, Section 62 of the New Kent County Code be adopted as follows:

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	Mobile Home Parks MHP
Agricultural, Forestal and Conservation									
Agriculture				P	P				
Agriculture, intensive					P				
Animal husbandry					P				
Farmers market	P	P		C	C				
Forestry	P	P	P	P	P				
Game preserve, conservation area				P	P				
Orchard & vineyard		P	C	P	P				
Portable sawmill				C	C				
Winery-farm				C	P				
Winery-commercial		P	P		C				
Residential									
Apartment		C						P	
Condominium		C						P	
Group care residential facility ≤ 8 residents					P	P	P	P	
Group care facility > 8 residents					C	C	C	P	

Mobile home parks									P
Senior housing	C	C					C	P	
Single-family conversion to two-family					C		C		
Single-family detached dwelling					P	P	P		
Single-family attached dwelling							P	P	
Transitional home					P	P	C	C	
Business, Commercial Service									
Agricultural equipment sales and service	P	P	P						
Amusement facility (indoor)	P	P							
Animal hospital (with outside runs)	P	P	P		C				
Animal hospital (without outside runs)	P	P	P		C				
Antique shop	P	P			C				
Automobile fueling stations	P	P	P						
Automobile sales and service	P	P							
Auto body and painting	C	P	P						
Auto retail parts sales-new & used	P	P							

Auto service stations, automobile repair services and garages	P	P	P						
Bank, Financial Institution	P	P	A						
Barber and beauty shop	P	P							
Bar, nightclub	P	A							
Bed and breakfast					P				
Bicycle sales and service	P	P							
Boat parts or accessories sales	P	P							
Boat sales and service	P	P							
Book, card shop	P	P							
Brew Pub	P	P							
Building Supply and Lumber Store ≤ 15,000 square feet (without exterior storage)	P	P							
Building Supply and Lumber Store ≤ 15,000 square feet (with exterior storage)	C	P							
Building Supply and Lumber Store >15,000 square feet (without exterior storage)	P	P	P						
Building Supply and Lumber Store > 15,000 square feet (with exterior storage)	C	P	P						
Car wash	P	P	A						
Childcare center, adult daycare center, day care center, preschool, nursery	P	P	P		C	C	C		

Clothing store, retail	P	P							
Commerce park	P	P	P						
Computer and data processing center and services	P	P	P						
Computer sales and service—retail (includes assembly using pre-manufactured parts)	P	P							
Conference center	P	P	P						
Contractor office or shop without outdoor storage	P	P	P		A				
Contractor office or shop with outdoor storage	C	P	P		C				
Mini supermarket, without gas pumps	P	P	A						
Copy center	P	P							
Drugstore	P	P							
Dry cleaning outlet	P	P							
Feed and seed store	P	P							
Florist shop	P	P							
Flour, feed mill		P	P		C				
Funeral home	P	P							
Gift, record and tobacco shop	P	P							
Group residential care facility	P	C			C		C		

Hand crafted goods, traditional crafts	P	P	P						
Hardware stores	P	P							
Home appliance sales and service	P	P							
Hotel, motel	P	P							
Household furniture/furnishings sales	P	P							
Industrial supply store	C	P	P						
Inn ≤ 10 rooms (includes tourist home)	P				C				
Inn >10 rooms (includes tourist home)	P	P			C				
Kennel, commercial	P	P			C				
Laundromat	P	P							
Machine sales and indoor service	P	P	P						
Mailing Services Center	P	P	P						
Manufactured Home Sales		P	P						
Micro-brewery	P	P	P						
Mini-storage warehouse	C	P	P						
Recreational Vehicle (RV) sales & service	P	P							
Nursing, convalescent, or rest home	P	C					P		
Personal service and hygiene establishment	P	P							

Photography, dance, music studio	P	P							
Plant nursery, garden center ≤ 15,000 square feet	P	P			C				
Plant nursery, garden center > 15,000 square feet	C	P	P						
Plumbing and electrical supply outlet	P	P	P						
Professional office	P	P	P						
Rental center	P	P	P						
Restaurant (sit-down)	P	P	P						
Restaurant (drive-thru)	P	P	C						
Restaurant (with drive-in window)	P	P							
Retail bakery	P	P							
Retail establishment ≤ 30,000 sq. ft.	P	P							
Retail establishment over 30,000 sq. ft.	C	P							
Shopping center 15,001—30,000 sq. ft.	P	P							
Shopping center over 30,000 sq. ft.	C	P							
Spa, day spa	P	P							
Studio	P	P							
Theater	P	P							
Truck Fueling Stations	C	P	P						

