

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

O-14-02

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 13th day of May 2002:

Present:	Vote:
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
W. R. "Ray" Davis, Jr.	Aye

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

AN ORDINANCE TO AMEND SECTION 98-706 OF
CHAPTER 98, ZONING, NEW KENT COUNTY CODE

WHEREAS, the Planning Commission became aware of a potential deficiency in the New Kent County Code with respect to the ability to conduct ancillary entertainment activities within the Equestrian Planned Unit Development district; and

WHEREAS, the Commission considered possible solutions to this apparent deficiency ultimately determining to sponsor this amendment to the Zoning Ordinance; and

WHEREAS, after conducting a duly advertised public hearing, the Planning Commission voted unanimously to recommend approval of the application; and

WHEREAS, this application has been advertised for public hearing before the Board in full accord with applicable provisions of the Code of Virginia; and

WHEREAS, approval of this amendment would address, protect, and promote public convenience, necessity, general welfare and good zoning practices in the County,

NOW THEREFORE BE IT ORDAINED this, the 13th day of May 2002, by the New Kent County Board of Supervisors that to Chapter 98, Zoning, of the New Kent County Code be, and it is hereby, amended and reordained incorporating the following amendment:

Sec. 98-706. Equestrian **and Entertainment** Planned Unit Development.

Equestrian **and entertainment** planned unit development districts are hereby created and may hereafter be established by amendment of the zoning map to permit development of large-scale horse racing facilities and show facilities under a unified planned approach.

It is intended that equestrian **and entertainment** planned unit development districts be established on major highways in the County.

In recognition that such a large scale development may substantially reduce the functional integrity and safety of public roads if permitted with unplanned access, it is intended that multiple access to existing public roads be discouraged and that development and access be oriented towards an internal roads system having carefully planned intersections with existing public roads.

It is intended that these regulations provide flexibility in development by providing for a mix of residential uses with nonresidential uses, alternative forms of housing and, in appropriate cases, increases in gross residential densities over that provided in conventional districts.

The following uses shall be permitted in any equestrian **and entertainment** planned unit development district subject to the requirements and limitations of these regulations:

1. Commercial and service establishments permitted by right in Division 10, B1, Business General, and Division 11, B-2, Business Limited, districts. Outdoor storage, sales or displays shall be permitted only when enclosed by appropriate visual screening.
2. Uses permitted by right in Division 4, A-1, Agricultural districts.
3. Horse tracks.

4. Semidetached and detached, single-family dwellings such as duplexes, triplexes, quadruplexes, townhouses, atrium houses, and patio houses, provided that density is maintained, and provided further that buildings are located so that each unit could be provided with a lot meeting all requirements for detached, single-family dwellings except for side yards at the common wall.
5. Multiple-family dwellings.
6. Single-family dwellings.
7. Parks, playgrounds, golf courses, community centers and recreational and cultural facilities such as tennis courts, polo fields, swimming pools, game rooms, libraries, museums, etc.
- ~~8. Campgrounds meeting conditions of Section 9-245. *bc*~~
9. Electric, gas, oil and communication facilities, excluding multi-use tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewage collection lines, pumping stations and appurtenances owned and operated by the County of New Kent, its designee, or an approved private operator. Except as otherwise expressly provided, central water supplies and central sewage systems in conformance with Chapters 8 and 9 of the Code of New Kent and all other applicable law.
10. Public uses such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies; public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the County of New Kent or its designee.
11. Fire and rescue squad stations.
12. Temporary construction uses.
13. Equestrian sales and show pavilions.

The following uses shall be permitted only by conditional use permit, provided that no separate application shall be required for any

such use included in the original Planned Unit Development rezoning petition:

1. Uses permitted by conditional use permit in article XIII of this chapter, B-1, Business General.
2. Uses permitted by conditional use permit in article XIV of this chapter, B-2, Business Limited.
3. Uses permitted by conditional use permit in article VI of this chapter, A-1, Agricultural.

4. Campgrounds.

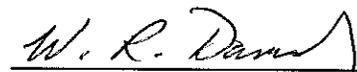
5. Entertainment uses whether indoors or outdoors conducted under a permit issued under Chapter 6 such as:

- a. Special exhibitions and shows of equipment, articles for sale or display; and educational programming;**
- b. Circuses, concerts, musical events, light and firework displays, and carnivals;**
- c. Parties and family events, weddings, reunions, conferences, and conventions;**
- d. Animal shows, animal fairs, animal contests of skill, and polo matches; and**
- e. Athletic events**

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Richard S. Ellyson
Interim County Administrator



W. R. "Ray" Davis, Jr.
Chairman