

ORDINANCE – To Amend and Reordain Section 19-2303 Titled “Final Plat,” Section 19-2304 Titled “Minor Subdivision,” Section 19-3201 Titled “Lot Arrangement,” Section 19-3202 Titled “Street Access,” Section 19-3301 Titled “Maximum Block Length,” Section 19-3402 Titled “Subdivision Access Points,” Section 19-3404 Titled “Street Design Standards,” Section 19-4110 Titled “Access to Private Cemetery or Graveyard,” Section 19-5102 Titled “Applicability,” Section 19-5302 Titled “Dimensional Standards,” and Section 19-7301 Titled “Terms Defined” of the Code of the County of Henrico to Conform to Recent Changes to the Code of Virginia, Clarify the Relationship Between Family Subdivision and Minor Subdivision, and Improve Consistency With the Zoning Ordinance

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 19-2303 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-2303. Final Plat

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D. Final Plat Decision Standards

1. The Planning Director must approve a final plat application only on finding the final plat is in substantial conformity with the approved preliminary plat (if applicable) and is consistent with all applicable standards in this Ordinance, including Article 3: Design Standards, Article 4: Required Improvements, and Article 5: Cluster Subdivision, and the County Code.
2. The Planning Director must approve a final plat for recordation on determining all required public improvements have been completed and accepted, or a guarantee has been accepted by the Planning Director, in accordance with Sec. 19-2303.C.4(e), Completion of Required Public Improvements.
3. **The following standards apply to a family subdivision:**
 - (a) **The subdivision must not be for the purpose of circumventing this Ordinance;**
 - (b) **Only one such division will be allowed for each family member; and**
 - (c) **The owner of the land must record a restrictive covenant on that portion of the original lot which is to be transferred by sale or gift pursuant to the family subdivision that prohibits subsequent transfer of ownership except to a member of the immediate family for a period of five years.**

2. That Section 19-2304 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-2304. Minor Subdivision

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B. Applicability

1. Approval of a minor subdivision in accordance with the procedure and standards in this section is allowed in-lieu of approval of a preliminary plat (see Sec. 19-2302), if applicable, and a final plat (see Sec. 19-2303), prior to the recording of a plat of subdivision in the Circuit Court for any of the following:
 - ~~(a)~~ Family subdivision that does not require construction plans;
 - ~~(b)~~ Division of a lot or parcel of land pursuant to a plan of development or site plan approved in accordance with the requirements of Chapter 24 of the County Code, if the division does not involve a new public street or an extension of an existing public street; and
 - ~~(c)~~ **(b)** Vacation, relocation, resubdivision, or other alteration of individual lots if ~~no~~ **that does not involve** relocation or alteration of streets, alleys, **public easements (including easements** for public passage, ~~or public~~ **drainage, and utilities)**, or other public areas ~~is involved~~.

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D. Minor Subdivision Decision Standards

The Planning Director must approve a minor subdivision application only on finding the following:

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- ~~4.~~ If the minor subdivision is a family subdivision:
 - ~~(a)~~ The minor subdivision is not for the purpose of circumventing this Ordinance;
 - ~~(b)~~ Only one such division will be allowed for each family member; and
 - ~~(c)~~ The owner of the land has placed a restrictive covenant on that portion of the original lot which is to be transferred by sale or gift pursuant to the family subdivision that prohibits subsequent transfer of ownership except to a member of the immediate family for a period of five years.

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3. That Section 19-3201 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3201. Lot Arrangement

The design, arrangement, and layout of lots and lot dimensions must meet all requirements of this Chapter and Chapter 24 of the County Code and must not include irregular configuration or appendages for the purpose of circumventing lot area and lot width requirements. In order to ensure orderly lot arrangement and dwelling orientation, the applicant must provide the following information for all lots:

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4. That Section 19-3202 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3202. Street Access

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D. In a townhouse development, each townhouse must have access through the development to a public street. In the R-5A and R-5B General Residence Districts, each buildable lot must front on a public street, a private drive, or a private walkway.

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5. That Section 19-3301 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3301. Maximum Block Length

Except as otherwise provided in Sec. 19-3302 below, the average block length for a subdivision ~~must not exceed 800 feet,~~ and the length of a single block must not exceed ~~1,000 feet~~ the dimensions shown in Table 3301 below.

