



NEW KENT COUNTY
PLANNING COMMISSION -- REGULAR MEETING
JUNE 21, 2021, AT 6:30 PM
COUNTY ADMINISTRATION BUILDING BOARDROOM
AGENDA

ITEM	DESCRIPTION
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1. CALL TO ORDER
2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
3. ROLL CALL AND DETERMINATION OF A QUORUM
4. APPROVAL OF MINUTES
- A. MARCH 15, 2021

5. CITIZEN COMMENT PERIOD

COMMENTS ARE LIMITED TO THOSE ON PLANNING RELATED ISSUES THAT ARE NOT SCHEDULED FOR A PUBLIC HEARING LATER ON THE AGENDA.

6. PRESENTATION
7. UNFINISHED BUSINESS
8. PUBLIC HEARINGS

6:30 PM OR AS SOON THEREAFTER AS POSSIBLE. SPEAKERS ARE LIMITED TO THREE MINUTES EACH AND SHOULD COME TO THE PODIUM AND STATE THEIR NAME AND ADDRESS.

A. Ordinance Amendment OA-02-21, Amendment to Chapter 82, Article V of the New Kent County Code: The Commission will consider amendments to the Wetlands Ordinance to make necessary updates pertaining to living shorelines, as outlined in Senate Bill 776 that was passed during the 2020 Legislative Session.

B. Ordinance Amendment OA-03-21, Amendment to Section 91-94 of the New Kent County Code: The Commission will consider the following subdivision ordinance amendment to the minimum road standards as presented in *Geometric Standards*, Section 91-94 of the New Kent County Code. The requested amendment is to increase the minimum required residential pavement road width from eighteen (18) feet to twenty (20) feet. The amendment is being proposed to align with the latest requirements of the 2015 Virginia Statewide Fire Prevention Code, Section 503.2.1.

C. Ordinance Amendment OA-04-21, Amendment to Section 91-127 of the New Kent County Code: The Commission will consider the following subdivision ordinance amendment to *Special Provisions for Open Space and Cluster Subdivisions*, Section 91-127 of the New Kent County Code. The amendment is proposing the following clarifying language be incorporated into Section 91-127: 1) In the event of a subdivision proposal with eight (8) or more lots, the installation

of a community water system shall be required. Any proposed community water system(s) shall adhere with the requirements of Section 38-62 of the New Kent County Code and shall have approval from the Director of Public Utilities or his/her designee.

D. Ordinance Amendment OA-05-21, Amendment to Section 91-103 (2) of the New Kent County Code: The Commission will consider the following subdivision ordinance amendment to *Private Streets*, Section 91-103 (2) of the New Kent County Code. The amendment is as follows: ~~The construction standards contained in section 91-95 shall be met or exceeded. Where unique or nonstandard surface treatments are proposed, the agent may approve deviation from the standards provided that the subdivider provides evidence, certified by a professional engineer, that the proposed alternative will have the same or reduced maintenance requirements as would the otherwise required surface treatment.~~ Construction standards for private streets shall extend to the nearest public street to which it connects directly or indirectly. The removal of the language is to align with the Virginia Department of Transportation's latest geometric design standards for low volume roads and subdivision street guidelines.