Upholstery shop	P	P	P						
Industrial, Manufacturing, Processing, and Storage									
Asphalt mixing plant			C						
Boatbuilding, boat yard		P	P						
Brick manufacture			C						
Cabinet, furniture manufacture	C	P	P						
Cement, lime and gypsum manufacture			C						
Dry Cleaning Plant	C	C	P						
Electrical and electronic device manufacture and assembly		P	P						
Laboratory (testing, medical, scientific, pharmaceutical)		P	P						
Machine and welding shop	C	C	P						
<u>General Manufacturing</u>	<u>C</u>	<u>C</u>	<u>P</u>						
<u>Meat, poultry, fish processing without on-site slaughter</u>		<u>C</u>	<u>P</u>						
Meat, poultry, fish processing <u>with on-site slaughter</u>			C						
Monumental stone work			P		C				
Office/construction trailer storage yard		C	P		C				

Printing plant	C	P	P						
Recycling center/plant	C	P	P						
Resource extraction		C	C		C				
Salvage yard, automobile graveyard			P						
Sawmill		C	P		P				
Warehouse		P	P						
Wholesale business and distribution center		P	P						
Wood preserving operation			C						
Wood yard			P						
Public, Semipublic, Institutional, Recreational									
Amusement park	C	C							
Animal shelter	C	C	P	C	C				
Amusement facility, outdoor	P	P			C				
Archery, firearms, paintball range—indoor	P	P	P		C				
Archery, firearms, paintball range—outdoor	C	C	P		C				
Assembly hall, club, lodge	P	P			C				
Campground		C		C	C				
Cemetery, columbarium	P	C	C		C	C	C	C	
Place of Worship	P	P	A		P	P	P	P	

Clinic or emergency care center	P	P	A						
Communications facility tower-radio, cellular ≤ 75 feet	P	P	P		P				
Communications facility tower-radio, cellular 75 ≥ 200 feet	C	C	P		C				
Communications facility tower-radio, cellular < 200 feet	C	C	C		C				
Community center	P	P			C	A	A	A	A
Construction debris landfill			C		C				
Correctional facility			C						
Educational institution, K-12 school	P	P			P	P	P	P	
Equestrian facility	P	P	C		C				
Golf course		P			P	C			
Government office	P	P	P		P		P		
Health and fitness center	P	P	A						
Higher education institution	P	P			C				
Horse racing track	C	P	C		C				
Hospital or medical center facility	P	P			P				
Hunt club				C	C				
Library	P	P			P		P	P	
Park,	P	P		C	P	P	P	P	P

School-trade, vocational	P	P	P						
Stable-commercial	C	C			C				
Steeplechase					C				
Theme park, amphitheater, stadium	C	C	C		C				
Timeshare Resort		C						C	
Turkey shoot					C				
Waste Transfer Station			C		C				
Wildlife preserve, conservation area				P	C				
Zoological garden		C		C	C				
Transportation									
Airplane hanger hangar—commercial			C						
Airplane <u>hanger</u> hangar —private			C		C				
Airplane landing strip		C	C		C				
Airport			C						
Commercial Pier	C	P	P						
Individual pier	C	P	C	C	P				
Boat launch ramp	P	P	P	P	P				
Bus station/terminal		C	C						
Commuter parking	P	P	P		C				

Freight terminal			P						
Heliport		C	P		C				
Helipad	C	C	P						
Parking lot, public	P	P	P						
Marina, boatel commercial	C	P		C	P				
Marina, private				C	P				
Motor vehicle rental	P	P	P						
Trucking terminal			P						
Truck stop (includes fuel sales and prepared food)	C	C	C						
Utilities									
Public utilities/railroads, transmission lines, impoundment	C	C	C	C	C	C	C	C	C
Energy generation facility			C						

P = Permitted

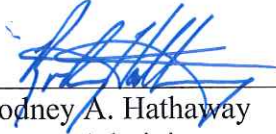
C = Requires Conditional Use Permit

A = Permitted as an Accessory Use

- (1) The size limitations contained herein apply regardless of use; the specific use itself must be permitted within the district in which it is located.
- (2) 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. O-07-12, 7-9-2012, Ord. No. O-14-16, 12-12-16)

Adopted this 12th day of December, 2016



Rodney A. Hathaway
County Administrator



Ron Stiers
Chairman of the Board of Supervisors