

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

**R-48-20 (R1)**

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 14<sup>th</sup> day of December, 2020:

Present:	Vote:
John N. Lockwood	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ronald P. Stiers	Aye
Patricia A. Paige	Aye

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

**A RESOLUTION INITIATING A SUBDIVISION ORDINANCE  
TEXT AMENDMENT TO SECTION 91-10, RELATIONSHIP  
TO ZONING AND OTHER ORDINANCES**

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 land development and conservation to occur in a planned and orderly fashion; and

WHEREAS, it is the Board's desire to initiate the attached 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 14<sup>th</sup> day of December, 2020, by the New Kent County Board of Supervisors, that amendments to section 91-10 of the County Code are hereby initiated and referred to the Planning Commission for public hearing and its recommendation; and

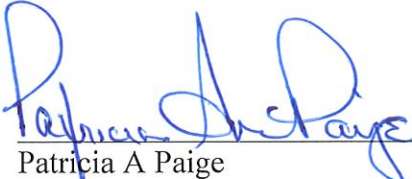
NOW THEREFORE BE IT FURTHER RESOLVED that the following text represents the proposed changes for consideration:

Sec. 91-10. - Relationship to zoning and other ordinances.

- (a) The zoning ordinance and the zoning map shall control the type and intensity of use of all property within the county. Particular reference is made to the minimum lot sizes and setback requirements, use restrictions, overlay districts, and development regulations.
- (b) The following types of development shall require a site plan to be approved by the zoning administrator in accordance with the provisions of the zoning ordinance prior to consideration of subdivision plats under the terms of this chapter:
  - (1) Townhouses
  - (2) Condominiums
  - (3) Multiplexes
  - (4) Shopping centers
- (c) Lands within an agricultural and forestal district as established under ~~section 62-31 et seq. must be withdrawn in accord with established requirements prior to being subdivided~~ Chapter 62, Special Districts, must be withdrawn in full accord with established requirements prior to being subdivided. Boundary line adjustments and lot consolidations as defined in section 91-27 of this code, shall be permitted without withdrawal from the AFD Program when all properties being impacted are located within the agricultural and forestal district.
- (d) Land parcels within any form of land use taxation program may not be subdivided until and unless withdrawn from such program in full accord with the requirements established to withdraw parcels from the program. Boundary line adjustments and lot consolidations as defined in section 91-27 of this code, shall be permitted without withdrawal from the program when all properties being impacted are located within the same land use taxation program.
- (e) Noncontiguous remnant parcels not meeting the requirements of a lot in this chapter or the zoning ordinance shall not be left as part of the parent parcel as a result of subdivision. In such cases, remnants shall be added to lots to which they are contiguous or shall be set aside as common area dedicated to the property owners association.
- (f) Reserve strips shall not be created as a part of any subdivision or development.  
(Ord. No. O-03-05(R), 3-14-2005)

Adopted this 14<sup>th</sup> day of December, 2020.

  
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Rodney A. Hathaway  
County Administrator

  
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Patricia A Paige  
Chair