E. Ordinance Amendment OA-06-21, Amendment to Section 91-126 (5) and 91-126 (6) of the New Kent County Code: The Commission will consider the following subdivision ordinance amendments to the *Special Provisions for Family Subdivisions* subsection five (5) and subsection (6): (5) ~~Where the division creates only two new lots or parcels~~ **and without a third residual parcel**, each lot or parcel of property shall front a public road or shall front upon a private driveway or road which is in a permanent easement of right-of-way not less than 20 feet in width. Such right-of-way shall include a driveway within it consisting of, at a minimum, an all-weather surface of rock, stone or gravel, with a minimum depth of three inches and a minimum width of 12 feet. The right-of-way shall be maintained by the adjacent property owners in a condition passable by emergency vehicles at all times. A notation to this effect shall be placed on the face of the final plat and this provision shall also be included in the deeds by which the subdivision is affected. Passable condition refers not only to the surface, but also to horizontal and vertical clearance. (6) ~~In the event the division creates three or more lots~~ **(where a residual lot shall be considered as a third lot)**, a new permanent deeded 50-foot right-of-way serving those lots shall be provided. The new right-of-way shall meet the **latest geometric and design standards as set forth by the Virginia Department of Transportation guidelines.** ~~Virginia Department of Transportation geometric requirements with respect to horizontal and vertical alignment. Within said right of way, a public road or a private roadway meeting the requirements of section 91-103 shall be constructed. Building permits will not be issued on lots until full construction of the roadway(s) are approved and constructed. the roadway is constructed and surfaced.~~

F. AFD-01-21, Re-Creation of Diascund Creek Agricultural and Forestal District: A request by the district members to re-create the district for a period of ten (10) years. See supplemental information for the list of parcels.

G. AFD-02-21, Re-Creation of York River Agricultural and Forestal District: A request by the district members to re-create the district for a period of ten (10) years. See supplemental information for the list of parcels.

H. AFD-03-21, Additions to Pelham Swamp Agricultural and Forestal District: A request by Kinard "Kinney" B. Williams to add tax map parcels 23-2-7, GPIN K17-0468-5064 and 23-42, GPIN K17-0820-3183, consisting of approximately 157.52 acres, to the Pelham Swamp Agricultural and

Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send a favorable recommendation to the Planning Commission.

I. AFD-04-21, Additions to Putney Creek Agricultural and Forestral District: A request by Christina P. & Steven J. Berta to add tax map parcels 3-19, GPIN P10-1727-1929 and 3-19A, GPIN P10-1219-1668, consisting of approximately 83.85 acres, to the Putney Creek Agricultural and Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send a favorable recommendation to the Planning Commission.

J. AFD-05-21, Addition to Upper Chickahominy Agricultural and Forestral District: A request by Kathryne A. & Joseph A. Towler to add tax map parcel 7-19, GPIN M03-3602-0843, consisting of approximately 106.46 acres, to the Upper Chickahominy Agricultural and Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send a favorable recommendation to the Planning Commission.

K. AFD-06-21, Additions to Diascund Creek Agricultural and Forestral District: A request by P C, LLC, c/o Paul & Patrick Clarke to add tax map parcel 35-20, GPIN H23-1231-3697 and tax map parcel 35-21, GPIN I23-0666-2125, consisting of approximately 273.25 acres, to the Diascund Creek Agricultural and Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send a favorable recommendation to the Planning Commission.

L. AFD-07-21, Addition to Crumps Swamp Agricultural and Forestral District: A request by Miles C. Johnston, III to add tax map parcel 21-55, GPIN K11-3729-3895, consisting of approximately 40 acres, to the Crumps Swamp Agricultural and Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send an **unfavorable** recommendation to the Planning Commission.

M. AFD-08-21, Additions to Holts Creek Agricultural and Forestral District: A request by Criss Cross Properties, LLC c/o Henry B. Thompson to add tax map parcel 24-35A, GPIN L20-3287-4013 and tax map parcel 24-51, GPIN M20-2086-0051, consisting of approximately 129.14 acres, to the Holts Creek Agricultural and Forestral District, which the Agricultural and Forestral District Advisory Committee voted 5:0:0 to send a favorable recommendation to the Planning Commission.

9. NEW BUSINESS

10. CHAIRMAN'S REPORT

11. PLANRVA REPORT

12. COMMISSIONER'S REPORTS

13. STAFF REPORTS

14. MEETING SCHEDULE

A. THE PLANNING COMMISSION WILL HOLD THEIR NEXT REGULAR MEETING ON MONDAY, JULY 19, 2021 AT 6:30 PM IN THE BOARDROOM

15. ADJOURNMENT