Table 3301: Maximum Block Length		
<u>Zoning District (see Chapter 24)</u>	<u>Average block length</u>	<u>Maximum length of a single block</u>
<u>A-1, A-2, R-0, R-0A, R-1, R-1A, R-2</u>	<u>Must not exceed 1,200 feet</u>	<u>Must not exceed 1,500 feet</u>
<u>R-2A, R-3, R-3A, R-4, R-4A, R-5A, R-5B</u>	<u>Must not exceed 800 feet</u>	<u>Must not exceed 1,000 feet</u>

6. That Section 19-3402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3402. Subdivision Access Points

A. Number of Access Points

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2. The Planning Director, in consultation with the County Engineer, ~~will~~ **may** approve a residential subdivision with fewer vehicular access points than required by Table 3402 if the applicant demonstrates any of the following:

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7. That Section 19-3404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3404. Street Design Standards

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B. Cul-de-sac Streets

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2. The length of a road that terminates in a cul-de-sac must not exceed **1,200 feet for land zoned A-1, A-2, R-0, R-0A, R-1, R-1A, or R-2, and must not exceed 800 feet for land zoned R-2A, R-3, R-3A, R-4, R-4A, R-5A, or R-5B. Cul-de-sac length is;** measured from the intersection of street centerlines to the end of the cul-de-sac street centerline. **The Planning Director may waive this requirement if the criteria in Sec. 19-2204.B.3 are met.**

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8. That Section 19-4110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-4110. Access to Private Cemetery or Graveyard

When new development is adjacent to or encompasses a private cemetery or graveyard, access must be provided by either a public right-of-way or a private accessway at least 20 feet in width extending from the cemetery or graveyard to a public street. The access must be improved with an all-weather surface compatible with the new development. The proposed development must be separated from the cemetery or graveyard by a fence between 36 and 42 inches in height meeting the requirements of Chapter 24, Article 5, Division 4, Fences and Walls. In the R-5A **and R-5B** Districts, the nearest residential lot must be at least 20 feet from the cemetery or graveyard.

9. That Section 19-5102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-5102. Applicability

Lands classified in the A-1, **A-2**, R-0, R-0A, or R-1 zoning districts may be developed in accordance with this article.

10. That Section 19-5302 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-5302. Dimensional Standards

Within a cluster subdivision, the dimensional standards established for each zoning district in Article 3, Zoning Districts, of Chapter 24 of the County Code will apply, except as modified by Table ~~5402~~**5302**: Cluster Subdivision Dimensional Standards.

Table 5302: Cluster Subdivision Dimensional Standards					
Dimensional Standard	Zoning District				
	A-1	<u>A-2</u>	R-0	R-0A	R-1
Lot size, minimum (square feet)	20,000	<u>43,560</u>	20,000	17,500	12,500
Lot width, minimum (feet)	80	<u>150</u>	80	80	80
Front yard, minimum (feet)	25	<u>50</u>	25	25	25
Interior side yard, minimum (feet)	15	<u>20</u>	15	10	10
Street side yard, minimum (feet)	<u>5025</u>	<u>25</u>	<u>5025</u>	<u>5025</u>	<u>5025</u>
Rear yard, minimum (feet)	25	<u>50</u>	25	20	20

11. That Section 19-7301 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-7301. Terms Defined

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Intersection

~~The area where two or more streets join.~~

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Minor Subdivision

Any of the following (see Sec. 19-2304, Minor Subdivision):

- ~~• Family subdivision that does not require construction plans;~~
- Division of a lot or parcel of land pursuant to a plan of development **or site plan** approved in accordance with the requirements of Chapter 24 of the County Code, if the division does not involve a new public street or an extension of an existing public street; or
- Vacation, relocation, resubdivision, or other alteration of individual lots, ~~if no~~ **that does not involve** relocation or alteration of streets, alleys, **public** easements **(including easements for public passage, drainage, and** ~~or public utilities)~~, or other public areas is involved.

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Street

~~A highway, street, avenue, boulevard, road, lane, or any public way with a right-of-way 30 feet or more in width. **A public thoroughfare maintained by the County or VDOT, or a private street approved by a plan of development or site plan, which affords the principal means of access to abutting property, including road, highway, drive, lane, avenue, place, boulevard, or any other thoroughfare. This definition does not include an alley or any public right-of-way less than 30 feet in width.**~~

Subdivision

~~**Except for a Minor Subdivision or a division of land ordered by a court, a** A division of a lot or parcel of land situated wholly or partly within the county that (1) divides the lot or parcel of land into two or more lots or parcels for the purpose of transferring ownership or building development, or (2) involves a new street or an extension of an existing street, ~~except for a Minor Subdivision or a division of land ordered by a court.~~~~

12. That this ordinance will be effective upon its passage as provided by law.