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CHESTERFIELD COUNTY
P.O. Box 40
CHESTERFIELD, VIRGINIA 23832-0040

LANE B. RAMSEY
COUNTY ADMINISTRATOR

MEMORANDUM

TO: The Member of the Chesterfield County Planning Commission

FROM: Thomas E. Jacobson, Director of Planning Tom

DATE: August 8, 2003

SUBJECT: Amendment to the Subdivision Ordinance - Lot and Parcel Standards

PROPOSED AMENDMENT: The attached amendment to Section 17 – 83 of the Subdivision Ordinance replaces the previously proposed amendment as discussed at the July work session. The amendment establishes standards for lots impacted by wetlands, floodplains or RPA's.

STAFF RECOMMENDATION: Staff recommends the Planning Commission set a public hearing for the proposed amendment

BACKGROUND: At the July 15, 2003 work session, the Planning Commission discussed a proposed amendment to the Subdivision Ordinance. During the discussion staff raised issues regarding the intended scope of the amendment. Mr. Litton ,who was an advocate of the amendment, was not able to attend the work session and the members of the Planning Commission who were present did not want to take a final action without obtaining Mr. Litton's input. Staff met with Mr. Litton and incorporate his concerns into the amendment language. The revised amendment incorporates Mr. Litton's desire to require a 9,000 square foot envelope to be present on the lot. Additionally, staff has addressed lots that have a minimum lot size, smaller than 9000 square feet, that had been established by a zoning case.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTION 17-83 RELATING TO LOT AND PARCEL STANDARDS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 17-83 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 17-83. Minimum requirements.

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(i) (1) All lots that receive tentative approval after (INSERT EFFECTIVE DATE OF AMENDMENT), and which are substantially divided by environmental features such as wetlands, RPA's, or floodplains with a combined drainage basin exceeding fifty (50) acres, shall contain a minimum contiguous area of not less than 9,000 square feet that is:

a. exclusive of the environmental features, and

b. located adjacent to the required street frontage and between the street frontage and the environmental features.

(2) For purposes of this subsection, a lot shall not be considered to be substantially divided if an existing natural and continuous accessway, a minimum of fifteen (15) feet in width, provides access from the front of the lot to any proposed building envelope that is not adjacent to the street frontage.

(3) The requirements of this subsection shall not apply to:

a. residential townhouse lots,

b. lots that are permitted by zoning conditions to be less than 9,000 square feet, provided that the lot contains a minimum contiguous area equal to or greater than the minimum lot size required by the zoning conditions, and

c. lots where:

i. the United States Army Corps of Engineers and any state regulatory agency having jurisdiction approves a crossing of the environmental features, and

ii. the minimum contiguous area exclusive of the environmental features is not less than 9,000 square feet, and

iii. the minimum contiguous area is located on that portion of the lot that is connected by the crossing. The size of drainage structures

for any such crossing shall also satisfy the requirements of the Department of Environmental Engineering's Reference Manual.

(2) That this ordinance shall become effective immediately upon adoption.